

THE COMBATIVE TACTICS OF THE NAACP AGAINST UNFAIR HOUSING
LAWS AND PRACTICES: A COMPARATIVE STUDY OF THE DYNAMIC
CHANGES IN URBAN AND RURAL LANDSCAPES 1920-1960

By

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This dissertation is dedicated to all of those who came before me and paved the way for an African American to earn a Ph.D. in this country. I am the fruit of their unwavering perseverance.

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ABSTRACT

By utilizing the records of the National Association for the Advancement of Colored People (NAACP) and numerous state and local repositories, this dissertation argues that the NAACP continuously attempted to methodically confront the Federal Housing Administration's (FHA) incessant exclusion of prospective African American homebuyers. This research highlights the evolution of NAACP's strategies to challenge the FHA's discriminatory practices. Furthermore, this scholarship chronicles the NAACP's organizational history by centering the activism of prominent and lesser-known leaders by showcasing the fair housing ideologies they constructed. This dissertation also explores the significance of the NAACP's housing campaign to the contemporary material culture of African Americans and the physical landscape they inhabit. Ultimately, this research provides an innovative intervention within the historiography by demonstrating the intended roles public historians and historic preservationists must play in maintaining the historical integrity of many of African American communities and landscapes to ensure their preservation. Historically, the deterioration of African American communities resulted, in part, from inequitable FHA underwriting procedures. When attempting to preserve historic African American communities, historic preservationists and public historians must consider the divestment of these historically marginalized neighborhoods to ensure these spaces are not eradicated from both the landscape and the historical record. By binding preservation with the history of systemic lending bias ensures that African American communities do not ultimately suffer perpetual marginalization.

TABLE OF CONTENTS

LIST OF TABLES.....	v
LIST OF FIGURES.....	vi
CHAPTER ONE: FILLING THE VOID: UNCOVERING THE NEXT RESEARCH IN AFRICAN AMERICAN HOUSING.....	1
CHAPTER TWO: CHALLENGING LOCAL HOUSING DISCRIMINATION DURING THE ROARING TWENTIES.....	42
CHAPTER THREE: SHAKY GROUND: BUILDING THE FOUNDATION OF AMERICAN HOUSING.....	65
CHAPTER FOUR: A UNITED FRONT: THE NATIONAL AND LOCAL VEINS OF THE NAACP.....	105
CHAPTER FIVE: NASHVILLE IN THE 1950s.....	137
CHAPTER SIX: OUR PLACES ARE HISTORIC TOO, SO KEEP YOUR HANDS OFF!: PRESERVING IGNORED AFRICAN-AMERICAN LANDSCAPES AND CULTURE IN THE AGE OF THE BULLDOZER.....	161
BIBLIOGRAPHY.....	176

LIST OF TABLES

Table 1. Population of African Americans in North Nashville.	156
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LIST OF FIGURES

Figure 1. National Housing Authority Director Nathan Straus Visits Cheatham Place Homes in Nashville.	115
Figure 2. Example of 1940s Nashville Substandard Living Conditions.	131
Figure 3. Chart of the Participating Cities in HHFA's the Slum Clearance and Urban Redevelopment Program.	141
Figure 4. 1952 Map Showing Census Tracts of Nashville, Tennessee.	155

CHAPTER ONE: FILLING THE VOID: UNCOVERING THE NEXT RESEARCH IN AFRICAN-AMERICAN HOUSING

In June 1937, Mr. Frank Summers, an African American attorney, applied for an FHA insured home loan for a newly constructed property located in East St. Louis, Illinois. His application was rejected. Convinced that Mr. Summers' application was denied solely on the basis of his race, NAACP leaders wrote FHA policymakers to specifically inquire about this particular case. In response to the NAACP's assertions of racial bigotry, an FHA spokesman explained why Mr. Summers' FHA loan application was refused. In a letter written to Mr. Summers, an FHA spokesman stated that Mr. Summers attempted to build "a newly constructed single home in a neighborhood comprised entirely of old buildings in an extreme state of dilapidation." This letter stated, "The property in itself, if located in a different neighborhood...would be eligible for an insured mortgage loan," but because Mr. Summer's home was "completely out of harmony with the remaining properties in the neighborhood" it was not eligible for federal mortgage insurance. The FHA spokesman estimated that Mr. Summers' home, was worth "about \$12,000," yet "the properties in the neighborhood have values ranging from approximately \$1,000 to \$2,500." Concluding this letter, the FHA representative maintained that, "The rules, regulations and other requirements of this Administration are applied impartially without reference to race, creed or color."¹

Summers' ordeal, although unfortunate, was a common reality for African American homebuyers. African Americans were excluded from white communities and

¹ Library of Congress, Papers of the NAACP, Group II, Part 05: Campaign Against Residential Segregation, 1914-1955, General Office File-Housing, Box L-17, Group II, Addendum File, Series L, Clyde L. Powell to Walter White, July 7, 1937.

often barred from enjoying housing meeting minimum federal standards thus relegated to substandard dilapidated housing accommodations in undesirable neighborhoods. The cornerstones of American democracy are life, liberty and the pursuit of happiness. Since the Civil Rights Act of 1866, African Americans have, in theory, had constitutionally protected property rights. Yet, these fundamental citizenship rights were frequently disregarded when African Americans attempted to gain unobstructed access to property. Consistently African Americans were unjustifiably denied rights critically essential to their overall wellbeing. Equal access to homeownership and housing meeting federal standards, a privilege many white Americans enjoyed, were frequently denied to African Americans. For example, by 1950, twenty-seven percent of nonfarm homes occupied by African Americans were considered dilapidated compared to just five percent of whites occupying similarly dwelling units. In urban areas, homes not considered dilapidated but “lacking either running water, private toilet, or bath” thirty percent of African Americans occupied these substandard homes compared to eleven percent “of urban white units in this category.” While urban homes without a private bathroom or shower were occupied by eleven percent of white families, these substandard facilities were occupied by forty percent of African American families.² These disparities were considerably significant because homeownership was used to quantify health, wealth and citizenship, for these and other reasons the NAACP waged a campaign against the federal endorsement of residential segregation. The NAACP campaign against residential segregation was a cornerstone for the unrestrained access to fundamental citizenship rights. Examining an

² Housing of the Nonwhite Population 1940 to 1950, Housing and Home Finance Agency (Washington, D.C.: United States Printing Office, 1952) pg.12.

under-researched aspect of NAACP activism: its fight against the FHA discriminatory housing practices, this dissertation explores specific tactics that the Association undertook to dismantle these systemically biased practices that barred African American access to homeownership. In the 1920s, NAACP leaders challenged the local enactment of racial zones and racially restrictive covenants. Beginning in the 1930s, the NAACP launched a campaign specifically designed to challenge racially exclusionary FHA underwriting policies. While much is known about the discriminatory FHA federal mortgage insurance procedures, less is understood concerning the varied African American strategies to combat these government-sponsored residential restrictions.

The period of 1920 through 1960 demonstrated an impressive legacy of NAACP activism in the realm of housing. There is an abundance of scholarly attention given to the constitutional victories of the NAACP in cases such as *Shelly v. Kramer*, and the NAACP is often praised for its various legal tactics to demolish segregationist laws. However, the NAACP's fair housing campaign combatting FHA underwriting procedures have lacked scholarly attention. Furthermore, scholars have often overlooked the role African Americans have played in creating more sustainable housing for themselves. Moreover, until now, no book-length manuscript has exclusively focused on the NAACP's long activism challenging the FHA's racist and oppressive underwriting policy.

Since its inception, there are many misconceptions concerning the role that the NAACP played in fighting for the inalienable rights of African Americans across the American landscape. This research provides new insight into how the NAACP created effective strategies to combat unfair housing. Moreover, this research links the initial

efforts of the NAACP and connects those efforts to the ongoing fight to preserve African American communities on the southern landscapes. By providing a window into African American housing on the southern landscape, this research provides a new vignette into the history of African American housing and its connection to historic preservation.

The history of urban housing in America has been characterized by the dynamic existence of institutionalized racial inequality, exemplified by the rise of an exclusionary suburban America, and an array of racially discriminatory housing policies. The African-American quest for housing in America is one shrouded in reactionary advocacy efforts with the intent and expectation of gaining full citizenship and equality in America.

Scholars have combed through numerous federal housing agency documents, case studies, city planning files, and conducted oral history interviews to produce a depiction of the struggles faced by prospective African American homeowners. However, there is also a need to demonstrate the impact of the NAACP, which created a path for resistance to unfair housing policies and practices, acting as both a legal and custodial agent for disenfranchised African Americans.

The purpose of this chapter is twofold. First, it seeks to illustrate the immense scholarly contributions that explore the issue of housing as a subfield of civil rights history. These works provide the intellectual underpinning for further scholarship and provide impressive historical narratives chronicling the many struggles and triumphs African Americans experienced attempting to access fair housing. Second, this chapter locates the avenues and places in which new perspectives and understandings of housing for African Americans will complement the field and add to the historiography by producing a new interpretation of African American housing in America.

Before seminal books were released chronicling urban housing there were collections of articles that highlighted the state of housing during the earlier twentieth century. Among these earlier works was Frederick Babcock's article, "Influence of the Federal Housing Administration on Mortgage Lending Policy." Published in 1939, Babcock delved into federal mortgage lending policies and attacked the Federal Housing Administration (FHA), noting that this federal agency was among the most influential government entities on urban housing. Babcock contended that the FHA wielded immense influence over mortgage lending institutions, specifically, and more generally, over the entire private housing market. According to Babcock, the FHA was single-handedly responsible for excluding African Americans from enjoying unfettered access to lending credit and equitable federal underwriting of mortgage loans. These policies and practices, he argued, entrapped impoverished minorities, forcing them to secure racially segregated government subsidized housing.³

St. Claire Drake and Horace Clayton published a book in 1945 that revealed the state and nature of life for African Americans in Chicago. *Black Metropolis: A Study of Negro Life in a Northern City*, highlighted Black life and culture in Chicago with relevance to urban environments throughout the country. Although not specifically focused on urban housing, *Black Metropolis* provided an in-depth depiction of Blacks' economic status, social welfare, and living conditions, particularly for southern African Americans migrating from the southern Black Belt to the northern city of Chicago. Drake and Clayton produced an abundance of research documenting the realities of urban

³ Frederick M. Babcock, "Influence of the Federal Housing Administration on Mortgage Lending Policy," *The Journal of Land & Public Utility Economics*, Vol. 15, No. 1 (Feb., 1939): 1-5.

housing and related health conditions in the urban “Chicago Ghetto.” According to Drake and Horace, the term “ghetto” had become a racially charged word that was used by local and federal officials to justify urban redevelopment, often leading to the displacement of African Americans and the destabilization of their communities and institutions.⁴

In 1955, Charles Abrams published *Forbidden Neighbors: A Study of Prejudice in History*. Abrams’ work is among the earliest comprehensive examinations of the discriminatory FHA policies and the plight of prospective African-American homebuyers confronting the federal endorsement of unfair housing practices. Abrams’ analysis of urban housing begins in the 1930s and concludes during the late 1940s. He argued that access to housing was one of several vital needs central to human survival along with food and economic stability. Rather than attacking the issues of housing from a historical, political, or social science perspective, Abrams elected to address the more formidable legal aspect of housing, demonstrating the FHA’s central role in enforcing unfair housing legislation. According to Abrams, the FHA used the ideology of “forbidden neighbors” to exclude Mexicans, Blacks, Puerto Ricans, Chinese, Japanese, and Jews from sprawling tracts of suburban housing. *Forbidden Neighbors* is an effective foundational work because of Abrams’ strict attention to the migration paths of African Americans and other minorities throughout the country, and their frequent inability to reside anywhere outside of well-established black urban neighborhoods. Understanding this ebb and flow of minority groups was central to showing how and why the FHA felt the need to restrict housing for the aforementioned minority groups. Moreover, Abrams offered several key

⁴ St. Claire Drake and Horace Clayton. *Black Metropolis: A Study of Negro Life in a Northern City Highlighted* (Chicago: University of Chicago Press, 1933).

terms and phrases from the realm of housing policy that have remained prevalent and are important for understanding the history of urban housing. The term “homogeneous in character,” for example, was a principle that reinforced to whites the notion that in order to preserve the integrity of their communities, they should remain isolated from African-American influence and culture. Abrams also introduced various housing organizations that took part in oppressing African Americans. The National Association of Real Estate Boards (NAREB), for example, openly encouraged the targeting of groups that did not fit into a homogeneous community. Abrams research illustrated that by the mid-twentieth century, scholars were beginning to dissect the inner workings of the FHA and urban housing.⁵

A book that complements *Black Metropolis* is Gilbert Osofsky’s *Harlem: The Making of a Ghetto*. Published in 1963, Osofsky recorded the emergence of Negro Ghettos across the city of New York. Unlike Drake and Horace, Osofsky ended his research with the 1930s, arguing that the Great Depression constituted a breaking point for African-American living conditions. As more recent scholars have argued, the Great Depression cemented African Americans’ second-class status when it came to housing in America. Osofsky contended that ghettos for African Americans began before World War I. The Harlem neighborhood was the perfect case study revealing how previously all-white neighborhoods incrementally became predominantly African American during the Great Migration. Divested over decades, these residential communities eventually became epicenters for urban renewal projects that displaced African-American residents,

⁵ Charles Abrams, *Forbidden Neighbors: A Study of Prejudice in Housing* (New York: Harper and Brothers, 1955).

reclaiming entire neighborhoods for white citizens. Osofsky unpacked the typical sentiments of historians who overlook African American housing during the early twentieth century and Progressive Era reform movements. Despite the growth of urban metropolises during the Progressive Era, African Americans are continuously absent from that historical conversation. Some of the earliest litigation challenging residential segregation, however, were fought by the NAACP, most notably in *Buchanan v. Warley* in 1917 and *Corrigan v. Buckley* in 1926, two Supreme Court cases that attempted to promote fair housing.⁶

Furthering the conversation on early urban housing conditions of African Americans, Kenneth Clark produced perhaps the most influential text overviewing the pathology of the ghetto and urban dwellings of African Americans. Published in 1965, *Dark Ghetto* explored African Americans neighborhoods across several contexts, depicting the social dynamics of the ghetto along with economic and social decay, housing decay, and the dynamics of under-employment as it relates to white labor unions. According to Clark, all aspects of Black life are connected, and if one aspect of African-American life declined, it had a subsequent adverse reaction on every other aspect of life. This work is pivotal to the construction of an ideology about urban environments and African-American communities in the urban landscape. Clark spent a substantial amount of time researching the perception of ghetto life and conceptualizing what he called “fantasy barriers” and confrontations between conservative and liberal views. Fantasy barriers keep African Americans within impoverished environments even though there

⁶ Gilbert Osofsky, *Black Metropolis is Harlem: The Making of a Ghetto* (New York: Ivan R. Dee Publishing, 1966).

are no physical constraints keeping them from acquiring middle-class dwellings. According to Clark, “fantasy barriers” did not mean that African Americans were not trapped, but rather that those barriers over time became established, but invisible, principles supported by discriminatory financial lending policies and the enforcement of racially exclusionary practices.⁷

Calvin Bradford’s 1979 article, “Financing Home Ownership: The Federal Role in Neighborhood Decline,” surveyed the federal housing policies specifically for single-family home ownership from the 1930s through the 1970s. Bradford’s chief argument was that the FHA either knowingly or unconsciously contributed to prohibiting minorities from securing homes or property to rent. This allowed the FHA to ensure that minorities were relegated to certain impoverished urban centers and, more importantly, the FHA controlled the locations of urban housing available for minorities. For the majority of the 20th century, suburban housing was strictly off-limits to most African Americans, and this racial exclusion coincided with the ideology that restricted residential space was pivotal in cementing the importance of American homeownership.⁸

Kenneth Jackson’s *Crabgrass Frontier: the Suburbanization of the United States* (1985) aimed to document the origins, causes, and impact of suburban living in America. Jackson, unlike many urban history scholars, ventured beyond the typical research material to collect an assortment of sources including prominent writers, economists, social scientists, legal historians, and social critics. This interdisciplinary approach

⁷ Kenneth Clark, *Dark Ghetto: Dilemmas of Social Power* (New York: Harper & Row Publishers, 1965).

⁸ Calvin Bradford, “Financing Home Ownership: The Federal Role in Neighborhood Decline,” *Urban Affairs Review*, Vol. 14, No. 3 (March, 1979): 313-335.

afforded Jackson a window into housing history that many scholars lacked. This research produced a depiction of housing from the eighteenth century through the twentieth century navigating both geographical and social changes to the landscape. Jackson argued that suburban areas were pockets of residential living removed from the inner cities yet not in remote locations, thus making them a prime area for middle-class living.

Crabgrass Frontier's best contribution to the field is its outline of what has become known as "white flight," the phenomenon characterized by the scattering of whites to suburban environments in hopes of escaping African Americans and overcrowded inner-city conditions. Jackson was one of the first scholars to give this elusive practice a title. Jackson challenged the notion that American cities evolved exclusively due to transportation and technological advances, arguing that while those played a vital part in urban development, the introduction of suburban living created separate opportunity for whites. Jackson's work, more importantly, created an avenue to explore how African Americans sought to live in suburban environments.⁹

Perhaps the most recent scholarship central to the history of housing and race in America, including the crippling effects of a depressed housing economy, is Thomas Sugrue's 1996 book, *The Origins of the Urban Crisis: Race and Inequality in Postwar Detroit*. Although Sugrue is not the first to suggest that the structural foundations of urban inequality developed before the 1960s, his research is more extensive than previous accounts. Using Detroit as a case study, Sugrue demonstrated how factories and plant closings fueled unemployment that consequently accelerated white flight, thus leaving

⁹ Kenneth Jackson, *Crabgrass Frontier: The Suburbanization of the United States* (Oxford: Oxford University Press, 1985).

the city crippled economically and socially. Sugrue argued that African Americans in Detroit were economically disenfranchised at every turn throughout Detroit's rollercoaster commercial demise. *The Origins of the Urban Crisis* is broken into three sections that detail the history of Detroit's post-World War II collapse. Sugrue connected the inner workings of the local government with how their actions threatened social cohesion, thus enraging the white citizens of Detroit who felt that the homogeneous character of their neighborhoods had no integrity. Sugrue painted a vivid picture of the clash between new African-American migrants to Detroit and the white-dominated local government and white residents. The collapse of the economy was merely the final step in the unfolding of the urban crisis. The primary tactic used by local officials, with the assistance of the FHA, was redlining. This process reinforced the negative notions of white homeowners and increased their anxieties about African-American homebuyers. However, Sugrue asserted that uneasy feelings toward African Americans were not the sole cause of white violence in Detroit. This work served as a testament to how a thriving metropolitan area collapsed, and how, in that context, such a city scapegoated its second largest population. This cohesion, along with unfair targeting and limited housing options ignited the fuel for the climax of Sugrue's work, the 1967 Detroit riot.¹⁰

A complement in many ways to Sugrue's work, Andrew Whittemore's article, "How the Federal Government Zoned America: The Federal Housing Administration and Zoning," continued the conversation on unfair housing practices, exploring the detrimental effects those practices have on African-American communities. Released in

¹⁰Thomas Sugrue. *Origins of the Urban Crisis: Race and inequality in Postwar Detroit* (Princeton: Princeton University Press, 2014).

2013, the article explored a decade from 1930 through 1940, emphasizing the impact of the FHA had in creating a complex system for normalizing the separation between white homeowners and African American apartment and government housing owners. Using Los Angeles as a case study, Whittemore argued that unfair housing ordinances and laws were not a product of northern cities, but rather a creation of the federal government. The FHA used its national role to promote the seclusion of minorities in various portions of the country. Building on the work of Charles Abrams, Whittemore noted how the FHA did not purely neglect inner city residents, but rather to hinder the housing process for all African Americans.¹¹

The combination of structural oppression, neglect, and systematic disenfranchisement is a recurring theme in scholarship on African-American housing. Fred Carroll is among a small group of scholars intensifying that conversation to encompass the actual practices and guidelines the FHA used to deprive African Americans of housing. Carroll's article, "The Racial Politics of Place: Jim Crow, the New Deal, and the Suburban Housing on the Virginia Peninsula," scrutinized the New Deal programs that bulldozed numerous Black neighborhoods under the guise of "slum clearance." Carroll argued that although the New Deal is credited for its major role in increasing awareness of African-American history and culture, the institutions established during this era played an integral role in the displacement of African Americans.¹²

¹¹Andrew H. Whittemore, "How the Federal Government Zoned America: The Federal Housing Administration and Zoning," *Journal of Urban History*, Vol. 39, No. 4 (July, 2013): 620-642.

¹²Fred Carroll, "The Racial Politics of Place: Jim Crow, the New Deal, and Suburban Housing on the Virginia Peninsula," *Journal of Urban History*, Vol. 40, No. 3 (May, 2014): 514-535.

The historiography of housing reveals a complex history of struggle and triumph, centered on the principles of identity and citizenship that are inherent in the American tradition of private property ownership. The NAACP has waged a longstanding campaign for fair housing in America since 1909. Yet, the NAACP's battle against nationwide housing segregation has not received enough scholarly attention. Michael Jones Correa added to this discussion in his article, "The Origins and Diffusions of Racial Restrictive Covenants," which offers insight into the origins of unfair FHA practices. Correa noted the difference between how individual states adopted and enforced laws. According to Correa, the NAACP waged war against the FHA because they understood the various concepts of housing, like development pathways, an ideology that maintains that once a corrupt institution is established, it usually creates conditions that allow that organization to control its sustainability. The NAACP knew that racially restrictive covenants were the primary system of control for the FHA since 1917. Furthermore, Correa showed how the NAACP sought to engage the FHA at every level of its discrimination. Correa's work shows the need for additional scholarship that attempts to examine how organizations challenged the forceful oppression of the FHA.¹³

Loren Miller, a long time scholar, activist, and author of the article, "The Protest Against Housing Segregation," used his vast knowledge in housing and urban affairs to document what he termed the "Negro takeover." In this 1965 article, Miller took direct issue with assertions that the rise of ghettos across both the Black Belt and the Rust Belt in the 1960s was a product of simple racism, and that men could simply change their

¹³Michael Jones-Correa, "The Origins and Diffusion of Racial Restrictive Covenants" *Political Science Quarterly*, Vol. 115, No. 4 (Winter, 2000-2001): 541-568.

emotions and hearts and everything would eventually get better. According to Miller, the system of oppression is much more complex. With more than a century of unfair governmental targeting and sanctions, a system of reinforced private segregation was inevitable. Miller joined a number of scholars in noting that with these unfair laws and practices in the midst of World War I, World War II, and the Great Depression, African Americans' housing opportunities were crippled. Miller, for instance, made some very troubling statements about the need for urban renewal and redevelopment, especially given our modern understandings of the crippling effects of urban renewal during the period, and its failure to redevelop in ways that benefitted black communities. Although scholars are aware of the racist undertones often associated with "urban renewal," Miller noted that certain areas were in need of urban renewal projects, raising important questions about how contemporary scholars envisioned the execution of theoretical platforms on housing reform.¹⁴

In Louis Woods' article, "The Federal Home Loan Bank Board, Redlining, and the National Proliferation of Racial Lending Discrimination, 1921–1950," released in 2012, Woods scoured through annual reports of the Federal Home Loan Bank Board (FHLBB) and incorporated the organization's monthly journals to build a solid argument that the incorporation of the Home Owners Loan Corporation (HOLC) appraisal patterns ultimately had continuous detrimental effects for African Americans. This article provided insight into the ways in which entire African American communities were labeled as hazardous bank investments. According to Woods, this labeling occurred as a

¹⁴Loren Miller, "The Protest against Housing Segregation," *Annals of the American Academy of Political and Social Science*, Vol. 357 (January, 1965): 73-79.

direct result of complex scientific appraisal standards. Ultimately, by the midcentury, the Federal Home Loan Bank Board perfected the creation of inexplicably substandard urban housing conditions for African Americans in the United States.¹⁵

Louis Woods' 2013 article, "Virtually 'No Negro Veteran...Could Get a Loan:' African-American Veterans, the GI Bill, and the NAACP's Relentless Campaign Against Residential Segregation, 1914-1960," presents a different concept with a similar outcome. Woods' article focused on World War II soldiers' access to the housing component of the GI Bill and methodically analyzed the effects institutionalized racism had on the government's ability to equitably administer the GI Bill benefits to which black and white veterans were entitled. Woods also asserted that, since the modern American middle class was essentially constructed by veterans benefiting from the GI Bill, black veterans were generationally disadvantaged, denied the ability to adequately profit from these generous postwar military provisions. Woods concludes, therefore, that reparations for African-American World War II veterans are warranted.

Woods' essay also explored the time-honored activism of the NAACP, specifically how the NAACP fought the residential segregation of veterans through their veteran affairs department. Woods argued that the 1930s represented a critical period in the NAACP's protracted and proactive campaign against the FHA's discriminatory lending policies. Woods research provided a chronological assessment of how the NAACP meticulously battled with FHA policymakers, and revealed the vast inner workings of the NAACP's legal arm under the leadership of Thurgood Marshall.

¹⁵Louis Woods, "The Federal Home Loan Bank Board, Redlining, and the National Proliferation of Racial Lending Discrimination, 1921-1950," *Journal of Urban History*; Vol 38, Issue 6 (November 2012): 1036-1059.

Essentially, Woods' article opened the door for a closer assessment of the NAACP records, which hold numerous documents that showcase the exclusionary nature of FHA mortgage lending practices, and furthermore, how the NAACP used the law and their national strength in membership to confront the FHA's policies. Perhaps the most fruitful section of the article is the case for reparations. According to Woods, if the economic prosperity provided by the GI bill had been equitably applied to African-American soldiers, black communities would have had the means to develop a much more robust middle class. More precisely, Woods contended, there would have had between 400,000 and 500,000 additional African American homeowners by the mid-twentieth century.¹⁶

Raymond Mohl further explored the history of African Americans in urban areas in his 2001 article, "Whitening Miami: Race, Housing, and Government Policy in Twentieth-Century Dade County." Using Miami as a case study, Mohl argued that not only has Miami been segregating minorities since the early twentieth century, but that this phenomenon is not exclusive to northern cities. Prior to Mohl's scholarship on Miami, urban housing studies focused predominantly on Northern cities including Chicago, Detroit, and New York. Miami, located in southern Florida, demonstrated how the mixing of the races was a national issue and not just a northern problem. A major city in south Florida, Miami demonstrated how the residential mixing of the races was a national issue and not just a northern problem. Mohl also introduced Miami as an example of a local government that took advantage of New Deal efforts and economic

¹⁶Louis Lee Woods II, "Virtually 'No Negro Veteran...Could Get a Loan:' African-American Veterans, the GI Bill, and the NAACP's Relentless Campaign against Residential Segregation, 1914-1960," *Journal of African American History*, Volume 98, No. 3 (Summer, 2013): 392-417.

resources to create housing for African Americans outside of downtown Miami and away from suburban enclaves of white citizens. This duality of helping African Americans while simultaneously crippling them became a prevalent theme throughout African American housing history.¹⁷

LeeAnn Lands' 2009 book, *The Culture of Property: Race, Class, and Housing Landscapes in Atlanta, 1880-1950*, aimed to challenge the supposition that America's housing ambitions somehow affected the scope of homeownership and property value. Lands' work demonstrates how social forces, influenced heavily by builders, contractors, and speculators, guided the housing-related attitudes of many Americans. Using Atlanta as a case study, Lands argued that the city's white elite were influenced by ideas promoted by government officials, developers, and contractors. Although her argument makes clear that racism can never be discounted as a factor in this process, elite whites were influenced by an idealized version of suburban high-class living removed from inner-city problems and secluded from minorities.

Lands emphasizes the cultural landscape of Atlanta to build a historical timeline reflecting its transformation from a renting city to a home-owning one. Lands contended that this transition is in large part due to the creation of "park neighborhoods sensibilities,"¹⁸ a new style of living that transformed white perceptions of new elite communities. These communities were full of homes owned by whites situated in a park-style landscape. Modern Atlanta is riddled with parks throughout the inner city. Even those natural beauties displaced African Americans. This research explored ideas about

¹⁷Raymond A. Mohl, "Whitening Miami: Race, Housing, and Government Policy in Twentieth-Century Dade County," *The Florida Historical Quarterly*, Vol. 79, No. 3 (Winter, 2001): 319-345.

¹⁸ LeeAnn Lands, *The Culture of Property: Race, Class, and Housing Landscapes in Atlanta, 1880-1950* (Athens: University of Georgia Press, 2009) pp. 45.

physical landscapes that went beyond aesthetics. Because nature is proven to benefit mental and physical health whites essentially disrupted and displaced black communities—and by extension black health and wellbeing—to secure their own. Lands' work is crucial to the idea that there are many forces at play when discussing the displacement and disenfranchisement of African Americans.¹⁹

Within this dissertation, a considerable amount of time is dedicated to metropolitan cities, which provide examples of more egregious policies and practices by the FHA. For example, in Wilmington, Delaware, the local government took an adamant stand against the desegregation of schools. This fight also trickled into the fight for fair housing. Brett Gadsden's 2010 article, "The Other Side of the *Milliken* Coin: The Promise and Pitfall of Metropolitan School Desegregation," explored the efforts of Wilmington citizens in school desegregation and how that fight shaped the landscape of discrimination in school and housing policies. This research illuminates the reasoning behind African-American students and their families being consolidated in the inner city, while white students were sent to surrounding suburban areas.

Gadsden's article is crucial as it documented the first plausible solution to create a successful desegregation situation in metropolitan city. According to Gadsden, there was an intense African-American insurgency comprised mostly of NAACP members fighting against the numerous instances of white backlash to a changing society. The sides fought over the two-way bus program that, in theory, would slowly dismantle the racial divide. Gadsden focuses on the ultimate inability of African Americans to overturn policies

¹⁹LeeAnn Bishop Lands, "A Reprehensible and Unfriendly Act: Homeowners, Renters and the Bid for Residential Segregation in Atlanta, 1900-1917," *Journal of Planning History*, Vol. 3, No. 2 (May, 2004): 83-115.

maintaining public school segregation enacted by conservative wealthy whites. Historically black schools such as Howard High School were seen as problematic. This meant that the burden of desegregation was placed on African Americans students to comply with the rules rather than the white public school students, for whom these policies were initially intended. The true strength of this article is in its analysis of the overlooked relationship between housing and education policy, both of which were affected by the attempted desegregation efforts in Wilmington.²⁰

Similar to Gadsden's article, Ansley T. Erickson's 2016 book, *Making Unequal Metropolis: School Desegregation and Its Limits*,²¹ investigated how municipal practices subsidized segregated schools and, more importantly, segregated neighborhoods associated with those schools in the aftermath of the *Brown v. Board* decision. Nashville was ripe for an urban renewal project, and corrupt local leadership and federal education guidelines combined to create an environment strongly favoring suburban space and often neglecting urban space. This paradigm reinforced both educational and housing discrimination. Similar to other cities during this era, Nashville used school construction policies to meet the needs of suburban developers while reinforcing the message that impoverished urban areas were for African Americans. Although Erickson did not say why suburban education was sought after, the article revealed a vast world of backroom political deals and misinterpretation of educational guidelines. "Building Inequality" touches the heart of the relationship between housing and education, showing how education was often used as a tool to ensure that particular populations had no access to

²⁰ Brett Gadsden, "'The Other Side of the Milliken Coin:' The Promise and Pitfall of Metropolitan School Desegregation," *Journal of Urban History*, Vol. 36, No. 2 (March, 2010): 173-196.

specific areas of the city. Erickson argued that focusing on these incidents in the history of desegregation offers real answers about how metropolitan areas moved from *de jure* to *de facto* mentalities of race and class in America.²¹

It is worth noting that there have been other works that specifically delved into the busing crisis in Nashville, Tennessee. Richard A. Pride and J. David Woodard's 1985 book, *The Burden of Busing: The Politics of Desegregation in Nashville, Tennessee* presented a thorough and complex account of the busing controversy in the aftermath of desegregation. *The Burden of Busing*, was written by two political scientists who reached the depressing conclusion that effective busing occurred only when a small collection of Nashville's white and African-American elites rebelled against unfair busing tactics. According to Pride and Woodard, many white citizens fled the city as a result, while African Americans, many of whom unable to leave Nashville, were further disenfranchised when historically black schools in their neighborhoods were closed in favor of busing students elsewhere.²²

There is a consistent connection between where individuals live and where they are educated. This was particularly true for large urban centers like Atlanta. Ronald H. Bayor's, "The Civil Rights Movement as Urban Reform: Atlanta's Black Neighborhoods and a New 'Progressivism,'" highlighted housing and educational reform efforts during the progressive era. Often overshadowed by the New Deal and World War I, this period was crucial for African Americans in establishing the foundations for the early stages of

²¹ Ansley T. Erickson, *Making the Unequal Metropolis: School Desegregation and Its Limits* (Chicago: University of Chicago Press, 2016).

²² Richard A. Pride and J. David Woodard, *The Burden of Busing: The Politics of Desegregation in Nashville, Tennessee* (Knoxville: University of Tennessee Press, 1985).

the fight for equal housing by the NAACP. Bayor focused on the influences and the rise of African American neighborhoods as staples of environmental landscapes. In Atlanta, although formally segregated during the era of Jim Crow, African American neighborhoods were thriving centers of culture and education. Bayor situated African American neighborhoods in the conversation by showing their importance to the stability of African American life in general. Bayor argued that while middle-class African Americans did not fully support segregation, it allowed the overarching sense of community to remain intact. Central to Bayor's argument is how early civil rights organizing shaped the landscape of African-American housing.²³

Perhaps one of the best examples that demonstrated the connection between housing and education is Matthew D. Lassiter's article, "Schools and Housing in Metropolitan History: An Introduction." Lassiter explored the interchange between the housing market and educational policies, and asserted that previous scholarship has emphasized the notion that housing heavily influenced educational policy and segregationist practices. Lassiter challenged that assumption, arguing that the relationship between both educational and urban development policy were fluid, both fueling each other, and creating a solid system of exclusion for African Americans. Moreover, organizations like the NAACP navigated these racial minefields in order to assert African Americans' constitutional right to access fair housing.²⁴

²³ Ronald H. Bayor, "The Civil Rights Movement as Urban Reform: Atlanta's Black Neighborhoods and a New 'Progressivism,'" *The Georgia Historical Quarterly*, Vol. 77, No. 2 (Summer, 1993): 286-309.

²⁴ Matthew D. Lassiter, "Schools and Housing in Metropolitan History," *Journal of Urban History*, Vol. 38, No. 2 (March 2012): 195-204.

Scholarship is emerging on a consistent basis documenting the historical effects the FHA has had on African-American housing. Kevin Kruse added to the conversation with his 2005 publication, *White Flight: Atlanta and the Making of Modern Conservatism*. Kruse's intent with this work was to understand segregationists, arguing that there was a fine line between racism and upholding beliefs and liberties. Kruse used Atlanta to show how southern cities were all facing similar battles over race, class, and gender. Kruse also highlighted the notable differences between southern and northern cities, most notably how issues of violence and resistance to racial inclusion were more violent in northern cities. Kruse argued that before 1970, there were numerous areas throughout the south where the population of African Americans severely outnumbered that of whites. The reality of a mass riot often quelled potential unrest between both whites and African Americans. Kruse depicted how white flight was merely a continuation of the social and racial tensions that have consistently plagued American society. According to Kruse, whites abandoned urban spaces for a more favorable suburban landscape, taking their racially separatist views with them. This, in turn, created a suburban environment that was, in many ways, more racially charged than urban areas. Likewise, Kruse demonstrated that instances of violence in the suburbs were often worse than retaliation to integration efforts in urban areas. For whites, cities were places that could be abandoned, while suburbs had to be vigorously defended in order to preserve their homogeneity, a perspective that rests on the idea that people of color inherently disrupt or dismantle the character of a community.²⁵

²⁵ Kevin M. Kruse, *White Flight: Atlanta and the Making of Modern Conservatism* (Princeton: Princeton University Press, 2005).

The history of the NAACP and its role in critical civil rights struggles like housing has received considerable attention from scholars. Shawn Leigh Alexander's 2011 publication, *An Army of Lions: The Civil Rights Struggle Before the NAACP*, positioned the NAACP as an organization whose prominence was made possible in part by the numerous other organizations during the nineteenth century that paved the way for their rise. Alexander highlighted figures such as T. Thomas Fortune, whose organizing work centered on many of the same questions concerning, disenfranchisement, segregation, housing issues, and equality. This book is important to understanding NAACP history because it demonstrated that, while mighty in number, the NAACP was not the first to galvanize African Americans in search of equality. African Americans have been fighting in some form or fashion since they arrived on Northern American shores.²⁶

As early as 1964, scholars examined the NAACP's work on numerous fronts, aiming to uncover its vast intricate network of protest, activism, and racial uplift. Wilson Record's book *Race and Radicalism: The NAACP and the Communist Party in Conflict* explored the complexities of the Civil Rights Movement, focusing on the peculiar connections that organizations such as the NAACP forged for racial and social uplift. Published in 1964, Record's research is instrumental because of its inadvertent commentary on the American social system. Likewise, Record's analysis of the NAACP's interactions with the American Communist Party demonstrates that there was

²⁶ Shawn Leigh Alexander, *An Army of Lions: The Civil Rights Struggle Before the NAACP* (Philadelphia: University of Pennsylvania Press, 2013).

a fluid exchange of ideas and negotiation, which speaks to the multifaceted nature of African-American politics. Although not a top-down history of the NAACP, Record's approach portrayed the NAACP as crusaders for African-American equality.²⁷

One of the first surveys of the NAACP from an organizational standpoint was Charles Kellogg's 1973 book, *NAACP: A History of the National Association for the Advancement of Colored people, 1909-1920*. The first of two volumes, the first section chronicled the creation of the NAACP, positioning the organization as a consequence of northern liberal discontent over the denigration of African Americans living in segregated southern communities. Kellogg detailed the rapid expansion of the NAACP, showing that by 1920, the NAACP had 56,000 members nationwide. His work also offers a detailed discussion of President Woodrow Wilson and his attitudes toward African Americans, most notably the effects of rampant African American displacement from federal employment as President Wilson segregated the government. Kellogg contended that although the NAACP was against all forms of segregation, their largest efforts were against lynching and mob violence.²⁸ This is critical because it laid the foundation for why further study of the NAACP and their efforts in housing are relevant. There is a preponderance of evidence that, historically, whites have committed frequent acts of both violence and intimidation when African American pioneers moved into white-dominated

²⁷ Wilson Record, *Race and Radicalism: The NAACP and the Communist Party in Conflict* (Ithaca: Cornell University Press, 1966).

²⁸ There was no in depth discussion of the fight for fair housing in Kellogg's work. Between 1909-1920, African Americans were subjected to restrictive covenants.

space. Furthermore, Kellogg taps into perhaps the NAACP's best-known legacy of their legal civil rights activism.²⁹

V.P. Franklin, in his 2004 article, "Introduction: Documenting the NAACP's First Century from Combating Racial Injustices to Challenging Racial Inequalities," delved into the earliest legal strategies for the NAACP, including the work of attorneys Arthur Spingarn and Charles Sturdivant. Franklin traced the legal history from the inception of the association's legal bureau in 1913, adding intricate details on the combative tactics of the NAACP and even mentioning some of their earliest Supreme Court cases including *Buchanan v. Warley*. Moreover, Franklin positioned the NAACP as agents of care, aiding all poor and working-class black southerners.³⁰

There are two platforms where restrictive covenants saw their greatest influence over the public—the housing arena and the federal courts. Clement E. Vose examined the legal aspects of restrictive covenants and the related federal cases in his landmark book, *Caucasians Only: Supreme Court, the NAACP, and the Restrictive Covenant Cases*. Published in 1959, Vose's central argument is that by examining the sociological and political effects of restrictive covenants, it is easier to unpack the theoretical methods by which the government attempted to use restrictive covenants to oppress African Americans throughout the United States. The greatest impact of Vose's work is the critical influence he placed on the NAACP and their strategic efforts in state actions, which were, according to Vose, critical aspects of the various laws that the NAACP

²⁹ Charles Kellogg, *NAACP: A History of the National Association for the Advancement of Colored People, 1909-1920* (Baltimore: The Johns Hopkins Press, 1967).

³⁰ V.P. Franklin, "Introduction: Documenting the NAACP's First Century from Combating Racial Injustices to Challenging Racial Inequalities," *The Journal of African American History*, Vol. 94, No. 4, Special Issue: "Documenting the NAACP's First Century" (Fall 2009): 453-454.

scrutinized in the early twentieth century. Although this work primarily focused on restrictive covenants, it also heavily depicted the evolution of the NAACP's legal strategies to promote fair housing. Although Vose's work is central to understanding restrictive covenants, several contemporary critiques of Vose's work challenge his sweeping generalizations regarding important figures such as W.E.B. Du Bois, who was relegated to only two sentences where Vose attempted to down play his role in the NAACP and the black freedom struggle.³¹

In a more recent publication (2015) Jeffrey Gonda sheds light on some of the earlier housing issues that in many ways birthed the Civil Rights Movement. Mirroring Clement Vose's research, Gonda's book, *Unjust Deeds: Restrictive Covenant Cases and the Making of the Civil Rights Movement*, highlighted the devastating impact of restrictive covenants and the legal tactics of the NAACP. Gonda's work focused primarily on the time period between 1940 and 1960, effectively displaying not only the harsh realities for African-American families displaced by restrictive covenants, but more importantly how the zealous efforts of Charles Hamilton Houston and other notable Howard University scholars, including E. Franklin Frazier, sought to ultimately cast doubt on the effectiveness and legality of restrictive covenants.³²

Richard Kluger, in his 1975 book, *Simple Justice*, narrated the legal history of the NAACP and its architects Charles Hamilton Houston and his then understudy, Thurgood Marshall. Kluger essentially saved Houston from falling into obscurity, along with other

³¹ Clement E. Vose, *Caucasians Only, Supreme Court, The NAACP, and the Restrictive Covenant Cases* (Oakland: University of California Press, 1959).

³² Jeffrey Gonda, *Unjust Deeds: Restrictive Covenants Cases and the Making of the Civil Rights Movement* (Chapel Hill: University of North Carolina Press, 2015).

forgotten civil rights pioneers. Complementing Kluger's attempt to save Houston's legacy, Robert Rabin, in his 1976 article, "Lawyers for Social Change: Perspectives on Public Interest Lawyers," argued that NAACP staff were a model of public interest law.³³ Genna Rae McNeil's book, *Groundwork: Charles Hamilton Houston and the Struggle for Civil Rights*, published in 1983, differed from Kluger in two key areas: first, it tapped into Houston's personal side providing information about his background, and secondly, this work followed Houston's efforts to turn Howard University Law School into a site for training the generation of black legal scholars who would be at the forefront of the legal battles of the 1950s and 60s. Similarly, James Rawn Jr.'s 2010 book, *Root and Branch: Charles Hamilton Houston, Thurgood Marshall, and the Struggle to End Segregation*, placed more emphasis on Houston's use of the law and subsequent efforts in the Supreme Court.³⁴

Mark Tushnet's book, *Making Civil Rights Law: Thurgood Marshall and the Supreme Court, 1931-1961*, published in 1996, guided readers through the journey of the NAACP's creation of the separate yet aligned organization known as the Legal Defense

³³ Robert Carter, "The NAACP's Legal Strategy against Segregated Education", *Michigan Law Review*, Vol. 86, No. 6, 1988 Survey of Books Relating to the Law (May, 1988): 1083.

³⁴ Richard Kluger, *Simple Justice: The History of Brown v. Board of Education and Black Americas Struggle for Equality* (New York: Vintage Books); Robert Rabin, "Lawyers for Social Change: Perspectives on Public Interest Lawyers," *Stanford Law Review*, Vol. 28, No. 2 (Jan., 1976): 207-261; Gena Rae McNeil, *Groundwork: Charles Hamilton Houston and the Struggle for Civil Rights* (Philadelphia: University of Pennsylvania Press, 1984); James Rawn Jr., *Root and Branch: Charles Hamilton Houston, Thurgood Marshall and the Struggle to End Segregation* (New York: Bloomsbury Press, 2013).

Fund. Thurgood Marshall, who joined the legal counsel of the NAACP at the behest of Charles Hamilton Houston in 1936, went on to build an army of civil rights litigators tasked with dismantling segregation. The first half of the book is dedicated to the Legal Defense Fund's involvement outside of the realm of education. Tushnet highlighted Marshall's rise within the NAACP and offered insight into the various roles he undertook, including office manager and fundraiser, and liaison between the NAACP and NAACP Legal Defense Fund.³⁵

The labors of Thurgood Marshall, architect of the *Brown v. Board of Education* Supreme Court case, are recounted in Mark Tushnet's book, *The NAACP's Legal Strategy Against Segregated Education 1925-1950*. Published in 1987, Tushnet narrated the NAACP's legal campaign to outlaw segregated education from the 1930s through the 1954 *Brown* decision. Tushnet gave considerable attention to the exhaustive legal ends to which the NAACP went to secure equality through the courts. Although there are mentions of housing issues within the text, the majority is limited to the NAACP's efforts in desegregation of education, anti-lynching, and mob violence.³⁶

Another essential section of literature for examining the NAACP are accounts scrutinizing the rank-and-file, and the various national secretaries of the NAACP including James Weldon Johnson, Walter White, and Roy Wilkins. The book that best encapsulates these three most prominent leaders of the NAACP is *In Search of Democracy: The NAACP Writings of James Weldon Johnson, Walter White and Roy*

³⁵ Mark Tushnet, *Making Civil Rights Law: Thurgood Marshall and the Supreme Court, 1931-1961* (Oxford: Oxford University Press, 1996).

³⁶ Mark Tushnet, *The NAACP's Legal Strategy Against Segregated Education, 1925-1950* (Chapel Hill: University of North Carolina Press, 2005).

Wilkins. Published by Kathryn Sondra Wilson in 1999, the work highlighted the writings and thoughts each former secretary, gave insight into their political intentions, and explored how each secretary crafted his tenure as head of the NAACP. This information is crucial because the NAACP presented itself as a strong united front for equality. Actions were rarely taken without strict orders from the national office. Likewise, Robert Janken's 2006 book, *Walter White: Mr. NAACP* and Yvonne Ryan's 2013 book, *Roy Wilkins: The Quiet Revolutionary and the NAACP* add to Wilson's effort to document the roles of the NAACP secretaries.³⁷

Understanding the cohesive force of the legal and political veins of the NAACP is fundamental to evaluating new scholarship detailing the profound impact the NAACP made on both the Civil Rights Movement and equal housing initiatives. Among the scholars that embarked on this task were those who either examined various aspects of the NAACP's political activities, or those who looked at specific organized fronts within the NAACP. Patricia Sullivan's 1996 book *Days of Hope: Democracy in the New Deal Era* focused on the pivotal decade leading up to the presidential election of 1948. Sullivan argued that unlike many who believed that 1938 marked the end of New Deal political reform such as Alvan Brinkley's 1996 book, *The End of Reform*, there remained a strong African American political movement after the New Deal era. This was fueled

³⁷ Kathryn Sondra Wilson, *In Search of Democracy: The NAACP writings of James Weldon Johnson, Walter White and Roy Wilkins* (Oxford: Oxford University Press, 1999); Kenneth Robert Janken, *Walter White: Mr. NAACP* (Chapel Hill: The University of North Carolina Press, 2006); Yvonne Ryan, *Roy Wilkins: The Quiet Revolutionary and the NAACP* (Lexington: University Press of Kentucky, 2013).

by two Supreme Court victories for the NAACP in the *Gaines* case and *Smith v. Allwright*.³⁸ Sullivan argued, “Although the legislative phase of the New Deal ended by 1938 [...] its political consequences for the South, African Americans, and for the Democratic Party were just being realized.”³⁹ Similar to Sullivan, Harvard Sitkoff’s 2008 book, *A New Deal for Blacks: The Emergence of Civil Rights as a National Issue, the Depression Decade*, crystalized notions that the 1930s propelled civil rights issues on the national stage. Following suit, Patricia Sullivan’s second work, released in 2009, focused exclusively on the NAACP and their laborious efforts for racial uplift. *Lift Every Voice: The NAACP and the Making of the Civil Rights Movement* detailed the NAACP’s earlier decades and the leadership of its most prominent figures, including many who have often been overshadowed. Through intricate stories and overlapping testimonies Sullivan told the story of the NAACP’s rise to become the preeminent organization of African Americans.⁴⁰

Denton L. Watson examined the roles of the NAACP and their often narrowly conceived importance to the Civil Rights Movement in his 1993 article, “Assessing the

³⁸ John B. Kirby, “Days of Hope: Race and Democracy in the New Deal Era by Patricia Sullivan,” *The Historian*, Vol. 60, No. 4 (SUMMER 1998): 878.

³⁹ Patricia Sullivan. *Lift Every Voice: The NAACP and the Making of the Civil Rights Movement* (New York: The New Press, 2010 (reprint), pg. 101.

⁴⁰ Patricia Sullivan, *Days of Hope: Democracy in the New Deal Era* (Chapel Hill: University of North Carolina Press, 1996); Alvin Brinkley, *The End of Reform: New Deal Liberalism in Recession and War* (New York: Vintage Books, 1996); Harvard Sitkoff, *A New Deal for Blacks the Emergence of Civil rights as a National Issue, The Depression Era* (Oxford: Oxford University Press, 2008); Patricia Sullivan, *Lift Every Voice: The NAACP and the Making of the Civil Rights Movement* (New York: The New Press, 2010).

Role of the NAACP in the Civil Rights Movement.” Watson argued that the media attention on Martin Luther King Jr. and the Southern Christian Leadership Conference (SCLC), and the lack of logistical media strategies by the NAACP deafened the volume of the NAACP’s place in national memory. Watson offered examples of the NAACP’s various legal and political victories that were essentially overshadowed until recently. In a similar vein, Thomas L. Bynum’s 2013 book, *NAACP Youth and the Fight for Black Freedom, 1936-1965*, aimed to highlight the accomplishments and advances of the NAACP youth movement. Even though many of the organizers and committee members were young, their impressive accomplishments were long overdue for historical interpretation.⁴¹

One would be remiss when discussing the Civil Rights Movement and the NAACP without including both scholars who believed the NAACP championed the Civil Rights Movement, and their counterparts who were incredulous of the NAACP’s success. Two books that encapsulate such views are Gilbert Jonas 2007 book, *Freedom’s Sword: The NAACP and the Struggle Against Racism in America, 1909-1969* and Risa L. Goluboff’s 2009 publication, *The Lost Promise of Civil Rights. Freedom’s Sword*, similar to many of the books covered within this research, not only stressed the importance of the NAACP, but argued that the NAACP has not received nearly enough notoriety for the actual advancements of African Americans during the Civil Rights Movement.⁴² In stark contrast, *The Lost Promise of Civil Rights* asserted that the NAACP has received too

⁴¹ Denton L. Watson, “Assessing the role of the NAACP in the Civil Rights Movement,” *The Historians*, Vol. 55 No. 3 (Spring 1933): 453- 468; Thomas L. Bynum, *NAACP Youth and the Fight for Black Freedom, 1936-1965* (Knoxville: University Tennessee Press, 2013).

⁴² In this effort Jonas is arguing that the classified “Civil rights movement” follows the vein of a long narrative. Moreover, the story of the civil rights is aligned with the inception of the NAACP in 1909.

much credit for progress, even as other champions of civil rights remained obscure.

Goluboff stresses the need to view the NAACP's influence on civil rights as more than *Brown v. Board of Education* and anti-lynching campaigns. Goluboff's argument has are strong similarities to my approach to uncovering new scholarship on the NAACP.

Goluboff followed the earlier assertions of Martin Marger's 1984 article, "Social Movement Organizations and Response to Environmental Change: The NAACP, 1960-1973." Marger recounted the difficult time the NAACP had attempting to remain relevant during the 1960s and the rise of more militant black political movements. According to Marger, the NAACP always played an integral role in the Civil Rights Movement. Yet, by the 1960s, the expansion of different media outlets and the charismatic leadership of civil rights champions like Martin Luther King, Malcom X, and Stokley Carmichael, the NAACP took a public backseat to those more mainstream figures.⁴³

One of the most effective ways scholars approach NAACP history is by surveying the eras where the NAACP's was at its height in social, political, and legal advocacy. An example of this is Kevern Verney and Lee Satarin's 2009 book, *Long is the Way and Hard: One Hundred Years of the NAACP*. Verney and Satarin compiled essays covering a wide variety of issues all related to the NAACP, including the NAACP's views on

⁴³ Gilbert Jonas, *Freedom Sword: The NAACP and the Struggle Against Racism in America, 1909-1969* (New York: Routledge, 2004); Risa L. Goluboffs, *The Lost Promise of Civil Rights* (Cambridge: Harvard University Press, 2010); Martin Marger, "Social Movement Organizations and Response to Environmental Change: The NAACP, 1960-1973," *Social Problems*, Vol. 32, No. 1, Thematic Issues on Minorities and Social Movements (Oct., 1984): 16-30.

Black Power, its tensions with Dr. Martin Luther King, and the grassroots versus top-down leadership ideology with which the NAACP often struggled. Similarly, Simon Hall, in his book, *The NAACP, Black Power, and the African American Freedom Struggle, 1966-1969*, showed the changes across the American landscape as a result of the black power and Civil Rights Movement's simultaneous existence. Hall traces how the NAACP handled the rise of black power from a top-down perspective as well as at the local levels.⁴⁴

Another book nearly identical in scope to Hall is Herbert Shapiro's 1988 book, *White Violence and Black Response: From Reconstruction to Montgomery*, which delved into the contentious history of white violence and how African Americans responded to it. Accordingly, Shapiro aimed to connect black power and militancy to the effects of white rage and violence. Comparatively, Christopher Reed's 1997 book, *The Chicago NAACP and the Rise of Black Professional Leadership, 1910-1966*, detailed the emergence of the African-American middle class in America. Reed's use of Chicago is similar in many ways to Nashville, the partial focus of this research. The NAACP's first official affiliate chapter, in Chicago, was a major factor in the rise of Chicago's black middle class in large part due to the first quarter of the chapter's existence and the economic and therefore class-driven mentality of its members. This argument is central to

⁴⁴ Kevern Verney and Lee Satarin, *Long is the Way and Hard: One Hundred Years of the NAACP* (Fayetteville: University of Arkansas Press, 2009); Simon Hall, "The NAACP, Black Power, and the African American Freedom Struggle, 1966-1969," *The Historian*, Vol. 69, No. 1 (Spring 2007): 49-82.

several revolving arguments about the NAACP because it lays a foundation for accusations of elitism and classism of the NAACP.⁴⁵

Although the story of African-American housing spans the entire United States, the trials of African Americans and their efforts, successes, and failures are perhaps best viewed through examinations of two major southern cities. Both Atlanta, Georgia and Nashville, Tennessee boast considerable African-American populations. Both cities have a well-established black middle class that originated during the Reconstruction era. Each city has also witnessed bitter battles to carve out white dominance under the auspice of homeownership and the ideals of suburbia. While scholarship has begun the task of documenting these efforts, it is clear there are consistent gaps in both cities' historiographies of housing as it relates to civil rights. Among the earlier works to tackle the issue of housing and correlate that issue with the Progressive Era was John Dittmer's 1977 book, *Black Georgia in the Progressive Era, 1900-1920*, which explored the progressive era in a chronological framework. This approach allowed Dittmer to highlight the differences in the struggles and efforts of conservative, radical, and liberal African Americans. His book paints a vivid picture of Atlanta's and Georgia's thriving Black middle class. Dittmer argued that despite racial oppression, African Americans during the Progressive Era set out to shape their own existence within the realms of education, housing, politics, and economic stability. Even though Dittmer did not

⁴⁵ Herbert Shapiro, *White Violence and Black Response: From Reconstruction to Montgomery* (Amherst: University of Massachusetts Press, 1988); Christopher Reed, *The Chicago NAACP and the Rise of Black Professional Leadership, 1910-1966* (Bloomington: Indiana University Press, 1997).

specifically address housing discrimination, his insight into the shaping of the Black middle class and the outspoken conservative African American voices are useful.⁴⁶

After the 1980s, there is a drought of published works highlighting civil rights and housing issues in Atlanta. However, at the turn of the twenty first century, several works were published dedicated to uncovering the various legacies of African Americans in Georgia. Ronald Bayor's 1996 manuscript, *Race and the Shaping of Twentieth Century Atlanta*, chronicled the impact of race on the built environment. In Atlanta, this took shape due to decades of oppressive laws and public policy that was used to shape a visible landscape free from African Americans. Focusing on the interactions of race within the context of public policy Bayor began his work with a brief survey of the late nineteenth century. Bayor meticulously crafted a narrative that depicted the malicious actions of race-baiting white politicians from the 1906 race riot through the 1980s, with the administrations of Maynard Jackson and Andrew Young. *Race and the Shaping of Twentieth Century Atlanta* devoted a chapter to housing trends. A considerable amount of the book focused on city affairs. Unfortunately, the majority of that time is spent on education and Atlanta's public schools, and while connected in various ways to housing, Bayor's ultimate intensions with this book steer away from issues of housing.⁴⁷

Following the spirit of Bayor's work, Karen Ferguson published, *Black Politics in New Deal Atlanta*. This 2002 work, Ferguson surveyed shifts in class ideals, attitudes towards race, education, and socio-economic standing in Atlanta. Unlike Bayor, Ferguson

⁴⁶ John Dittmer, *Black Georgia In the Progressive Era, 1900-1920* (Urbana: University of Illinois Press, 1980).

⁴⁷ Ronald Bayor, *Race and the Shaping of the Twentieth Century Atlanta* (Chapel Hill: University of North Carolina Press, 1996).

exclusively examined the period of the 1930s and 1940s. Ferguson's chief argument was that the New Deal and its creation of various initiatives built a bridge enabling African Americans to navigate through the end of Jim Crow into the post-World War II era. Through these advances, Ferguson contended that the Black middle class of Atlanta was able to carve out opportunities to engage in public life and to advance certain areas about the African-American community. This was important because it set a precedent that was different than life under Jim Crow where African-American southerners were kept from public progress. The use of Atlanta as a case study allowed Ferguson to provide several examples of the emergence of the black middle class, including education and the emergence of African-American political figures. *Black Politics in New Deal Atlanta* offers an intricate account of African Americans in the 1920s, exploring the tenuous relationship between middle-class and poor African Americans, followed by the sharp contrast of the Great Depression. With Atlanta as the focal city, all of these accounts lay the foundation for her analysis of the emergence of black politics during and after the New Deal.⁴⁸

Cliff Kuhn's book *Living Atlanta: An Oral History of the City, 1914-1948*, published in 2005, details the development of the city of Atlanta in the early twentieth century, powerfully examining the rise of formal segregation. Kuhn's book focuses on how the city of Atlanta used racial segregation to not only displace African Americans, but more importantly how segregation grew from a confrontational violent state in the Jim Crow era when Atlanta was nothing more than a southern city, to its massive

⁴⁸ Karen Ferguson, *Black Politics in New Deal Atlanta* (Chapel Hill: University of North Carolina Press, 2002).

expansion as an industrial and economic capital during the first and second World Wars. Kuhn organized the book in chapters that encompassed daily life and activities including transportation, religion, health, and leisure with the purpose of creating an image of Atlanta during the mid-twentieth century.⁴⁹

One of the most recent examinations of Atlanta is found in Tomiko Brown-Nagin's book, *Courage to Dissent: Atlanta and the Long History of the Civil Rights Movement*. Published in 2011, this comprehensive history narrates the Civil Rights Movement in Atlanta. Mirroring many of the previous books mentioned, Brown-Nagin used thematic chapters, including a full chapter dedicated to Atlanta's housing issues, specifically focusing on the displacement of African Americans and how these exclusionary policies were implemented in order to create a more beautified city environment. As a result of her exhaustive compilation of research, Brown-Nagin shed light on lesser-known civil rights pioneers like Donald Hollowell and Howard Moore. These individuals are seldom mentioned among the more dominant local and national figures like Andrew Young and Martin Luther King Jr.⁵⁰

While there has been research conducted on the housing affairs in Atlanta, cities like Nashville, Tennessee have yet to be examined with regard to African American housing. Instead, what has been compiled is a robust history of the Civil Rights Movement with Nashville as a campaign center for the driving success of non-violent and direct action protest. Studying Nashville unlocks a door to better understanding the rise of

⁴⁹ Cliff M. Kuhn and Harlan E. Joyce, *Living Atlanta: An Oral History of the City, 1914-1948* (Athens: University of Georgia Press, 1990).

⁵⁰ Tomiko Brown-Nagin, *Courage to Dissent: Atlanta and the Long History of the Civil Rights Movement* (Oxford: Oxford University Press, 2011).

southern urban cities as well as southern state capitals with large African American populations. Among the first publications noting the importance of several major southern cities including Atlanta and Nashville was Don Doyle's book *New Men, New Cities, New South: Atlanta, Nashville, Charleston, Mobile 1860-1910*. Published in 1990, Doyle seamlessly described how Atlanta and Nashville, two industrial railroad towns, became state capitals and economic powerhouses following the Civil War, while their counterparts of Charleston, South Carolina and Mobile, Alabama, both antebellum port cities, rapidly declined. Doyle vividly displayed how Nashville and Atlanta were built after the Civil War by rural southerners obsessed with economic prosperity and focused on urban development and the transition from port to railroad cities. The only shortcoming of this work is the utter silence of the city's oppressed classes. In many instances, Doyle's intellectual focus on economics overshadows any discussion of the effects of Jim Crow on growing southern cities. Instead, for example, Doyle merely notes events such as the Atlanta race riot of 1906 rather than showing how those events played a considerable role in the shaping of Atlanta.⁵¹

Published in 2003, Louis Kyriakoudes's book, *Social Origins of the Urban South: Race, Gender, and Migration in Nashville and Middle Tennessee, 1890-1930*, took understanding New South ideologies and urban development one step further. *Social Origins of the Urban South* offered a brief evaluation of the difference between modernity and tradition, and stressed the importance of rural southern whites and blacks venturing into Nashville and the complex and often anxious race relations this created.

⁵¹ Don Doyle, *New Men, New Cities, New South: Atlanta, Nashville, Charleston, Mobile, 1860-1910* (Chapel Hill: University of North Carolina Press, 1990).

Unlike Doyle, who presented a more economic approach to understanding Nashville, Kyriakoudes delivered a more demographic approach, relying heavily on data and migration patterns along with cultural implications of music and labor. Although Kyriakoudes mentions African Americans as a piece of Nashville's history, he still leaves much to be understood on the importance of African Americans in molding the physical and cultural landscape of Nashville.⁵²

Two books that encompass an entirely different narrative of Nashville's cultural history are Bobby Lovett's *The Civil Rights Movement in Tennessee* and Benjamin Houston's *The Nashville Way*. Published in 2005, *The Civil Rights Movement in Tennessee* is one of the strongest collected histories of Nashville's role and the importance of the Civil Rights Movement to the entire state of Tennessee. Lovett detailed numerous accounts of injustice, including several prominent lynchings that shaped race relations as well as other combative non-aggressive and non-violent tactics. Moreover, Lovett unearths programs and institutions such as American Baptist College, noted for producing civil rights pioneers including Diane Nash, C.T. Vivian, and John Lewis. His documentation of Fisk University's Race Relation Institute forces scholars to rethink the methods used to fight white supremacy. Lovett brilliantly examined the effects of the *Brown* decision in Nashville. Lovett's best work comes from showing the rise of African-American political power throughout Tennessee, successfully showing the resourceful nature of African Americans from an educational, political, and civil rights perspective.⁵³

⁵² Louis Kyriakoudes, *Social Origins of the Urban South: Race, Gender, and Migration in Nashville and Middle Tennessee, 1890-1930* (Chapel Hill: University of North Carolina Press, 2003).

⁵³ Bobby Lovett, *The Civil Rights Movement in Tennessee: A Narrative History* (Knoxville: University of Tennessee Press, 2005).

The Civil Rights Movement was championed by a number of collective groups who were adamant to change the social norms of American society. Although many of these groups, including the NAACP, have been analyzed in previous research, work on lesser-known cities like Nashville that changed the landscape of the Civil Rights Movement have been scarce until Benjamin Houston. His book, *The Nashville Way*, published in 2012, exclusively focused on Nashville and its burgeoning African-American middle class. Houston showed how racial life in Nashville was unique from the states surrounding Tennessee. Nashville, or the “Athens of the South,” is known for its educational zeal. Houston focused on the period after 1945 and used the early 20th century to build an understanding of Nashville’s racial composition. One of the important takeaways from Houston’s work is the notion that although Nashville was one of the South’s major cities, it had fewer noted accounts of racial violence. While violence did occur, but the dynamics of the city allowed for a movement of non-violent direct action to flourish. Houston described Nashville’s sentiment toward African Americans as “tolerant.” A further investigation into the city’s African American housing affairs could support Houston’s assertion.⁵⁴

It is evident that there exist several distinct yet overlapping historiographies of African Americans and housing in America. There is strong vein in the early literature that addresses African American housing, and the lack thereof, from a sociological, anthropological, and historical perspective. Contributions of a historical nature arise when scholars position African Americans as either champions or victims. This

⁵⁴ Benjamin L. Houston, *The Nashville Way: Racial Etiquette and the Struggle for Social Justice in a Southern City* (Athens: University of Georgia Press, 2012).

victimization opens the door for inspection of the causes and parties responsible for their inequitable treatment. Yet, no comprehensive work exists on the NAACP's efforts to methodically tackle the Federal Housing Administration's continuous oppression. With the rise in suburbs and the use of education as a tactic to create separate environments, the FHA, aided by local whites, attempted to block the NAACP's efforts at all cost. This dissertation addresses the need for further examination into the NAACP's true influence on federal housing legislation and policy.

CHAPTER TWO: CHALLENGING LOCAL HOUSING DISCRIMINATION DURING THE ROARING TWENTIES

*“The only thing worrying me is that the colored people of this city and the country are not alive to the real danger lurking behind these latest forms of an attempt to legalize segregation. If such attempts are successful, the colored people of this country can be ghettoed into the slums and alleys.”*¹

Hon. James A. Cobb, NAACP Legal Counsel, April 5, 1924

The 1920s marked a time of rapid social, cultural, and political expansion. A decade in US history often referred to as the “roaring twenties,” it changed the physical, social, and cultural landscape of America. The 1921 census report noted that the population of the United States surpassed 100 million people.² According to the 1920 census, African Americans comprised 9.9 percent of the total population at 10,463,131.³ At the decade’s beginning, Congress ratified the Nineteenth Amendment, which theoretically enfranchised all women in the United States.⁴ Culturally, African Americans carved out a flourishing existence through the arts, music, and literature of the Harlem

¹ Library of Congress, Papers of the NAACP, Part 05 (1914-1955): The Campaign against Residential Segregation, “Opening quote by Honorable James A. Cobb.”

² The Annual Report of the Director of the Census to the Secretary of Commerce for the Fiscal Year Ended in June 30, 1921 (Hereafter known as 1921 U.S. Census Report).

³ Prepared by Z.R. Pettet, Chief Statistician for Agriculture and Charles E. Hall, Specialist in Negro Statistics, U.S Bureau of the Census: Negroes in the United States 1920-32, (United States Government Printing Office, Washington, 1935) pp. 1-12.

⁴ United States Senate. "Petition for Universal Suffrage which asks for an Amendment to the Constitution that Shall Prohibit the Several States from Disenfranchising Any of Their Citizens on the Ground of Sex". *National Archives Catalog*. National Archives and Records Administration. <https://catalog.archives.gov/id/26081744>, Retrieved 14 March 2017.

Renaissance.⁵ Politically, the country underwent numerous changes. The 1920s saw four presidents, Woodrow Wilson, Warren G. Harding, Calvin Coolidge, and Herbert Hoover. The end of World War I and the Treaty of Versailles returned thousands of soldiers to America soil and created a brief period of economic prosperity.

During the 1920s, however, that prosperity was neither fundamental nor comprehensive for African Americans. Despite the rapid growth of urban black communities during the Great Migration, there were a concentrated efforts to keep African Americans from living, mingling, or cohabitating with whites. From the White House, down through the federal government, and eventually trickling into the state and local systems, the fight for fair housing, although present in the late nineteenth century, intensified during the 1920s. Although many of the core elements of the federal government's systematically oppressive housing agenda did not exist in the 1920s, state and local officials and the Supreme Court battled over zoning, districting, and property rights throughout the decade. Several events caused detrimental ramifications for African Americans. In 1917, the U. S. Supreme Court case *Buchanan v. Warley* outlawed the state-sponsored legislation of residential segregation ordinances enacted by city or local governmental authorities. However, numerous cities around the country disregarded the Supreme Court and attempted to make a mockery of the constitution by continuing to propose and enforce racial zoning ordinances and districting. Moreover, the court decision did not prohibit individuals from deciding who could purchase, rent, or lease

⁵ Shannon, King, *Whose Harlem Is This, Anyway? Community Politics and Grassroots Activism during the New Negro Era* (New York: New York University Press, 2015).

their land, and as a result, it allowed the use of racially restrictive covenants.⁶ This meant that racism in housing became a ubiquitously covert system of oppression from 1917 through the mid-twentieth century.

This chapter examines the factors that contributed to the disenfranchisement of African Americans in the realm of housing prior to 1930. Furthermore, this chapter explores the role the NAACP played in helping African Americans target and eradicate restrictive ordinances and zoning laws. The NAACP tightened its focus on destroying injustices that created barriers to homeownership for African Americans and legally fought to end racially restrictive covenants. The 1924 U. S. Supreme Court case *Corrigan v. Buckley* was a major legal defeat for the NAACP when the Court ruled that individually supported racially restrictive covenants, even cases requiring judicial assistance to enforce, did not violate the Constitution. The conclusion of this chapter will provide evidence revealing that by the end of the 1920s, the NAACP began incorporating a concerted local activism into their legal strategy.

The fight for equal housing undeniably began in the courtroom for the NAACP. Civil rights champion Martin Luther King Jr. and the Southern Christian Leadership Conference are often credited as pioneers of the theoretical platform of nonviolent protest coupled with direct protest action, thus promoting the need for change that would ultimately come through governmental legislation. However, as this chapter will demonstrate, the NAACP also followed an identical approach almost fifty years prior. The NAACP's earliest victories set a successful precedent that other organizations would

⁶ U.S. Commission on Civil Rights, "Understanding Fair Housing", Clearing House Publication 42, February 1973.

imitate. The NAACP responded swiftly to perhaps the earliest records of the government investigating urban housing issues. In 1909, the 60th Congress endorsed a program for providing governmental loans to build dwellings of a strong habitable foundation. The program, however, also called for the demolition of slum properties and their acquisition by the federal government through cheap purchase. The theory behind this plan relied on the poor not being able to rent or purchase those properties at low interest rates after affordable housing was constructed.⁷ This combination of slum clearance with the introduction of zoning ordinances established the foundations of the modern era's housing disfranchisement based on race.

Nashville serves as an excellent representation of the chronic systematic and premeditated separation of race as it pertains to housing. As early as 1906, before the *Buchanan v. Warley* decision, companies in Nashville financed racially restrictive covenants. What was often thought to be a more personal action between a property owner and a prospective buyer, companies such as Brandsford Realty Company, builders thousands of homes in Nashville during the early 1900s, intentionally placed restrictive covenants into their property deeds. By 1911, Bransford Realty began inserting restrictive covenants into their standard mortgage deed contract. Perhaps Bransford Reality knew that racially segregated zoning was easily attackable, and that the use of restrictive covenants gave realty companies a firmer grasp over homeowners. Although Nashville did not necessarily have a reputation for atrocious race relations, the city's overarching

⁷ Grace, Milgram, *A Chronology of Housing Legislation and selected legislation 1892-1992: Congressional research Service report prepared for the Committee on Banking, Finance, and Urban Affairs and the Subcommittee on Housing and Community Development, House of Representatives, One Hundred Third Congress, First Session*. Washington: U.S. G.P.O.: For sale by the U.S. G.P.O., Supt. of Docs., Congressional Sales Office, 1994.

concern for ensuring that African Americans lived separately dominated their social and economic reputation. According to historian Louis Woods, “housing discrimination was not reserved for Nashville, rather, it was a national phenomenon.”⁸ Deeds, mortgages, and rental agreements are riddled with examples. In St. Louis, Missouri for example, a plea for covenant protection similar to purchasing insurance by an unnamed subscriber stated, “Do you realize that at any time you are liable to suffer an insurable loss due to the coming of Negroes...A Colored resident in your immediate neighborhood destroys the value of your property...Perhaps you do not think your neighborhood will be invaded... Neither do you believe you will have a fire when you pay fire insurance.”⁹ Both Nashville and St. Louis encouraged a firm understanding among their African American citizens that, “Only Caucasians had called upon the American judiciary system to enforce racial segregation. Moreover, it reflected persons with a preference for their own race, thus, attempting at all cost to restrict anyone not of that race from purchasing, renting, or securing land where whiteness dwelled.”¹⁰

During the early twentieth century, the United States was still carving out an ideal of citizenship for African Americans. This conversation undoubtedly revolved around land and the right to own property. This conversation was not in isolation, as the second generation of the Ku Klux Klan was intent on using vigilante justice, intimidation, and backroom politics to affect the livelihood of African Americans. Under the guise of chivalry and upholding white communities’ homogenous character, the Klan’s

⁸ Louis Woods, “Systematic Residential Segregation,” PowerPoint presentation, presented at Middle Tennessee State University, September 28, 2017, slides 1-5.

⁹ Louis Woods, “Systematic Residential Segregation,” slides 1-5.

¹⁰ Clement E. Vose, *Caucasians Only, Supreme Court, the NAACP, and the Restrictive Covenant Cases* (Berkeley: University of California Press, 1959) pg. 2; Charles Mangum, *The Legal Status of the Negro* (Chapel Hill: University of North Carolina Press, 1940).

involvement in the removal or exclusion of African Americans from certain neighborhoods or sections of both rural and urban communities was a recurring theme during the 1920s. Klansmen represented productive members of society as politicians, socialites, businessmen, and law enforcement. Yet these socially respected roles also aligned with the goals of not only remaining physically separate from African Americans, but also planting seeds of theoretical separation by which African Americans would then be systematically marginalized.

Regenerating in 1915 under the leadership of second-generation Klan founder William Joseph Simmons, the early twentieth century saw a membership of only a few thousand individuals.¹¹ Understanding the general disdain for the Klan and with opposition from notable national newspapers, Simmons solicited the help of famed publicity writers Mary Elizabeth Tyler and Edward Clarke. It is with their tutelage, along with D.W. Griffith's *Film Birth of a Nation*, that the Klan's membership soared to over one million members during the 1920s.¹² During this period, the Klan developed enormous political power, which, coupled with Jim Crow laws, created an atmosphere ripe for struggle.¹³ As Scholar Frank Shay noted, "The Klan was not only an organization but also a mentality or lifestyle. This lifestyle prevailed among American society so long as hysterical appeals were deemed necessary to uphold white supremacy."¹⁴ An example of the Klan's political might was found in Georgia, which was one of the three major

¹¹ Nancy Maclean, *Behind the Mask of Chivalry: The Making of the Second Ku Klux Klan* (Oxford: Oxford University Press, 1995) pp. 4-5.

¹² Nancy Maclean. *Behind the Mask of Chivalry*, pp. 5-7.

¹³ Bernard E. West, "Black Atlanta: Struggle for Development, 1915-1925, Atlanta University" (Masters thesis, 1976) pg.1.

¹⁴ Frank Shay, *Judge Lynch, His First Hundred Years* (New York: Ives Washburn, Inc., 1938) pp. 73-74.

pockets of Klan political prominence during this era.¹⁵ During Georgia's gubernatorial election of 1922, for instance, the incumbent Thomas Hardwick insisted that the Klan unmask and cease and desist its reign of terror over the state. Hardwick's criticism and harsh tone irritated the Klan, who in turn placed all their votes behind the challenger Clifford Walker, who subsequently won a decisive victory.¹⁶ The Klan's attitudes gave way to their actions to control the population of African Americans. This power was directly linked to housing conditions for African Americans. For example, in January of 1921, in Hall County Georgia, a small rural suburb of Atlanta, a white tenant farmer was hired but then replaced by an African American tenant farmer due to a lack of understanding between the farm owner and the white tenant farmer. The Klan's response was to drive more than three hundred black farmers out from the countryside.¹⁷

However, many African Americans, both in Atlanta and throughout the South did not wait for a personal invitation from the Klan to vacate their land and property. African Americans in Atlanta and from across the Jim Crow South migrated to the North in droves during the period between following World War I, which historians have termed the Great Migration. Their reason for leaving was an amalgamation of issues. Among those concerns cited in the *Atlanta Independent* newspaper, "The segregation laws that forbid their residing outside of a designated area thus leaving no room for natural expansion enforcing a fictitious value upon property rented or sold to them."¹⁸ The reality of the difficult history of housing is that, during the 1920s, a vortex of racial strife,

¹⁵ Bernard E. West, "Black Atlanta: Struggle for Development, pg. 5.

¹⁶ Bernard E. West, Black Atlanta: Struggle for Development, pg. 5; Marion Monteal, *The Klan Inside Out* (Claremore: Monarch Publishing Company, 1924) pp 127-131.

¹⁷ Atlanta Independent, January 20, 1921, p. 1.

¹⁸ Atlanta Independent, June 30, 1917, p6., as found in Bernard E. West, Black Atlanta: Struggle for Development, 1915-1925, Atlanta University (Masters thesis), 1976. pp.9.

vicious vigilante tactics, and corrupt local and state governments trapped African Americans. This vortex yielded virtually no path toward equality unless it came from within.

The introduction of zoning occurred in the early 1900s as a direct result of land use regulations and city planning.¹⁹ There were diverse concerns that merged in the early 1900s to create a socio-legislative arena of zoning. According to Christopher Silver in his article, “The Racial Origins of Zoning in American Cities,” zoning was a tool for social reform and land use control.²⁰ In 1910, the first zoning ordinance was enacted in Baltimore, Maryland. Less than five years later, racial zoning ordinances were common place legislation in cities throughout the United States.²¹ Almost immediately after the enforcement of racial zoning ordinances, the NAACP responded by galvanizing research and scholarship to educate the masses while simultaneously corraling support to fight those ordinances. In 1913, at the NAACP’s fifth annual national convention held in Philadelphia, the second session was dedicated to housing and property rights. Titled “The Struggle for Land and Property,” this panel was comprised of African Americans involved in all realms related to the sale of property, including W. Ashe Hawkins, a Baltimore attorney; John Mitchell Jr., editor of the *Richmond Planet* and president of Mechanics Bank of Richmond; noted scholar John Hope, president of Atlanta Baptist

¹⁹ Thomas Manning, June and Marsha Ritzdorf eds, *Urban Planning and the African American Community: In the Shadows* (Thousand Oaks: Sage Publications, 1997) pg. 23.

²⁰ Thomas Manning, June and Marsha Ritzdorf eds, *Urban Planning and the African American Community*, pg. 23.

²¹ Thomas Manning, June and Marsha Ritzdorf eds, *Urban Planning and the African American Community*, pg. 23.

College; and, at its helm, James H. Dillard, president of the Jeanes Fund and the Slater Fund.²²

By 1917, the NAACP was scrambling to assemble test cases to challenge the civil inequality of zoning ordinances. The target case was an African American man named Charles Buchanan, a resident of Louisville, Kentucky who sought to purchase a property from a white man named William Warely. Warely attempted to block the purchase under the auspices of the zoning ordinance based on Buchanan's race. The case rose through the judiciary system, reaching the Supreme Court in 1917, 37 years prior to the NAACP's landmark *Brown* case. The NAACP amassed an abundance of critical information detailing Buchanan's attempt to secure housing. According to the Supreme Court Plaintiff's Brief compiled prior to courtroom litigation:

The defendant's answer (Record, p. 4) alleges that he is a colored person and that the premises are in a block in which a greater number of houses are occupied as residences by white people than are occupied as residences by colored people, so that, if a house should be erected upon the premises, the defendant would be forbidden to occupy it by an ordinance of the City of Louisville adopted May 11, 1914. This ordinance (Record, pp. 32-35) is as follows: - *"An ordinance to prevent conflict and ill-feeling between the white and colored races in the city of Louisville, and to preserve the public peace and promote the general welfare, by making reasonable provisions requiring, as far as practicable, the use of separate blocks for residences, places of abode and places of assembly by white and colored respectively.*

Be it ordained by the General Council of the City of Louisville:

"SECTION 1. It shall be unlawful for any colored person to move into and occupy as a residence, place of abode, or to establish and maintain as a place of public assembly, any house upon any block upon which a greater number of houses are occupied as residences, places of abode or places of public assembly by white people than are occupied as residences, places of abode or places of public

²² Library of Congress, Papers of the NAACP, Part 01 (April 23, 1913-April 25, 1913): Meetings of the Board of Directors, Records of Annual Conferences, Major Speeches, and Special Reports, "Detailed Program of the Fifth Annual Convention," pg. 2.

assembly by colored people.”²³

The U.S. Supreme Court overturned the lower court’s verdict, finding that Buchanan’s property rights had been violated under the Fourteenth Amendment and the Reconstruction-era civil rights statutes. According to the decision, denying people the right to purchase, rent, or own property within certain areas based on race was unconstitutional. This represented more than just a moral victory for African Americans and the NAACP; the ramifications of the *Buchanan v. Warley* decision would trickle into the fight for housing rights of African Americans nationwide. It was both a gift and a curse, however. Although the NAACP had successfully challenged state and federal laws in relation to housing and racial bias, the wording of the ruling was crafted in such a way as to open the door for a harsher and more difficult laws known as restrictive covenants.²⁴

Even though the NAACP won a decisive Supreme Court victory at the national level, they continued to arduously push the issue of equal housing laws and rights. The NAACP sought politicians who often spoke publically about the advancement of African Americans. Their intentions were to secure leverage from essential political figures to ensure that African Americans remained relevant in state and local political and social affairs, particularly with the enforcement of the Supreme Court decision barring racial zoning. In August of 1920, the NAACP met with then Senator of Ohio, Warren G.

²³ Library of Congress, Papers of the NAACP, Part 05 (1914-1955): The Campaign against Residential Segregation, *Buchanan v. Warley*, Louisville, Kentucky, residential segregation case, “Supreme Court Plaintiff Brief,” pp. 4 section. 2.

²⁴ Damon Y. Smith, *Buchanan v Warley*, 245 U.S. 60 (1917)
http://history.furman.edu/benson/hst321/Buchanan_v_Warley_UShistoryInContext.pdf

Harding, who took a firm public stance on the advancement of African Americans.²⁵ In February of 1920, Harding corresponded with then Secretary of the NAACP John R. Shillady, writing,

I beg to say that I am cordially interested in the work for the advancement of the Colored People of the United States, and I think the obligation of our Republican party is greater today than ever before, after the colored citizenship of this country has made its splendid demonstration of patriotic devotion during the World War.²⁶

The NAACP was neither phased nor satisfied by Harding's faint cries to secure votes from people of color. They instead insisted on having an interview by which to pressure the senator to take a more public stand on the issues facing African Americans throughout the country. On August 9, 1920, the NAACP's Ohio field secretary along with Harry E. Davis, the Cleveland member of the board of directors, ventured to Marion, Ohio to interview Harding. The abstract of the interview noted that the NAACP wanted to test Harding's true zeal for African American advancement based on several concrete pre-election statements regarding his attitudes and that of the Republican Party.²⁷ The NAACP prepared seven national talking points for which they urged a response from Harding. Left out of the document was any direct mention of housing. With their recent Supreme Court victory, it appears that the NAACP shifted their attention to other priorities, like the lack of African Americans within the federal government and pushing for an anti-lynching bill and voter legislation. The NAACP did, however, propose the

²⁵ Library of Congress, Papers of the NAACP, Part 01: Meetings of the Board of Directors, Records of Annual Conferences, Major Speeches, and Special Reports, June 24, 191- August 9, 1920, "Letter from Warren G. Harding to John R. Shillady," February 20, 1920.

²⁶ Library of Congress, Papers of the NAACP, Part 01: Meetings of the Board of Directors, Records of Annual Conferences, Major Speeches, and Special Reports, June 24, 191- August 9, 1920, "Letter from Warren G. Harding to John R. Shillady," February 20, 1920.

²⁷ Library of Congress, Papers of the NAACP, Part 01: Meetings of the Board of Directors, Records of Annual Conferences, Major Speeches, and Special Reports, June 24, 191- August 9, 1920, "Report of the Field Secretary on Interview with Senator Warren G. Harding," August 9, 1920, pg. 2, section 1 of the Report of the Field Secretary.

creation of an interracial commission. Perhaps the most telling point of the first formal meeting between the future president and the NAACP was the field secretary's brief summary of the encounter. According to the secretary, the interview went as satisfactorily as could be expected, noting that Harding was a man with little to no imagination and seemingly no human sympathy. In the eyes of the NAACP, Harding mirrored Theodore Roosevelt because of his sweeping statements about the need for African American inclusion. Yet, the NAACP still believed that Harding needed education on the on the issue of race.²⁸

Across the country, the ripple effect caused by the *Buchanan v. Warley* decision was almost instantaneous. Cities were rebellious in their disregard for the ruling. In New Orleans, for instance, the city enacted a new racial zoning ordinance in September of 1924. The New Orleans branch of the NAACP, under the direction of G.W. Lucas, successfully challenged the ordinance using the constitutional platform and *Buchanan v. Warley*. Part of that successful effort was due to the significant funds donated by various segments of the New Orleans black middle class. While the NAACP was touted as a more conservative organization by some, the willingness of its members to channel their modest wealth into a worthy cause is nothing short of radical.²⁹ As noted scholars like E. Franklin Frazier have shown, the black middle class, in terms of political and economic

²⁸ Library of Congress, Papers of the NAACP, Part 01: Meetings of the Board of Directors, Records of Annual Conferences, Major Speeches, and Special Reports, June 24, 191- August 9, 1920, "Report of the Field Secretary on Interview with Senator Warren G. Harding," August 9, 1920, pp. 6, section 4 of the Report of the Field Secretary.

²⁹ Library of Congress, Papers of the NAACP, Part 05 (Jan 1, 1924 –Dec 31, 1925): Campaign Against Racial Segregation, 1914-1955, New Orleans residential segregation ordinance "Letter from Miss A.V. Dunn, Secretary of the New Orleans Branch of the NAACP to Mr. R.W. Bagnall, Chairman of the Citizens Committee."

views were similar to their white counterparts.³⁰ New Orleans served as a host to over 300 fraternal, secret, and service organizations.³¹ However, the real radical act was their willingness to place trust in a government that had continually failed to uphold their citizenship. Examples of this are reoccurring throughout the New Orleans branch files of the NAACP during their brief battle to dismantle the zoning ordinance of 1924. A.V. Dunn, secretary of the New Orleans branch, drafted a letter to R.W. Bagnall, chairman of the Citizens Committee, commending him on the progress the branch had made, including bringing in continued revenue, and explaining where the chapter's next battles potentially laid. Dunn noted that, "The Segregation fight has received city-wide attention and cooperation on part of the colored citizens. The Citizens Committee which you (Bagnall) organized [met] every week and each meeting adds to the amount being collected for the legal fund. At the present we have collected \$1800.00 towards the fight."³²

The city that best reflects the problems created by unfair housing and the NAACP's reactionary tactics to it was Atlanta. In the early 1920s, Atlanta was aware of its issues concerning racial segregation both in the realm of housing and in education. Atlanta was recovering from a devastating fire that took place in 1917, the same year as the *Buchanan v. Warley* decision. The fire of 1917, the abolishment of racial zoning ordinances, and the growth of segregationist policies and practices raised tensions as white and black residents of Atlanta were forced into closer proximity resulting from a

³⁰ E. Franklin Frazier, *The Black Bourgeoisie* (New York: Simon and Shuster Publishing, 1957).

³¹ Keith Weldon Medley, *Black Life in Old New Orleans* (Gretna: Pelican Publishing Co., 2014) pg.96.

³² Library of Congress, Papers of the NAACP, Part 05 (Jan 1, 1924 –Dec 31, 1925): Campaign Against Racial Segregation, 1914-1955, New Orleans residential segregation ordinance "Letter from Miss A.V. Dunn, Secretary of the New Orleans Branch of the NAACP to Mr. R.W. Bagnall, Chairman of the Citizens Committee."

lack of available housing options. Education and housing are fundamental components to a city plan and are generally considered inseparable.³³ In 1921, the city of Atlanta responded to the rising tensions with a \$4,000,000 appropriation from the year's bond referendum to hire two prominent educational consultants from Columbia University, George Strayer and N.L. Engelhardt, to produce a study to develop a comprehensive public school system for Atlanta.³⁴ In theory, this study illustrated the need for a separate African American high school, which did not exist in Atlanta until 1924 when Booker T. Washington High School opened as a direct product of the study. However, the *Survey of the Public School System of Atlanta, Georgia, 1921-1922*, also highlighted several fundamental points for why conditions were so dire in Atlanta as it related to housing and education for African Americans. The report, which was based on their survey of the existing grade schools in the city, concluded that no plan for adequate housing of black children had ever existed in Atlanta. Furthermore, there were no educational options for black children past elementary school. They advised that school buildings should have been planned and built in locations accessible to where black people live and would live within the city.³⁵ The final report reflected Atlanta's clear disregard for African Americans, and unfortunately, for African American children. To make matters worse, one of the strongest influences on Strayer and Engelhardt's report was the proposed city zoning ordinance.³⁶

James L. Key, mayor of Atlanta during the early 1920s established the city's first

³³ Tracy E. K'Meyer, *Civil Rights in the Gateway to the South: Louisville Kentucky: 1945-1980* (Lexington: University of Kentucky Press, 2009) pg. 46.

³⁴ Bernard E. West, "Black Atlanta: Struggle for Development," pg. 25.

³⁵ *Survey of the Public School System of Atlanta, Georgia, 1921-1922* (New York: Teachers College, Columbia University, 1922) pg. 158.

³⁶ Bernard E. West, "Black Atlanta: Struggle for Development," pg. 28.

city planning commission. According to the minutes taken at a Board of Education meeting, the commission actively engaged in developing a zoning plan for the entire city. The premise of this action was to ensure that industrial and commercial encroachment did not make living in the city undesirable. Mirroring the language often used by segregationists of that time, this course of action also relied on restricting African Americans to certain parts of the city. Even though the *Buchanan v. Warley* decision made such attempts illegal under federal law, many municipalities and city officials were nonetheless in support of the proposed zoning.³⁷ These examples of disregarding federal laws reflected the attitude that white people only adhered to federal laws they agreed with, while African Americans, who are systematically denied citizenship, upheld the very laws and governance that supported the ideology of American democracy.

Robert Whitten, a nationally prominent planning consultant out of Cleveland, Ohio was selected to design the zoning plan for Atlanta that Strayer and Englehardt mentioned in their report. Whitten proposed three racial districts that would allegedly promote public peace, order, and safety. Whitten even went so far in his defense of the positive effects of such zoning ordinances as to write in a 1922 article that, “A race riot is a terrible possibility in many southern cities. Atlanta in establishing colored residence districts has removed one of the most potent causes of race conflict. This is perhaps a sufficient justification for race zoning which is simply a common-sense method of dealing with facts as they are.”³⁸

In accordance with Whitten’s misguided thoughts on racial zoning, the Atlanta

³⁷ Bernard E. West, “Black Atlanta: Struggle for Development,” pg.28.

³⁸ Robert Whitten, “Social Aspects of Zoning”, *Survey*, June 15, 1922, pg. 418.

city council passed the zoning ordinance on April 10, 1922,³⁹ with twenty-four voting yes, and three voting no. The three opposing votes came from Councilman J.R. Nutting, Alderman J.L. Carpenter, and Alderman F. L. Hunter. All three men disagreed with the ordinance on the grounds of its unconstitutionality. Alderman Carpenter reflected after the vote that, “Of all the laws we [city council] ever passed or tried to pass, this was the most vicious.”⁴⁰ The zoning ordinance was short-lived. The court case *Smith v. City of Atlanta* challenged the ordinance based on separation of residential and business districts. Although there was no mention of race within the context of the case, each level of the Georgia court system found that the zoning was, in fact, unconstitutional. Even so, the city of Atlanta relentlessly appealed until the United States Supreme Court dealt the final blow to these early 1920s attempts to secure zoning ordinances in Atlanta when they refused to review the lower court’s decision.⁴¹

Although absent from the front line of the initial fight to dismantle the first illegal zoning ordinance in Atlanta, the NAACP, along with several allies did not hesitate to join the battle at the close of the 1920s. In May of 1929, the city revisited the legality of zoning ordinances and proposed a similar city-wide ordinance. News of this ordinance emerged overnight, leaving the NAACP and partners such as the Commission of Interracial Cooperation (CIC) in utter dismay. In a letter dated May 22, 1929, R.B. Eleazer, educational director of the CIC wrote to NAACP assistant secretary Walter White, “The proponents of the segregation ordinance evidently worked with the utmost secrecy. I have yet to find anybody who had received the slightest intimation that such an

³⁹ *Atlanta Constitution*, April 11, 1922, p. 1.

⁴⁰ *Atlanta Constitution*, April 11, 1922, pp. 1-2.

⁴¹ *Smith v. City of Atlanta*, 161 Ga. 769, 132 S.E. 66.

ordinance was contemplated prior to its actual passage.”⁴² Eleazer noted that pressure on the mayor to withhold his signature was being brought to bear both by literary means as well as through personal interviews with members of the CIC’s executive committee.⁴³ According to *Mark Ellis in his book, Race Harmony and Black Progress*, the CIC transitioned from a small organization with uneven goals towards a fully incorporated organization in the last 1920s.⁴⁴ With Roots that spanned from the late 1890s, the CIC was organized and founded in Atlanta in 1919. The CIC carried the direct support of prominent conservative African American leaders including Robert Russa Moton, who succeeded Booker T. Washington as the second leader of the Tuskegee Institute in Alabama. In the eyes of Moton and many conservative African Americans in the south, the CIC were “the organized conscience of the forward -looking white South.”⁴⁵ The NAACP remained vigilant, with a steady stream of information flowing back and forth through various organizations. Walter White received a Western Union telegram later in the afternoon on May 22, 1929 from Dr. Will Alexander, Director of the CIC, who informed White that the New York papers had already begun to report the passage of the zoning ordinance by the Atlanta city council. Alexander then urged White to place all the NAACP’s political and social pressure on Mayor Ragsdale based on the illegal nature of

⁴² Library of Congress, Papers of the NAACP, Part 05 (Jan 1, 1925 –Apr 16, 1931): Campaign Against Racial Segregation, 1914-1955, Residential segregation ordinances and restrictive covenants in Atlanta, Georgia and Columbus, Ohio, “Letter from R.B. Eleazer, Educational Director of the CIC to Walter White, Secretary of the NAACP”.

⁴³ Library of Congress, Papers of the NAACP, Part 05 (Jan 1, 1925 –Apr 16, 1931): Campaign Against Racial Segregation, 1914-1955, Residential segregation ordinances and restrictive covenants in Atlanta, Georgia and Columbus, Ohio, “Letter from R.B. Eleazer, Educational Director of the CIC to Walter White, Secretary of the NAACP.”

⁴⁴ Mark Ellis, *Race Harmony and Black Progress: Jack Woofier and the Interracial Cooperation Movement* (Bloomington: Indiana University Press, 2003) pp. 80-82.

⁴⁵ Mark Ellis, *Race Harmony and Black Progress: Jack Woofier and the Interracial Cooperation Movement*, pg. 1.

the proposal.⁴⁶

After Atlanta's first failed attempt to racially zone the city, their actions at the end of the decade appeared an ominous shift in protocol toward oppressing African Americans. The NAACP, however, was ready to strike this time. Throughout the 1920s, there were few clear and persistent targets for combatting racial injustice in the South. This frequently resulted in the NAACP and others galvanizing around common but unconnected instances of housing discrimination. A.T. Walden emerged as a preeminent voice for the NAACP in Atlanta. A prominent figure both in the legal and civil rights communities in Atlanta, Walden was touted as one of the best black lawyers in the state of Georgia.⁴⁷ Before the inception of the NAACP's Legal Defense Fund in the 1940s, many lawyers associated with the NAACP also held other roles. Walden was also associated with the CIC in Atlanta, thus making cooperative efforts easier.⁴⁸ Walden's numerous successes fighting against segregation and African American disfranchisement have been well chronicled by Tomiko Brown-Nagin in her book, *The Courage to Dissent*. Yet, not much scholarship has been dedicated to Walden's involvement and successes prior to 1935.

In May of 1929, Walden was entrenched in the fight against Atlanta's second to implement racial zoning throughout the city. The national office of the NAACP, spearheaded by Walter White, challenged Walden and the Atlanta chapter to confront

⁴⁶ Library of Congress, Papers of the NAACP, Part 05 (Jan 1, 1925 –Apr 16, 1931): Campaign Against Racial Segregation, 1914-1955, Residential segregation ordinances and restrictive covenants in Atlanta, Georgia and Columbus, Ohio, "Western Union from Dr. Will Alexander, Director of the CIC to Walter White, Secretary of the NAACP".

⁴⁷ Tomiko Brown-Nagin, *The Courage to Dissent: Atlanta and the Long History of the Civil Rights Movement* (England: Oxford University Press, 2011) pg. 17.

⁴⁸ Spelman College Archive, "Chicago Defender advertisement, Back page, Legal directory of the NAACP," (not date).

Mayor Ragsdale and to prevent him from signing the illegal legislation at all costs.⁴⁹

Walden and the NAACP wasted no time attempting to galvanize support to challenge the ordinance. Aware of the political ramifications of signing another unconstitutional bill, Mayor Ragsdale vetoed the ordinance less than a week after Walden's conversations with the national office.⁵⁰

One of the benefits of the extensive national network of communication the NAACP possessed were the various streams of information that strengthened local campaigns against injustice. Walter White communicated almost hourly with the Atlanta branch through Western Union telegrams, and also reached out to the Honorable James A. Cobb, a notable lawyer from Washington, D.C. and Dean of Howard University's law school. Cobb was one of many black lawyers called upon to aid in legal matters before the Legal Defense Fund of the NAACP formed. White informed Cobb that although the city attorney along with the NAACP convinced Mayor Ragsdale to veto the ordinance, the city council had then passed the segregation ordinance over the mayor's veto. White, frustrated at the city's blatant disrespect for the constitution, asked Cobb, "What are we going to do about it? It is virtually a flaunting and trampling of the foot of the United States Supreme Court... It would take millions of dollars to fight this illegal legislation."⁵¹ White continued, asking Cobb if he thought this matter warranted a friendly and informal conversation with Chief Justice Taft. White ended suggesting that

⁴⁹ Papers of the NAACP, Part 05 (Jan 1, 1925 –Apr 16, 1931): Campaign Against Racial Segregation, 1914-1955, Residential segregation ordinances and restrictive covenants in Atlanta, Georgia and Columbus, Ohio, "Western Union from Walter White to A.T. Walden".

⁵⁰ Library of Congress, Papers of the NAACP, Part 05 (Jan 1, 1925 –Apr 16, 1931): Campaign Against Racial Segregation, 1914-1955, Residential segregation ordinances and restrictive covenants in Atlanta, Georgia and Columbus, Ohio, "Western Union from Walter White to R.B Eleazer". (no date)

⁵¹ Library of Congress, Papers of the NAACP, Part 05 (Jan 1, 1925 –Apr 16, 1931): Campaign Against Racial Segregation, 1914-1955, Residential segregation ordinances and restrictive covenants in Atlanta, Georgia and Columbus, Ohio, "Western Union from Walter White to Hon. James A. Cobb." (no date)

he should accompany Cobb to that meeting, hopefully ascertaining a strategy for moving forward.⁵²

This correspondence with Cobb was perhaps most telling of the dire situation that Walter White and the NAACP were in. White's inquiry about whether the NAACP should reach out to Chief Justice Taft was ominous. William Howard Taft, the 27th President of the United States, was held in less than favorable regard with African Americans, as his views on race were less than progressive compared to some of his counterparts. White's desire to meet with Taft speaks to the notion that the NAACP was honestly perplexed by numerous cities' attempts to usurp the Constitution by passing racial zoning laws. Those bold actions spoke directly to the true power of white oppression and the need for the NAACP to appeal to high-ranked authorities within the federal government, a strategy they would continuously employ throughout the 20th century. The interactions of the NAACP with both Taft and Harding are significant. Neither men were current presidents at the time of their interactions with the NAACP regarding housing, yet both held powerful positions in the federal government. Furthermore, although the federal government had not yet passed legislation or become intrinsically involved in housing affairs, the NAACP knew that housing equity in America would most likely eventually fall under governmental control. Likewise, these consistent interactions with prominent federal officials reaffirms earlier assertions within this chapter that the NAACP embraced the fundamental principle that if change were going to come, it would be through legislation.

⁵² Library of Congress, Papers of the NAACP, Part 05 (Jan 1, 1925 –Apr 16, 1931): Campaign Against Racial Segregation, 1914-1955, Residential segregation ordinances and restrictive covenants in Atlanta, Georgia and Columbus, Ohio, "Western Union from Walter White to Hon. James A. Cobb."

Understanding the importance of legislation, Walter White reached out to A.T. Walden following his conversation with Cobb to suggest that Walden use these ordinances in two ways. First, knowing the unconstitutional foundation on which the ordinances were passed, White urged Walden to use the Atlanta branch to carefully select and prepare cases to vigorously fight. White informed Walden that because of the shaky statute that brought forth the law, it was only a matter of time before the Supreme Court reversed the decision. Nonetheless, the NAACP needed to be prepared to stage worthy cases in an effort to force the hand of the government. White also wanted Walden to use this incident as a driving force for membership recruitment. Historically, the solicitation of members remained a byproduct of speeches and membership drives. Yet, White realized the importance of waging a two-fold appeal that African Americans' right to property was in danger and of critical importance to their citizenship, and that NAACP were the protectors of those civil rights.⁵³

Almost immediately after contacting Walden, White reached out to Will Alexander, Director of the CIC, informing him of the city council's decision to pass the law above Mayor Ragsdale's veto. White explained that he had placed the Atlanta Branch of the NAACP on high alert and urged them to join the fight immediately. Likewise, White mentioned his knowledge of the CIC's involvement in the matter and said he hoped that the CIC and the NAACP would work together and eliminate any chances of "duplication of effort in the most efficient and least expensive steps to set aside the

⁵³ Library of Congress, Papers of the NAACP, Part 05 (Jan 1, 1925 –Apr 16, 1931): Campaign Against Racial Segregation, 1914-1955, Residential segregation ordinances and restrictive covenants in Atlanta, Georgia and Columbus, Ohio, "Letter from Walter White to A.T. Walden," June 5, 1929.

ordinance.”⁵⁴ Alexander’s reply to White was brief but illuminating. Alexander told White that the entire ordinance appeared to be a mirror image of the recent segregation ordinance set forth by the city of Richmond, Virginia. Alexander believed that if this were true, its destruction was imminent because the state of Virginia had already ruled that any such ordinance was unconstitutional and in direct violation of the Supreme Court ruling.

Although the city of Atlanta would ultimately quash the racially charged segregation ordinance, the stage was set for the war over the right to own, rent, purchase, and sell property to African Americans. At the close of the 1920s, entrenched in a constant battle with local and state authorities, the NAACP attempted to them to uphold constitutional law. In this regard, the NAACP was a direct agent of the Attorney General’s office. At the mere mention of a race-related housing law, the NAACP swiftly responded, reflecting how the 1920s were very much a period of reactionary efforts by the NAACP. Even still, the NAACP’s leadership was diligent in mastering the laws and understanding the functionality of property rights. It is also clear that, by the 1920s, the federal government was poised to take a clear stance on the rights of African Americans to freely access the national housing market.

Throughout the 1920s, the federal government aside from the Supreme Court remained relatively quiet in the housing affairs of African Americans. All the while, cities used every means possible to create systemic zoning policies that placed African Americans at a sharp disadvantage. Educational and economic patterns are essential

⁵⁴ Library of Congress, Papers of the NAACP, Part 05 (Jan 1, 1925 –Apr 16, 1931): Campaign Against Racial Segregation, 1914-1955, Residential segregation ordinances and restrictive covenants in Atlanta, Georgia and Columbus, Ohio, “Letter from Walter White to Will Alexander,” June 5, 1929.

components of understanding housing during this decade. Ultimately, while African Americans enjoyed a zenith of cultural enlightenment, their citizenship rights were quietly being stripped. By the end of the 1920s, the words of Judge James A. Cobb were coming to fruition. If African Americans did not pay attention to the lurking dangers in the shadows of American citizenship and join the NAACP and organizations like the CIC, “the colored people of this country would be ghettoed into the slums and alleys.”⁵⁵

⁵⁵ Library of Congress, Papers of the NAACP, Part 05 (1914-1955): The Campaign against Residential Segregation, “Opening quote by Honorable James A. Cobb.”

CHAPTER THREE: SHAKY GROUND: BUILDING THE FOUNDATION OF AMERICAN HOUSING

The National Housing Act III (12 U.S.C. 1716 et seq., 48 Stat 1252) established public housing under the direction of President Franklin Roosevelt's New Deal. The formation of the Federal Housing Administration (FHA) in 1934 changed the dynamic of housing in America. This chapter explores how the newly created federal organization proved to be more adversarial than beneficial to African Americans. Additionally, this chapter examines how the NAACP attacked specific housing policies and practices created by the FHA's underwriting manuals and the Home Owner Loan Corporation's four-tiered appraisal system. To comprehend the magnitude of the National Housing Act and its importance, one must examine the entire decade of the 1930s.

Before Franklin Roosevelt took office, Herbert Hoover held the first presidential conference on home building in December of 1931, and by 1932, he had passed federal legislation on housing including signing into law the Reconstruction Finance Corporation Act (RFC). Similar to the Federal Reserve, the RFC loaned money to banks; however, the intent of the RFC was to reach rural and smaller state-operated banks that often fell outside the purview of the Federal Reserve System.¹ The federal housing legislation enacted during the 1930s was critical in the shift from local and state jurisdiction on housing to federally controlled legislative interventions in the private American housing market. The 1920s marked a decade of observation by the federal government, but the

¹“Banking Acts of 1932’ An Essay chronicling two pieces of legislation signed by President Herbert Hoover in early 1932 to address concerns about the Federal Reserve structure and mission,” https://www.federalreservehistory.org/essays/banking_acts_of_1932 , Retrieved 2017-10-25.

1930s marked a decade of expansion of federal powers in response to the nation's growing economic crisis, the Great Depression.

In 1932, the formation of the Federal Home Loan Bank Board (FHLBB) was established, laying the foundations for later reforms like the Housing Act of 1934 and subsequent creation of not only the Federal Housing Administration but also the Home Owners Loan Corporation. The *Federal Home Loan Bank Review*, which served as the FHLBB's policy magazine chronicled the beginning of the federal government's housing programs and highlighted the government's acceptance of responsibility for its lapse in housing and infrastructure policy. Moreover, it surveyed the various housing programs, initiatives, and federally funded boards to help stabilize the housing market in the United States. According to the FHLBB review, "In the gradual strengthening of its economic structure, the United States has left housing and home financing to the last...It took 150 years and a national crisis to bring the federal government to assume any responsibility for housing."² In an article released in the FHLBB review John Fahey, the president of the FHLBB, estimated that in 1934, the year of his article in the review, the national debt of urban mortgages was \$21,000,000. This was close to double the total debt of the national railroad industry and nearly half of the nationally combined federal, state, county and municipal debt of 1934.³ One of strongest elements of the FHLBB was the Home Owners Loan Corporation (HOLC), which became the appraisal arm of the federal banking system.

Housing during this time period is an incredibly complicated story to unpack.

² John H. Fahey, "The Governments Program for the Organization of the Nations Home-Financing System," *Federal Home Loan Bank Board Review*, Vol 1. Issue 1., October 1934, pg. 2.

³ John H. Fahey. "The Governments Program for the Organization of the Nations Home-Financing System," pg. 3.

Fundamentally, the FHLBB, HOLC, FDIC, and subsequent national housing acts became the foundation for the reversal of the national housing crisis and served to alleviate the lack of affordable and adequate housing during the depression era. More importantly, the cooperative partnership between the federal government and the national banks enabled an overhaul of economic dependency and help alleviate mortgage debt and foreclosure for the average citizen. The issues that arise towards the end of the 1930s stem from the reality that while these programs, laws, and banking actions were designed to eradicate housing debt and foreclosure, these same organizations often excluded African Americans from receiving those benefits.

After the creation of the FHLBB in 1933, President Roosevelt signed the 1933 Bank Act into law. The law's most important aspect was the formation of the Federal Deposit Insurance Corporation (FDIC). The FDIC diverted funding from public sources (common account holders) and instead relied on member banks' insurance dues as the staple source of funding.⁴ Although, this was a necessary step for stabilizing the housing market, President Roosevelt had concerns about the effectiveness of the FDIC, noting that, "We do not wish to make the United States Government liable for the mistakes and errors of individual banks and put a premium on unsound banking in the future."⁵ Nonetheless, the public was in staunch support of the FDIC, and after the law's passing, bank failures dropped to nearly zero nationwide.⁶

⁴ Banking Act of 1933, Pub.L. 73-66 (commonly referred to as the Glass-Steagall Act).

⁵ Christopher W. Shaw, "The Man in the Street Is for It': The Road to the FDIC," *Journal of Policy History* Vol. 27 Issue 1. (2015) pg. 47.

⁶ Christopher W. Shaw, "The Man in the Street Is for It': The Road to the FDIC," pg. 47.

The government passed the United States Housing Acts of 1934 and 1937, the Emergency Relief Appropriation Act of 1935, and the Housing Survey and Inventory Act of April 1935. While the Federal Home and Loan Bank Board was a strong beginning for the creation of federalized housing, these actions systematically followed, helping build the framework of federal housing in America. The national devastation caused by the Great Depression was immense. According to the *Federal Home Loan Bank Review*, the neglect of housing and home financing threatened social disaster. Foreclosures on homes averaged more than 200,000 each year during the depression, and millions of citizens, a majority of whom were white, turned into “embittered malcontents.” People’s life savings connected to the equity in their homes was gone overnight. Home values descended to disastrous levels, as the real-estate market literally collapsed and money related to mortgages vanished. The federal government had to act to minimize the national economic disaster. The problem for black people occurred when the government acted in ways that defined black neighborhoods as a negative or hazardous influence.⁷

The perfect storm of state-driven control over housing, the eventual collapse of the stock market and subsequent Depression, coupled with New Deal legislation, forged the modern ideal of housing and the structure of the national housing market, the federal guidelines of appropriation, and fixed and low income housing. Even with these components simultaneously shaping the landscape, the NAACP continued to fight in the arena of housing, successfully challenging state and local authorities over unfair housing legislation that was often supported by the Supreme Court through constitutional law.

⁷ John H. Fahey. “The Governments Program for the Organization of the Nations Home-Financing System,” pg. 2-6.

The 1930s brought support and power for the NAACP. Once the federal government usurped more authority over homeownership and began giving more federal loans and bonds, it changed the dynamic of support for African Americans, creating a tug-of-war between the Federal Housing Administration and the Supreme Court, with the White House, Congress, and the NAACP squarely in the middle.

Much of the 1930s revolved around coping with the economic implosion now referred to as Black Tuesday, which subsequently birthed the dark period in economic and political unrest known as the Great Depression. Most stock market crashes occurred because of a period in which the stock prices continually rise without decrease, or a market where price-earnings ratios exceeded long-term yield averages and participants leveraged the market based on extensive use of margin debt.⁸ To fully understand the sharp change in political and economic ideologies, one cannot view The Great Depression as the sole catalyst for change in governmental policy.

Prior to the Great Depression, banks did not issue insurance for deposited money. The increasingly politicized labor market of the 1920s and 1930s incubated an environment where the gold-standard and the institutions it maintained restricted the ability of the federal government and central banks to react to hardship. This subsequently led to Americans flocking to banks to demand their deposits, and without the FDIC, many of those banks folded. According to Barry Eichengreen and Peter Temin, this led to the adoption of policies that made economic conditions worse instead of better. In response to those balance-of-payments deficits and gold losses, the government could merely restrict credit with the goal of reducing domestic prices and costs until

⁸ John Kenneth Galbraith, *The Great Crash of 1929* (New York: Houghton Mifflin Press, 1955) pp.12-17.

international balance was restored.⁹

After this domino effect crippled the American economy, economic decline persisted, exposing the true intentions of the federal government with regard to race relations in the 1930s, and most importantly, the attitudes of President Herbert Hoover. Although, the Great Depression came at the end of Hoover's presidency, his former years were characterized by a lost connection with African Americans. Scholars have alternately characterized Hoover as incompetent, a man of his times, or a systematic racist. In reality, these three descriptions do not live in isolation, and there is evidence of all three in Hoover's leadership style, particularly in relation to his dealing with African Americans.

The NAACP records are riddled with various accounts of Hoover continually denying speaking invitations for the NAACP's national conventions, and Hoover consistently refused White House meetings with the NAACP. According to the NAACP records, beginning in 1931 Hoover denied requests for a formal meeting with the NAACP every year during his presidency.¹⁰ Yet, in 1932, Hoover greeted and spoke to some of the nation's Black Republicans. The irony of that meeting with the Black Republicans is that Hoover met with individuals like Robert R. Church Jr., who was also a member of the NAACP. This interaction cemented two important facts about Hoover's presidency. First, that Hoover was aware of the strengths and motives Black organizations including the NAACP possessed. Secondly, and a common thread

⁹ Barry Eichengreen and Peter Temin, "The Gold Standard and the Great Depression," *Contemporary European History*, Vol 9., No. 2 (Jul. 200): 183-184.

¹⁰ Library of Congress, Papers of the NAACP, Part 01: Meetings of the Board of Directors, Records of Annual Conferences, Major Speeches, and Special Reports, September 4, 1931- May 13, 1932, Correspondence with Herbert Hoover's Office "Correspondence from Secretaries of the President of the United States to Walter White," December 11, 1931- May 18, 1932, pp. 3-7.

throughout this research, is that Hoover did not take the political efforts of African Americans seriously. An example of this is seen in Hoover's decision to meet with James H. Cobb and Robert R. Church, Jr. James A. Cobb served on the National Board of Directors for the NAACP. According to Donald Lisio, Cobb most likely kept the NAACP informed on Hoover's administrative policies and benefaction appointees. This, in turn, presented the NAACP with the opportunity to check their backgrounds and protest any appointments that could be detrimental to their cause.¹¹ Likewise, Robert R. Church, Jr. served in a more covert position. A staunch Republican and supporter of Hoover, Church was necessary to Hoover's campaign because he carried the black professional vote. These individuals were highly educated, economically self-sufficient and, of course, Republican.

Class notwithstanding, by the 1930s, many African Americans had reached a breaking point with the federal government, the justice system, the limits placed on their exercise of political freedom, and the growing problems with the housing market. African Americans began publically circulating information and research questioning their political identity. W.E.B. Du Bois published a special edition of the NAACP's magazine *The Crisis* in 1932 dedicated to formulating a common understanding of public sentiment about Hoover and his opposing Democratic candidate Franklin Delano Roosevelt (FDR). African Americans sought literary means to carve out a political identity. In that edition of *The Crisis*, Reverdy C. Ransom wrote a piercing article entitled, "Why Vote for Roosevelt," in which he presented a strong argument about black public disillusionment

¹¹ Donald J. Lisio, *Hoover, Blacks, and Lily Whites: A Study of Southern Strategies* (Chapel Hill: University of North Carolina Press, 1985) p.99.

with Hoover. Moreover, Ransom equated the cause of that disillusionment with Hoover's failure—a result of his reluctance—to work with black people.¹²

Articles such as Reverdy's displayed the complexities of political alignment and cooperation in the 1930s. That complexity is best seen through Robert R. Church Jr., who was a staunch conservative Republican from Memphis, Tennessee, whom Hoover appointed to his administration toward the end of his presidency. Church founded the Memphis Chapter of the NAACP in 1917 in response to a visit from then field secretary James Weldon Johnson who visited Memphis while investigating the lynching of Ell Persons. Church was also the first southerner elected to the national board of the NAACP, and he subsequently helped establish more than fifty branches throughout the South.¹³ Church gained national prominence by establishing the Lincoln League. Established in 1916 and nationally incorporated in 1919, this organization set out to register voters and equip them with the necessary funds to defray poll taxes and other economic barriers to voting. Church's executive board and state officers were literally the "who's who" of Black activism during the 1930s, including Walter Cohen of New Orleans; Robert S. Abott, editor of the *Chicago Defender*; James Weldon Johnson, Director of the NAACP; James A. Cobb, federal Judge and NAACP liaison on legal affairs; and Ida B. Wells Barnett, champion of the anti-lynching movement. Not only was Church's committee radical, it was progressive in political and social thought. Church fit into a Black population that strictly followed the party line perhaps to a fault. Yet, Church's committee members were integral in the social, political and economic uplift of

¹² Reverdy C. Ransom, "Why Vote for Roosevelt?" *The Crisis*, November 1932, pp. 342-362.

¹³ "History of the NAACP," *NAACP Memphis Branch*. 2009, <http://www.naacpmemphis.org/history.php>, Accessed August 30, 2017.

the race.

Similar to the reputation of Both Robert R. Church Sr. and Jr., James Carroll Napier was the dominant figure in Nashville through much of the late 19th and early 20th centuries. By the 1930s, although retired from his more prominent role with the United States Treasury, Tennessee State politics, and activism, J. C. Napier was still a preeminent figure in Nashville, Tennessee and throughout the South. After building a successful career behind his steadfast support of the Republican party, his resilient friendships with other African American pioneers including Booker T. Washington, and his numerous positions within various strategic organizations including the National Negro Business League.¹⁴ Napier served on the Nashville City Council from 1878-1886 and became the first African American to preside over the council. In the 1870s, Napier was pivotal in the hiring of African American teachers in public schools. From 1911 to 1913, Napier served as Register of the United States Treasury under the Taft administration. During this period Napier also helped start a local chapter of the National Negro Business League.¹⁵ Napier retired to Nashville from his position as Register of the Treasury at the age of sixty-eight.

After 1913, in his retirement, although he was never again aggressively active in politics and activism, remained a social figure mostly relegated to advising party leaders, and the endorsement of political candidates.¹⁶ Napier's reputation as a staunch Republican and overall accommodationist served him well among a growing class conservative middle class of Nashville. Napier understood the importance of African

¹⁴ Herbert Clark, "James Carroll Napier: National Negro leader," *Tennessee Historical Quarterly*, Vol. 49, No. 4 (Winter 1990), pg. 245-247.

¹⁵ Herbert Clark, "James Carroll Napier," pp. 247-250.

¹⁶ Herbert Clark, "James Carroll Napier," pg. 251.

American homeownership and property rights, at the time of his death in 1940, Napier owned over fifteen rental properties throughout the city.¹⁷

Robert R. Church Sr. was the first African American millionaire in the South and spent a considerable amount of money and effort into supporting the upbuilding of African American business. Following suit, his children Robert R. Church Jr. and Mary Church Terrell followed their father's legacy entering both activism and politics in Memphis and the throughout the south.¹⁸ By the 1930s with the formation of the Local Lincoln League, Church Jr. emerged as one of the most influential African American Republicans in the country.¹⁹

According to historian Donald Lisio, although Robert R. Church Jr. was a loyal Republican like his father, civil rights activist Robert Church Sr., the younger Church remained skeptical because of his constant interactions with powerful white people on Capitol Hill, and by surviving what Lisio classified as the "special dangers" faced by black political leadership in the South. Thus, a supporting argument for Church as a covert agent for change was the fact that Church believed in Republicanism, which did not necessarily correlate to him supporting Hoover's politics.

This assertion falls in alignment with the general political consensus of the 1932 election, which was a defining moment in the shift of African Americans from the Republican Party to the Democratic Party. This was also self-evident in the campaign messages of Hoover. In the May 1932 edition of *The Crisis*, Hoover petitioned for the

¹⁷ Herbert Clark, "James Carroll Napier," pg. 245.

¹⁸ Elizabeth Gritter, *River of Hope: Black Politics and the Memphis Freedom Movement, 1865-1954* (Lexington: University Press of Kentucky, 2014) pp. 8-10.

¹⁹ Elizabeth Gritter, *River of Hope*, pg. 9.

African American ear, appealing to the core values associated with the Republican Party rather than positioning himself as a true candidate for presidency. Hoover noted, “The platform of the republican party speaks with justifiable pride of the friendship of our party for the American Negro that has endured unchanged for seventy years.”²⁰

Even though Hoover lost considerable favor among African American communities from the above quote, it is understandable how Hoover’s comments seemed compelling to many African Americans who, with each passing generation, sought salvation in politics and the economic remunerations those powers could bestow and protect.²¹ The African-American Republican Party in Tennessee was rooted in the core initial values of the national party. The Colored Republican Club in Tennessee remained strong throughout Middle and West Tennessee. The leadership of these groups were entrenched in the fight for fair housing. Walter C. Robinson headed the largest principal black organization during the 1930s, The Republican Colored Voters League of Greater Chattanooga. Robinson attempted to climb the ranks by joining the executive committee of the Tennessee Republican Party. In Memphis, Henry Allen Boyd who was assisted by Z. A. Looby Alexander succeeded Church Jr., who battled “lily white” republicans for the seat.²²

Hoover’s legacy has been consistently misrepresented, which has led to historical inaccuracies of Hoover preparing the country for a turbulent transition that ultimately gave way to the New Deal. Scholars like Harris Gaylord Warren in his book, *Herbert Hoover and the Great Depression* noted,

²⁰ “Herbert Hoover Republican Candidate for President” *The Crisis*, November 1932, pg. 353.

²¹ Bobby Lovett, *The Civil Rights Movement in Tennessee: A Narrative History* (Knoxville: University of Tennessee Press, 2005) pg. 229.

²² Bobby Lovett, *The Civil Rights Movement in Tennessee*, pg. 235.

What Hoover did was in a very real sense preparation for the next steps collectively known as the New Deal. Herbert Hoover was too progressive for the conservatives and too conservative for the radicals. While Mr. Hoover's rivals should be thankful that he and not one of them was President from 1929 to 1933, the country, too, should be grateful.”²³

While older scholarship crystallized images of Hoover that were far too progressive for the 1930s. It is more accurate with the shift of current scholarship that if Hoover had been truly progressive, he would have agreed to meet with the NAACP and accepted their numerous requests to visit the White House. Yet, by 1932, with the swirling black bipartisan bewilderment, Hoover still managed to push a federal housing agenda by holding a presidential conference on home building and homeownership in December of 1931, along with securing the passage of the Emergency Relief and Federal Home Loan Bank Act in July of 1932, which as mentioned earlier, established the Federal Home Loan Bank Board.²⁴ In the field of housing, there is evidence that while Hoover may not have intended to push the African American housing agenda, his actions left the door open for a more progressive and effective leader in Franklin D. Roosevelt.

Not long after his inauguration, Roosevelt wasted no time accepting numerous invitations to meet with African American leaders. In November of 1934, Roosevelt travelled to Nashville where he was met by a surprising number of African American Republicans. This was truly a statement of the beginning of a new political era for African Americans. Roosevelt was greeted by William J. Hale, president of the

²³ Paul F. Boller Jr., “Herbert Hoover and the Great Depression,” *The Journal of Southern History*, Vol 25. No. 4 (Nov., 1959): 547-548.

²⁴ Grace, Milgram, *A Chronology of Housing Legislation and selected legislation 1892-1992: Congressional research Service report prepared for the Committee on Banking, Finance, and Urban Affairs and the Subcommittee on Housing and Community Development, House of Representatives, One Hundred Third Congress, First Session*. Washington: U.S. G.P.O.: For sale by the U.S. G.P.O., Supt. of Docs., Congressional Sales Office, 1994.

historically black college Tennessee A&I, and head of the Nashville branch of the CIC, which aided many NAACP initiatives throughout the 1930s. Hale's greeting of president Roosevelt was followed by a salutation from J.C. Napier of Fisk University.

Although there existed a seemingly open line of communication between FDR and African Americans, that relationship was not always reflected in New Deal legislation. An example was the lack of African American inclusion in the Tennessee Valley Authority (TVA) despite consistent boasting of an integrated New Deal. The NAACP took special notice of the lack of African American presence in New Deal organizations, so much so that Charles Hamilton Houston, who was hired by the NAACP in 1934 as special counsel along with John P. Davis, published a report that detailed the TVA's lack of diversity in the NAACP's *Crisis Magazine*.²⁵ The addition of Charles Hamilton Houston is significant because of his critical role in training numerous and prominent black lawyers including Thurgood Marshall. However, the NAACP was no stranger to the hard times of the Great Depression. While Roosevelt struggled to pull the country out of spiraling debt, the NAACP reached out to white philanthropists including William Rosenwald, the younger son of Sears, Roebuck, and Company Co-Founder and philanthropic champion of black education Julius Rosenwald, and Herbert Lehman, Lieutenant Governor of New York, to secure funds to continue operation. This was simultaneous with the advancement of Walter White to permanent executive secretary. This decision, according to Patricia Sullivan, further clouded the NAACP in unrest because the NAACP was built on the back of James Weldon Johnson. Although Walter White had successfully made a name within the organization, his overall direction for the

²⁵ Bobby Lovett, *The Civil Rights Movement in Tennessee*, pg. 235.

NAACP had yet to be revealed.²⁶

In 1933, as a precursor to a firmer stand on affordable homeownership for Americans, FDR established the Home Owners Loan Corporation (HOLC). HOLC was born out of the necessity for many Americans (mainly whites) to secure and maintain affordable housing options in both rural and urban locations. Similar to many federal housing guidelines, HOLC guidelines were never institutionally established to benefit African Americans; nonetheless, these programs still affected minorities. The inability of average American borrowers to consistently meet mortgage payments swelled because of the skyrocketing national unemployment rate associated with the depression. These issues quickly led to tax delinquency and mortgage defaults, which ultimately meant foreclosure and loss of property.²⁷ Roosevelt attempted to ease the burden of individual borrowers by creating an organization that would refinance endangered homes and save those properties from foreclosure. The HOLC files are peppered with an overwhelming number of descriptive housing statistics connected to the Great Depression. For example, in the HOLC's inaugural year there were over 400,000 applications for HOLC assistance, with homeownership worth more than \$1,000,000. Americans relied on the Roosevelt administration's federal to response.

Before 1933, there was no direct office to funnel these urgent pleas for a solution to the collapse of the mortgage system that until the 1930s relied almost exclusively on private financial institutions. Roosevelt responded by sending short direct messages to each house of Congress stating, "Protect the small homeowner from foreclosure, and

²⁶ Patricia Sullivan, *Lift Every Voice and Sing: The NAACP and the Making of the Civil Rights Movement* (New York: The New Press, 2009) pp. 151-152.

²⁷ Clement Lowell Harris, *Histories and Policies of the Home Owners Loan Corporation* (New York: National Bureau of Economic Research, 1951) pp. 8-9.

relieve him of the burden of excessive interest, and declare that a national policy protects home ownership.” FDR proposed a plan that would decrease economic strain on the Federal Treasury and safeguard investors.²⁸ It is important to note that Roosevelt understood, that HOLC could only salvage existing debt. HOLC appraised each location on the basis of eight features: stability of the neighborhood, protection from adverse influences, adequacy of transportation, appeal of the neighborhood, efficiency of utilities and conveniences, level of taxes and special assessments, presence of civic, social and commercial centers, and topography and special hazards of the neighborhood.²⁹ The HOLC appraisal philosophy is clear that it came from a white perspective. Moreover, it is easy to appreciate how discriminatory this policy was. In fact, the true shortcoming of HOLC was that its influence over funds for new residential housing was at best indirect.³⁰ This was pivotal to African Americans because it not only limited their abilities but it kept them in the same socioeconomic situation. This occurred primarily because one federal agency defined neighborhoods black people inhabited as hazardous with regard to bank investments, while the FHA defined their presence in suburban residential communities as an inharmonious racial element.

During the 1930s, the quest for suburban living began throughout the United States. African Americans in Atlanta and Nashville in many ways led the way due to their education and middle-class status. According to historian Ernest McGowen, African American suburbanization was heavily contingent on income. Furthermore, as jobs

²⁸ *New York Times*, April 14, 1933 2: 3,4.

²⁹ “Rating of Neighborhood,” Federal Housing Administration, *Underwriting Manual* Underwriting and Valuation Procedure Under Title II of the National Housing Act (Washington D.C.: GPO 1936). Part II Risk Rating Instructions, Section 3. Rating of Neighborhoods, Part 301 (2).

³⁰ Leo Grebler, David M. Blank, and Louis Winnick. *Capital Formation in Residential Real Estate, Trends and Prospects* (Princeton: Princeton University Press, 1956) pg. 204.

became decentralized, their socioeconomic status did not change, and therefore many middle class and poor blacks did not move to the suburbs.³¹

At the federal level, the foundation for a system of public housing was in its infancy. Yet, on an individual case basis several cities and local authorities continued to attempt to ensure racial separation in the arena of housing. Despite the NAACP's legal victories in segregation ordinances being ruled unconstitutional, cities stubbornly erected illegal racial barriers to integrated housing. An example occurred in 1932 in Atlanta only a short time after the NAACP managed to successfully push back against an unfair proposed city ordinance. The city then gave executive authority to the city clerk to deny and or block moving permits specifically for "members of one race moving into a district inhabited by members of another race."³² During the 1930s, the FHA systematically incorporated strategies to cripple black homeownership. At the state and city level, officials created ordinances or empowered public officials to deliberately racially segregate housing with the blessing of city hall. This phenomenon occurred in Atlanta, where unconstitutional segregation ordinances structurally excluded high-earning African Americans from secure housing. Atlanta's proposed city clerk ordinance, adopted in September 1932, displayed the intentional efforts enacted by city clerks to stop all African Americans regardless of wealth and status from moving into white neighborhoods.³³

The NAACP immediately began correspondence with the national office to create

³¹ Ernest McGowen, *African Americans in White Suburbia: Social Networks and Political Behavior* (Lawrence: University of Kansas Press, 2017) pg. 5.

³²The Library of Congress, Papers of the NAACP, Part 12 (May 01, 1932-Nov 01, 1932): Selected Branch Files, 1913-1939, Series A: The South, "New Atlanta Segregation Ordinance," pp. 4-5.

³³ "Atlanta Votes to Limit Residential Moving," *New York Herald Tribune*, September 8, 1932.

a test case for the ordinance. That test case was halted by the unfortunate murder of two African American women, a mother and daughter, in a suburb of Atlanta in was called a racially motivated crime. This was the reality of life in the South for African Americans, and at times that reality hindered the efforts of the NAACP. Although seemingly unrelated but simultaneous to the city ordinance issue, Walter White sent A.T. Walden, President of the Atlanta chapter of the NAACP, a note expressing the national sentiment toward Atlanta stating, “Colored people do not have much hope for any actions being taken in dark and rural Mississippi, but they certainly expect that a city as large as Atlanta with its wealthy and intelligent colored community will not sit idly by and twiddle their thumbs.”³⁴ While housing was still the closest determinate to citizenship, staying alive superseded all efforts for the NAACP. That is perhaps the most consistent thread throughout the story of the NAACP and their fight against unfair housing. Although, the NAACP struggled to maintain influence in the arena of housing, they were simultaneously dealing with internal transition, including the exit of W.E.B. Du Bois from the organization, the creation of the legal defense fund, the early stages of the campaign to desegregate professional and graduate schools, the fight against public school inequality, and coping with the widespread effects racial exclusion within prominent New Deal federal agencies.

In 1934, Congress passed the National Housing Act, which made homeownership more affordable than renting. Furthermore, it expanded the percentage of Americans who could afford housing. From 1940 until 1960, the white homeownership rate increased

³⁴ The Library of Congress, Papers of the NAACP, Part 12 (May 01, 1932-Nov 01, 1932): Selected Branch Files, 1913-1939, Series A: The South, “Letter from Walter White to A.T. Walden,” pp. 4-5.

from 42.7 percent to 64 percent, and the black homeownership rate during this period increased from 23 to 38 percent. Although the racial homeownership gap also increased as a result of these programs, the federal standards were increased across the board for American housing. A prime example is found within the Housing and Home Finance Agency's (HHFA) "Housing of the Nonwhite Population" report. According to the HHFA's report, because of the National Housing Acts, fifty percent of African Americans living in urban housing had both hot and cold indoor running water, a major increase from previous decades. Moreover, forty percent of African Americans in rural areas also had hot and cold indoor running water.³⁵

This legislation placed issues of housing economics and sustainability in the hands of the federal government. The featured creation within the National Housing Act was the Federal Housing Administration (FHA). This single component dominated the growth and development of the US housing market. By reducing the risk necessary for banks to secure mortgage lending, it literally shaped the national housing policies that marginalized black folks. From the top down, the federal government held dominion over public housing authorities and virtually any housing that included federal funding. Likewise, from the bottom-up perspective, organizations such as the NAACP now had a direct target for dealing with issues surrounding fair housing. Moreover, the FHA became the face—and in many instances scapegoat—of any unfair, oppressive, and racist actions by the federal government regarding housing.

³⁵ "Water supply in occupied nonfarm dwellings units, by race, tenure, and residence, for the United States," *Housing of The Nonwhite Population 1940-1950*, Housing and Home Finance Agency, Washington D.C., 1952, pp. 29-42.

David Freund asserts in his book *Colored Property* that the FHA did not consider blacks as a part of the national housing market. Normal homeowners, in their view, were white.³⁶ Understanding that the FHA viewed African American homeowners in that light, it makes sense that African Americans were absent from the public announcements of the president and FHA officials about the organization's benefits and impact, even though minorities, and African Americans in particular, received the majority of public housing efforts from the FHA. The federal government's plan for the FHA was, in theory, to establish a framework for evaluating and classifying property values, as determined by a set of parameters, which included a neighborhood's racial and socioeconomic demographic. The HOLC then appraised homes in neighborhoods with a racial mixture or an African-American majority as having an inharmonious racial element. Targeted areas were outlined in red, hence the term "redlining." While HOLC is believed to have started this system, it was perpetuated throughout the realm of housing. This form of systematic racialization as it pertained to homeownership had irreparable consequences for African Americans in two areas: funding for schools and generational wealth.³⁷

Although the 1934 National Housing Act created the FHA, the Housing Act of 1937 enticed the NAACP and other organizations to join the federal conversation of housing. The chief product of the housing act of 1937 was the establishment of the United States Housing Authority (USHA). The USHA provided standard housing accommodations for African Americans, typically on a segregated basis, and the FHA defined central urban areas as less desirable lending investments than suburban

³⁶ David M.P. Freund, *Colored Property* (Chicago: The University of Chicago Press, 2007) pp. 121-128.

³⁷ Ernest McGowen III, *African Americans in White Suburbia: Social Networks and Political Behavior* (Lawrence: University of Kansas Press, 2017) pp.14-16.

communities. The problem of dilapidated housing for blacks was supposedly solved by creating USHA-sponsored and often racially segregated public housing in neighborhoods considered undesirable by the FHA and other federal housing agencies. Essentially, the USHA became the eyes and ears of the FHA at the state and local levels, handling all state and local housing issues.

The USHA controlling state and local issues proved to be a dynamic hurdle for the NAACP, and like many organizations, they believed that the FHA would provide oversight. President Roosevelt and other federal officials selected Nathan Straus, Jr. to head the newly created Housing Authority. Straus was the son of philanthropist and Macy's department store co-founder Nathan Straus, Sr. The younger Straus was an expert in housing.³⁸ The NAACP believed that Straus could be a champion for fair housing and an ally to their campaign against residential segregation. Almost immediately after Straus's appointment by F.D.R., Walter White and other civil rights activists wasted no time plotting methods of shaping of Straus's newly minted organization. An up-and-coming economist and political figure, Robert Weaver, was internally chosen among several African Americans as a prime candidate to act as an assistant to Straus in the Housing Authority. From the NAACP records, it appeared that Walter White championed this choice, most likely to push the agenda of housing to the national level and begin a long overdue conversation. White sent a congratulatory letter to Straus in which he

³⁸ "Straus to Direct Federal Housing," *New York Times*, October 19, 1937.

reaffirmed that he had full confidence in Straus's abilities, and expressing his hope that "visions can be utilized in wiping out discrimination in that department."³⁹

By 1937, with the creation of the National Housing Authority, Walter White fell in line with organizations like the National Association of Housing Officials (NAHO) who prepared demands for the federal government on what they envisioned regarding implementation of legislation and oversight on low-cost housing. Similarly, White and the NAACP moved into an offensive approach, attempting to make preemptive strikes at dismantling perceived future racism. White was contacted by Paul Williams, an established black architect in Los Angeles and the first African American to join the American Institute of Architects (AIA),⁴⁰ who informed White that several African American leaders in housing throughout the country, including Bob Taylor of Chicago, Elmer Carter, and Harris Butcher believed that the time was ripe to position an African American within a national housing position. According to Williams, "since one-fourth of the people in need of housing nationally were Negro there should be an assistant director appointed who is thoroughly acquainted with our problems as a race." Williams closed his letter to White warning him that this matter took precedence because of several petitions circling for individuals who did not have the African American housing cause at the forefront of their agenda.⁴¹ It is clear from Williams' letter that many executive directors were knowledgeable that there were two ways to fight housing discrimination.

³⁹ The Library of Congress, Papers of the NAACP, Part 05 (Oct 01, 1937- Dec 31, 1937): Campaign Against Residential Segregation, 1914-1955 "Letter from Walter White from to Nathan Straus," October 19, 1937.

⁴⁰ Karen E. Hudson, *Paul R. Williams Architect: A Legacy of Style* (New York: Rizzoli International Publications, 1993).

⁴¹ The Library of Congress, Papers of the NAACP, Part 05 (Oct 01, 1937- Dec 31, 1937): Campaign Against Residential Segregation, 1914-1955 "Letter from Paul to Williams Walter White," October 21, 1937.

First, activists attempted to insert agents that had the best interest of African Americans in mind. Secondly, and more importantly, organizations understood the strength of communication, which helped apply pressure to the FHA and the Housing Authority. Following this logistical framework, White wrote to Straus in 1937 asking him to keynote the annual NAACP convention.⁴²

By the close of 1937, the NAACP, among their numerous other civil rights ventures, was fully vested in the fight for equal housing. The efforts of Walter White paid off almost immediately after the creation of the Housing Authority and the appointment of Nathan Straus, Jr. Straus wasted no time replying to White, noting that White need not hesitate to reach out if there was anything that he could do to support fair housing. Furthermore, Straus acknowledged that he did not know everything concerning the issue of African Americans and housing. For that reason, Straus wrote, “I will call upon you frequently for advice, but do not wait to be called upon. Offer your suggestion or counsel at any time you suggest.”⁴³ Organizations including the NAHO used Straus’ sympathy with the African American situation to move on other agendas in the realm of housing, and the NAACP wasted no time taking Straus up on his offer to reach out in the event of needed service. The Atlanta branch of the NAACP, under the leadership of Clark University professor Enos Luther Brookes, contacted the national office in protest of the

⁴² The Library of Congress, Papers of the NAACP, Part 05 (Oct 01, 1937- Dec 31, 1937): Campaign Against Residential Segregation, 1914-1955 “Letter from Walter White to Nathan Straus,” October 27, 1937.

⁴³ The Library of Congress, Papers of the NAACP, Part 05 (Oct 01, 1937- Dec 31, 1937): Campaign Against Residential Segregation, 1914-1955 “Letter from Nathan Straus to Walter White,” October 25, 1937.

attempted reclassification of the John Eagen Housing Unit from “colored” to “white.”⁴⁴ Walter White then contacted Straus and informed him of the situation in Atlanta.⁴⁵ Straus responded appearing to support the NAACP and affirming that the initial decision was designed to designate that housing unit specifically for blacks. However, Straus made a point of mentioning that while the USHA had approved the location for blacks, they could take no initiative in the matter. Straus attempted to quell Walter White’s objections and informed him that he would closely survey the issue. But those faint pleas for allegiance were drowned out by the reality that the federal government was hesitant to intervene in local issues surrounding public housing.⁴⁶

Almost immediately after the NAACP began to challenge the issue of the John Eagen Housing Unit in Atlanta, the NAHO reached out to the NAACP and informed them that the demonstration period was over and the new front line of the fight for fair housing would be over fair enforcement of guidelines by responsible localities.⁴⁷ The NAHO predicted that the FHA would fall short on either creating effective policies or enforcing them. At the annual meeting of the NAHO in 1937, a list of effective strategies was presented to the general body, which included several essential avenues through which the FHA could institute healthy living situations for African Americans. According to the bulletin, the emphasis of this platform was squarely in relation to the Wagner-

⁴⁴ The Library of Congress, Papers of the NAACP, Part 05 (Oct 01, 1937- Dec 31, 1937): Campaign Against Residential Segregation, 1914-1955 “Letter from Enos Luther Brookes to Walter White,” May 11, 1939.

⁴⁵ The Library of Congress, Papers of the NAACP, Part 05 (Oct 01, 1937- Dec 31, 1937): Campaign Against Residential Segregation, 1914-1955 “Letter from Walter White to Nathan Straus,” May 15, 1939.

⁴⁶ The Library of Congress, Papers of the NAACP, Part 05 (Oct 01, 1937- Dec 31, 1937): Campaign Against Residential Segregation, 1914-1955 “Letter from Nathan Straus to Walter White,” May 15, 1939.

⁴⁷ The Library of Congress, Papers of the NAACP, Part 05 (Oct 01, 1937- Dec 31, 1937): Campaign Against Residential Segregation, 1914-1955 “Letter from National Association of Housing Officials to Walter White,” November 3, 1937.

Stegall program (National Housing Act of 1937), and it provided for the creation of a national policy for housing low-income groups as a cooperative undertaking among federal, state, and local governments, and private enterprise. A key objective was to secure low-interest loans provided by both federal and state entities for the purpose of individual home-builders and building societies. The NAHO also called for a model state housing law.⁴⁸ The list of effective strategies displayed that by 1937, the NAHO, in which the NAACP was a vested member, was already knowledgeable of some shortcomings with regard to the federal government's ability to regulate housing. Although, their outrage only increased as the decade continued, by 1937, the NAACP and the NAHO sought to start a discussion that focused exclusively on building protective polices, laws, and guidelines for housing.

One aspect that the NAHO and the NAACP chiefly agreed on was the connection between education and housing. The NAHO held a section of their bulletin for the national conference entitled, "Who Will Carry Tomorrow,"⁴⁹ which was designated to highlight the growing interest of educational institutions on issues of housing.

Perhaps the most thought-provoking aspect of the NAHO national conference and the NAACP's involvement was the differentiated membership of both groups. On the NAHO executive board, Will W. Alexander, executive committee member and administrator, was also a member of the NAACP. Aside from his membership in both organizations, Alexander was also the chief executive officer for the Commission on

⁴⁸ The Library of Congress, Papers of the NAACP, Part 05 (Oct 01, 1937- Dec 31, 1937): Campaign Against Residential Segregation, 1914-1955 "National Association of Housing Officials Conference Bulletin No. 122, Housing Section," November 18-20, 1937.

⁴⁹ The Library of Congress, Papers of the NAACP, Part 05 (Oct 01, 1937- Dec 31, 1937): Campaign Against Residential Segregation, 1914-1955 "National Association of Housing Officials Conference Bulletin No. 122, Housing Section," November 18-20, 1937.

Interracial Cooperation (CIC) and the first president of historically black Dillard University. Alexander's diverse organizational involvement was representative of most men and women involved in the fight for fair housing and the broader burgeoning Civil Rights Movement. This diversified front afforded opportunities to take part in a range of conversations, and thus create a strategic plan to combat unfair efforts. This trend became evident toward the close of the 1930s.

Not long after the creation of the FHA, the agency produced their first underwriting manual. The NAACP responded to accounts of discriminatory and offensive language in underwriting manuals used to cripple African Americans' hopes of securing housing. One example was attorney Frank L. Summers of Chicago, who reached out to Walter White and the NAACP, informing them of the negative policies found in underwriting manuals.⁵⁰ White sought Summers' advice in challenging the legality of racially discriminatory aspects of the underwriting manuals, to which Summers responded with a clear overview of the intolerant stance taken by FHA officials toward African American developments and prospective property owners. Summers informed White that, "Their (FHA) loan is not made because of the neighborhood and as Negroes are limited to the Negro district; it results in a clear case of discrimination." Unless the FHA "waived the requirement as to location" as had been done "on a number of White loans" then "no Negro in our City will be able to secure an FHA loan."⁵¹ Although this

⁵⁰ Library of Congress, Papers of the NAACP, Manuscripts Division, (Hereafter: GOF -Housing, Box L-17, Group II, Series L, Part 5, NAACP Papers, LOC General Office File-Housing, Box L-17, Group II, Addendum File, Series L, Group II, Part 05: Campaign Against Residential Segregation, 1914-1955), "Clyde L. Powell to Walter White," July 7, 1937.

⁵¹ Library of Congress, Papers of the NAACP, Manuscripts Division, General Office File-Housing, Box L-17, Group II, Addendum File, Series L, Group II, Part 05: Campaign Against Residential Segregation, 1914-1955, "Frank Summers to Walter White," July 13, 1937.

quote was referring to a case out of Chicago, it painted a clear picture of the FHA's willingness to aid white communities by excluding either African American homebuyers or low-income housing units.

Walter White wanted to highlight the problems with the strict application of FHA underwriting policy, and he asserted that, "All Negroes are required to live in these [slum] type [neighborhoods] and under the strict application of the rules...Negroes with homes valued at more than \$2,500 are not eligible for assistance from the FHA."⁵² White indicted the FHA for not "aiming to raise the standards of dwellings for whites and Negroes alike," and instead promoting a practice that "forces Negroes to live in the same type of substandard dwellings as before." White's letter also inquired about broader FHA policies. "We are more interested in whether the administration of rules of the FHA is in effect discriminating against Negroes and is requiring Negroes to not only live in slum areas but also to live in substandard homes."

When the Housing Act of 1937 created the USHA, this action gave brief hope to the NAACP, whose leadership believed the government was obligated to provide affordable and clean living conditions for their members.⁵³ However, the NAACP remained ominous over the intentions of the federal government. Two years of evidence, including discriminatory underwriting manuals produced in 1935 and 1936, literally forced the NAACP to maintain a seesaw attitude toward government involvement in housing. For the twenty years prior, the NAACP assumed that justice could be managed

⁵² Library of Congress, Papers of the NAACP, Manuscripts Division, General Office File-Housing, Box L-17, Group II, Addendum File, Series L, Group II, Part 05: Campaign Against Residential Segregation, 1914-1955, "Walter White to Clyde Powell," August 5, 1937.

⁵³ Library of Congress, Papers of the NAACP, Manuscripts Division, General Office File-Housing, Box L-17, Group II, Addendum File, Series L, Group II, Part 05: Campaign Against Residential Segregation, 1914-1955, "Frank Summers to Walter White," July 13, 1937.

without naming a clear villain. Examples of this phenomenon abound in the organization's numerous gingerly written letters to past US Presidents and other government officials.

Accumulated pressure by the NAACP was bolstered by the aid of African American newspapers in cities like New York. Considerable attention was given to New York in large part because NAACP national headquarters was located there. In March of 1939, the *New York Amsterdam News* published an article entitled, "Systematic Discrimination of FHA in Queens Shown in Probe." The article called out the FHA and accused the federal agency of flagrantly and egregiously discriminating against blacks in Queens, New York. The article contended that the FHA rejected prospective African American homebuyers as a matter of principle whenever they sought to purchase property located in "cushion areas" inhabited by both white and black residents.⁵⁴ In many regards, FHA literature during the 1930s resembled that of hate literature in that they both created language that directly excluded or targeted minorities. Perhaps the most ubiquitous of those phrases were "adverse influence" and "inharmonious racial groups."⁵⁵ As historian David M.P. Freund argued, the HOLC and the FHA outlined, appraised, and most importantly, enforced the protection of their investments. That investment, usually white homeowners and the neighborhoods wherein they resided, was therefore destabilized by the encroachment of nonwhite homeownership.⁵⁶ NAACP leaders

⁵⁴ "Systemic Discrimination of the FHA In Queens Shown in Probe," *New York Amsterdam News*, March 25, 1939, p. 1.

⁵⁵ "Protection from Adverse Influences," *Underwriting Manual*, Federal Housing Administration Underwriting and Valuation Procedure Under Title II of the National Housing Act (Washington D.C.: GPO 1936). Part II Risk Rating Instructions, Section 2. Rating of Location, Part 284 (1)

⁵⁶ David M.P. Freund, *Colored Property, State Policy and White Racial Politics in Suburban America*, pg. 155.

believed that the FHA's systematically exclusionary framework was in large part determined by these underwriting manuals, which provided prime evidence of the federal agency's discriminatory policies. The manuals incorporation of terms like "adverse influence" carried an ominous duality of referring to people's social conditions in a scientific tone, thus legitimizing and creating an easier platform to discuss the oppression of minorities.

Although the NAACP moved toward a proactive forceful approach by the end of the 1930s, the FHA and subsequent organizations including the USHA and the HOLC began systematically denying the federal agency power of enforcement in state matters. Examples appear nationwide of federal housing organizations refusing to take cases presented by the NAACP. In New York, one example of the unwillingness of the city and the federal government to present clear avenues for assistance was particularly alarming. Hugo Heydorn, a real estate broker, contacted Walter White and the association about what he believed were racial biases and unconstitutional blockades of African Americans from buying HOLC-owned properties based solely on race. Heydorn sent White copies of several letters to New York officials including Mayor Fiorello LiGuardia, Governor Herbert Lehman, and Senator Robert Wagner.⁵⁷ In turn, Mayor LiGuardia responded to Heydorn, instructing him that because HOLC was a federal instrument, it was out of the purview of the city law and essentially not the city's problem.⁵⁸ White then realized that the authorities were knowledgeable of possible injustices, setting the NAACP into

⁵⁷ The Library of Congress, Papers of the NAACP, Part 05 (Oct 01, 1937- Dec 31, 1937): Campaign Against Residential Segregation, 1914-1955 "Letter from Hugo Heydorn to Walter White," November 26, 1940.

⁵⁸ The Library of Congress, Papers of the NAACP, Part 05 (Oct 01, 1937- Dec 31, 1937): Campaign Against Residential Segregation, 1914-1955 "Letter from Florence Shientag, legal counsel of New York City Mayor to Hugo Heydorn," November 23, 1940.

motion.

Thurgood Marshall, special counsel for the NAACP and the legal defense fund sent letters to President Roosevelt and First Lady Eleanor Roosevelt concerning the HOLC's involvement in this matter.⁵⁹ In doing this, both Marshall and White attempted to force one side of the federal government to fight another. Furthermore, by sending letters to both President Roosevelt and Mrs. Roosevelt, Marshall signaled the NAACP's realization that there were other prominent individuals within the White House who also had his attention.

In some respects, Eleanor Roosevelt championed African American causes more than her husband who ushered through the New Deal. Eleanor Roosevelt saw how the Great Depression ravaged the country both for whites and African Americans, and as she traveled throughout the country she fought for African American housing and lobbied for African American inclusion within the Subsistence Homestead Administration (SHA). The SHA was a program within the New Deal designed to provide quality housing for rural poor. Although her efforts were initially unsuccessful, Eleanor Roosevelt successfully brought Walter White and the NAACP to the White House to discuss the African-American situation, and she fought to show how similar public living conditions actually were for all Americans. In a speech delivered at the Conference on Negro Education, the First Lady remarked, "Wherever the standard of education is low the

⁵⁹ The Library of Congress, Papers of the NAACP, Part 05 (Oct 01, 1937- Dec 31, 1937): Campaign Against Residential Segregation, 1914-1955 "Letter from Thurgood Marshall to Eleanor Roosevelt," December 12, 1940.

standard of living is low.”⁶⁰ It is no secret that President Roosevelt earned many African American supporters due to his wife. According to historian Allida Black, the shift of African Americans from the party of Lincoln to the party of Roosevelt is traceable to the impact of non-legislative factors including the public civil rights stances of Eleanor Roosevelt, and the appointment of several cabinet officials who were sympathetic to the needs of minorities such as Nathan Straus Jr., director of the United States Housing Authority.⁶¹

To fully understand Eleanor Roosevelt’s platform on racial issues is to understand why Thurgood Marshall sent two different letters to the White House. This seemingly ordinary occurrence was actually another radical effort to cause friction or at least a serious conversation about the direction of housing in the country. This was due in large part to the fact that while FDR was the president, Eleanor Roosevelt was known as the “Negro Advocate” in the White House.

Before the White House intervened in this matter, however, John W. Childress, Assistant to the Chairman of HOLC, responded to Senator Robert F. Wagner. Childress confirmed that according to HOLC guidelines, the final determination of cases was left to regional, state, or direct managerial scrutiny. However, Childress further complicated matters by providing the illusive language that propped the door open for speculation of racial bias, noting, “A Regional, state, or district manager shall be responsible in finally determining the safety features of all sales and it shall be his duty to analyze carefully the

⁶⁰ “Eleanor Roosevelt and Civil Rights,” The Eleanor Roosevelt Papers Project. 2000, <https://www2.gwu.edu/~erpapers/teaching/lesson-plans/notes-er-and-civil-rights.cfm>, Accessed September 11, 2017.

⁶¹ Allida M. Black, “Championing a Champion: Eleanor Roosevelt and the Marian Anderson “Freedom Concert””, *Presidential Studies Quarterly*, Vol. 20, No. 4 Modern First Ladies White House, (Fall 1990) pp. 719-720.

credit risk and moral standing of the prospective purchaser and all other conditions affecting the desirability of the proposed sale or likely to affect it in the future.”⁶² This wording, found within HOLC’s guide manuals, revealed their motives at the turn of the 1940s. Moreover, it put organizations fighting against it on edge because of its deceptive word use. It was literally written in such a way that only the person executing the guidelines would know what was of “moral and desirable standard.”

Even the legal department of the National Council of the Young Men’s Christian Associations (YMCA) joined the fight, offering legal assistance to the belabored Marshall and the legal defense fund. When R.W. Bullock of the YMCA corresponded with Thurgood Marshall, the two men mutually agreed that it would be virtually impossible to prove that the HOLC was reluctant or against the sale of property based on race, even though the two both knew such was the case. But this incident and the numerous others like it accomplished the goal of illuminating the HOLC’s and the FHA’s discriminatory practices. Moreover, it unearthed the new threat to fair housing for minorities, at the local, state, regional and national levels.

Some of the earliest examples of the dynamics of racially discriminatory housing affairs occurred in Tennessee. By the late 1930s, Knoxville, for example, amassed a demographic of 3,777 African American families, of which 34% (1,285 families) rented. Furthermore, amenities such as indoor running water were recorded in close to half of the homes. Noted sociologist and historian Charles Johnson noted that this number fell far

⁶² The Library of Congress, Papers of the NAACP, Part 05 (Oct 01, 1937- Dec 31, 1937): Campaign Against Residential Segregation, 1914-1955 “Letter from John W. Childress to Senator Robert F. Wagner,” November 30, 1940.

behind Nashville's African-American standards of living by that time.⁶³ According to John Vahaly, Jr. and Benjamin Walter, African American population growth in Nashville's central city areas directly related to changes in racial settlement patterns. Those patterns and subsequent populations sharply increased and decreased.⁶⁴ This point illuminates Nashville use for understanding the housing world of the South for three reasons: first, because of Nashville's subsequent boom in low-income housing developments; secondly, because of the direct correlation between those housing options and African American educational attainment; and lastly, because key individuals and businesses emerges from Nashville that promoted the NAACP's position on safe, affordable, and nondiscriminatory housing. Moreover, over a thirty-year period African Americans tended to trickle out of established black areas and settle in adjacent neighborhoods.⁶⁵ This was in large part a result of the educational opportunities provided during the 1930s by three historically black colleges, Tennessee Agricultural and Industrial State College, Fisk University, and Meharry Medical College. Even in Nashville, which served as a proper example of educated black populations in the South, "silent understanding could govern racial interaction," which suggest that although African American Nashvillians navigated various sections of the city, they were still at the mercy of the decisions made by local officials and federal agencies in matters of housing.⁶⁶

Situated just North of Nashville's commercial district, the "Black Bottom," once

⁶³ Fisk University Archive, Charles Johnson Collection (1935-1956) Box 8, Series I Social Science Department Materials, Subseries VIII: Notes, Subject File E-Soc "File on Housing."

⁶⁴ James F. Blumstein and Benjamin Walter, *Growing Metropolis: Aspects of Development in Nashville* (Nashville: Vanderbilt University Press, 1975) pg. 90.

⁶⁵ James F. Blumstein and Benjamin Walter, *Growing Metropolis*, pg. 91

⁶⁶ Benjamin Houston, *The Nashville Way* (Athens: University of Georgia Press, 2012) pg. 14.

an Irish and immigrant tenement housing area, was occupied by a considerable number of African Americans by the 1930s. Unlike the Irish and pretty much all other ethnicities from that area, African American residents were socioeconomically trapped. This also fueled the need for clean, low-rent forms of housing. With housing needs that included both educated lower-middle-class and uneducated poor African Americans, Nashville represented a city controlled by state legislators and city councilmen.⁶⁷ In 1939, president of the James C. Napier Lawyers Association and Chairman of the legal branch of Nashville's NAACP, Coyness Ennix, became the first African American appointed to the Nashville Housing Authority.

Although the fight for fair housing did not receive major attention in earlier portion of the twentieth century by the Nashville NAACP, from the 1940s through the 1950s, the NAACP increased public outreach and direct action against the city in response to desegregation of schools and public accommodations.⁶⁸ Combatting segregated public housing was not a priority for leadership of the Nashville branch of the NAACP, for several possible reasons. Perhaps the most significant reason was that until the late 1930s, housing conditions for the city's black population were so deplorable, that public housing and the minimum housing accommodation standards associated with federal public housing programs, while racially segregated, constituted a dramatic improvement in overall housing quality enjoyed by black Nashville residents. For instance, a 1939 *Tennessean* article paints an ominous connection between white women and their role in low-income housing. Entitled, "Rent for the \$8 Class," the article

⁶⁷ James Summerville, "The City and the Slum: "Black Bottom" in the development of South Nashville," *Tennessee Historical Quarterly*, Vol 40. No. 2 (Summer 1981): 184.

⁶⁸ "Named on Housing board", *The Pittsburgh Courier*, February 4, 1939, pg.5

highlighted the climate of Nashville housing at the close of the 1930s. In the piece, J. R. Basiger of the USHA recommended that no further funds be allocated for black housing in Nashville until the newly opened Andrew Jackson Courts (exclusively designed for African American inhabitants) met at least 50% occupancy. Although rents in the newly renovated Andrew Jackson Courts were relatively inexpensive, they remained out of reach for many of the city's black domestic workers. The title of this article was intentional as the author noted that the current wage for domestics, who were almost exclusively African American women, was eight dollars a week. Basiger further noted that any white housewife would insist on her servant living in these project homes. Moreover, according to Basiger, this project home would allow 95% of Nashville homeowners to employ servants from standard living quarters.⁶⁹

Although Both Ennix and Napier's appointments are tricky to quantify as it related to racial progress in the realm of housing and for the NAACP, they were certainly symbolic accomplishments for several Tennessee cities that boasted higher numbers of African American residents. Among those was Memphis, a blue-collar city with the largest per-capita population of African Americans in a metropolitan Southern city apart from Birmingham, Alabama. Utillus Phillips, president of the Memphis chapter wrote a compelling plea to Walter White offering his criticism that because of Nashville's appointment of Napier that Memphis should have black representation within their Housing Authority. White agreed and pushed the agenda with Nathan Straus, Jr. who also supported the idea, even as he made a point of noting that local officials have the final

⁶⁹ "Rents For The \$8 Class" *The Tennessean*, January 25, 1939, pg. 6.

dominion over such decisions.⁷⁰ The Memphis chapter's push for African American inclusion offers evidence that by 1939, the NAACP had amassed not only a level of respect but an open line of communication with government offices. The issues, however, came from the officials tasked with the creation and subsequent enforcement of those laws and guidelines. Once the NAACP realized who were the staunch proponents of injustice, their focus quickly shifted. At the same time Walter White conversed with Nathan Straus, the top official in the housing authority, Thurgood Marshall, the up-and-coming legal mind of the NAACP, drafted a memo to Walter White, entitled, "U.S.H.A. Bulletin #18 on Policy and Procedure." In it, Marshall noted,

I have carefully gone over the section of 'Racial Consideration in Site Selection' on page 7 and 8. This is a very vicious system of discrimination being suggested and approved by the USHA. In the first place it leaves the question of the enforcement of selection to the local housing authority.[...] I think we should immediately file a protest with the USHA similar to the one we filed against the Federal Housing Authority.⁷¹

Marshall wasted no time urging White to draft a counter protest to be sent Nathan Straus. In this correspondence, the crafty and often witty banter of Marshall and White is evident as they brainstorm effective strategies for bringing this matter to the forefront. Marshall stated,

Will you draft a protest to Nathan Straus?[...] I suggest however that you send in mind the text of the act creating the U.S.H.A which set forth the control of the housing authorities should be in the hands of the local authorities rather than in Washington. [...] We don't want to stick out chin out and enable the U.S.H.A to

⁷⁰ The Library of Congress, Papers of the NAACP, Part 05 (Oct 01, 1937- Dec 31, 1937): Campaign Against Residential Segregation, 1914-1955 "Letter from Ullius Phillips to Walter White, March 21, 1939;" "Letter from Walter White to Ullius Phillips, March 23, 1939;" Letter from Nathan Straus to Walter White, April 4, 1939."

⁷¹ The Library of Congress, Papers of the NAACP, Part 05 (Oct 01, 1937- Dec 31, 1937): Campaign Against Residential Segregation, 1914-1955 "Memorandum, U.S.H.A Bulletin # 18 on Policy and Procedure sent from Thurgood Marshall to Walter White," April 13, 1939.

come back at us.⁷²

The more dominant history of the NAACP suggests that because of the organization's more conservative appeal, they were somehow late to respond or less radical. Yet this correspondence from Marshall to White again supports the notion that not only did the NAACP move to strike whenever they had hard evidence of injustice by the federal government, in this case the USHA, but the NAACP also was meticulously careful not to invite scrutiny from others about their organization. Conceivably this is also one of the seminal reasons why the NAACP was successful through the mid-twentieth century. If perception is worth more than truth in the realm of public opinion, then it was better for the NAACP to make sure their information was correct and their arguments were coordinated before selecting cases.

The 1930s was a decade of immense social and political shifts. African Americans rejected the party of the Abraham Lincoln and joined the party of Franklin Delano Roosevelt. Organizations like the NAACP increased national efforts and continued, along with other organizations, to put pressure on the federal government. The greatest shift during the 1930s occurred with the federal government. The ramifications of economic instability, issues in the housing arena, and proposed legislative action changed the dynamics of how the NAACP operated. The New Deal created opportunities for African Americans to invest in the so-called "American Dream," yet, due to the national narrative stigmatizing black people, those same dreams often remained deferred in the African American community. The federal government created, for better or worse,

⁷² The Library of Congress, Papers of the NAACP, Part 05 (Oct 01, 1937- Dec 31, 1937): Campaign Against Residential Segregation, 1914-1955 "Correspondence from Thurgood Marshall to Walter White," April 13, 1939.

a foundational platform of public housing and affordable mortgage support with the creation of the Federal Housing Administration, the United States Housing Authority, Home Owners Loan Corporation and through the United States Housing Acts of 1934 and 1937.

The reality of the lack of attention given to the arena of housing is an unfortunate hurdle when reviewing the records. During the beginning of the fight for fair housing in the 1930s, the NAACP was simultaneously urging the passage of the Costigan-Wagner Bill to curb mob violence and the lynching of African Americans. Walter White and Thurgood Marshall diligently attempted to juggle housing while in some cases literally fighting for their lives. During the 1930s, Walter White was the target of numerous threats. One newspaper editor from South Carolina advised White, for example, that if he did not wind up at the end of a rope, he should return to the North and discontinue anti-lynching affairs in the South. White and the NAACP were knowledgeable of such threats and continued to not only fight for housing rights but for the right of citizenship for African Americans. This example highlights an all too common fact that life for the NAACP's leaders during the 1930s was extremely dangerous.

This chapter demonstrated that despite winning several Supreme Court housing cases, throughout the 1930s, the NAACP leadership was in the trenches surrounding housing discrimination at local, state, and federal levels. During the 1930s, the NAACP was engaged in establishing the parameters of their organizational framework to challenge unfair housing. By 1939, several organizations began scrutinizing the FHA and other federal housing programs for their apparent intentional exclusion of racial minorities. An example was the National Convention of the Lawyers Guild, which

produced a resolution deploring the segregation practices of the FHA and vowing partnership with the NAACP to fight this injustice.⁷³ The Lawyers Guild also advised Walter White to send a copy of their resolution to President Roosevelt, Stewart McDonald, President of the FHA, and the Nathan Straus, Director of the USHA. This effort at the close of 1939 highlighted several points of difference from the 1920s. Central to the politicized nature of federal housing efforts, in the matter of housing, the NAACP became the national champion for marginalized African-American residential communities.

The close of the 1930s and the beginning of the 1940s saw glaring examples of the racist and unfair tactics of various government agencies. Although the FHA and USHA began during the middle of the decade, within that five-year period (1934-1939) the NAACP amassed a collection of blatant examples of the atrocities of racial housing exclusion. This would fuel the fire that propelled the NAACP into action and ultimately led to their literary and verbal appeal to President Roosevelt and the federal government. Moreover, three pivotal events occurred during the 1940s that molded ideals of homeownership in America.

In chapter four, the 1940s will be discussed in much greater detail. However, the aftermath of World War II, beginning in 1939 and lasting until 1945, had perhaps the greatest ramification on postwar American society with the enactment of the Servicemen's Readjustment Act of 1944, more commonly referred to as the GI Bill. The G.I Bill was an attempt to provide soldiers a seamless transition back into the American

⁷³ The Library of Congress, Papers of the NAACP, Part 05 (Oct 01, 1937- Dec 31, 1937): Campaign Against Residential Segregation, 1914-1955 "Letter from Leonard Lazarus to Walter White," March 21, 1939.

economy by providing soldiers with necessary resources upon returning to the country. The GI Bill provided soldiers with four primary benefits: a year's worth of unemployment insurance, matching civilian employment with military expertise, housing and business loans, and upwards of four years of free education. Housing and education were the most important aspects of the GI Bill, but they were not the only thing that the Bill accomplished. For African Americans, as chronicled in Louis Lee Woods article, "Almost 'No Negro Veteran...Could Get a Loan': African Americans, the G.I. Bill, and the NAACP Campaign Against Residential Segregation, 1917-1960," only one-fifth of African Americans eligible for educational assistance ever received that educational assistance. In the realm of housing, conditions for African Americans were worse due to Veteran Affairs (VA) not only requiring racial identifiers on applications, but also because of their inclusion and insurance of racially restrictive covenants for veterans purchasing property.

Following the GI Bill of 1944 was the NAACP's most victorious landmark Supreme Court housing case since *Buchanan v. Warley*. In 1948, The NAACP launched their second offensive effort in the Supreme Court with *Shelley v. Kraemer* (334 U.S.). This case would once and for all end the judicial enforcement of racially restrictive covenants. Among other pivotal events, Thurgood Marshall succeeded Charles Hamilton Houston as the NAACP's special counsel and prepared to fight the United States on issues of education and housing. Each decade, no matter the national or international issues, the NAACP continued the fight to ensure equal housing for African Americans remained a consistent thread in the nation's fabric. As a result, the 1940s served as a launching pad for the NAACP to bring issues of housing to the forefront of American

conversations. In the words of Charles Johnson, “The Cost of segregation is becoming more important than the satisfaction of maintaining a kind of difference that can no longer be stressed with respectability.”⁷⁴

⁷⁴ Fisk University Archive, Charles Johnson Collection (1935-1956) Box 8, Series I Social Science Department Materials, Subseries VIII: Notes, Subject File E-Soc “Recent Changes in the Status of Human Rights.”

CHAPTER FOUR: A UNITED FRONT: THE NATIONAL AND LOCAL VEINS OF THE NAACP

“There is no more elemental nor any liberty more fundamental in a Democracy than freedom to move where and when you please”¹

The beginning of the 1940s brought immense change to both the United States and the NAACP. In 1939, Nazi Germany, under the direction of Adolph Hitler invaded Poland marking the beginning of World War II (WWII). The following year, in 1940, FDR signed into effect the selective Service Act, which required that all men between the ages of 21 and 36 register for the draft.² While the war shook the foundation of the nation and left sweeping uncertainties for the fate of African Americans, the NAACP continued to pursue housing efforts at all costs.

In 1940, the NAACP changed the dynamic of the national executive board by electing Arthur B. Spingarn president of the NAACP and A. Phillip Randolph to the national executive board. Spingarn served for nearly twenty years as the chairman of the association’s national legal committee, and took the position from his brother J. E. Spingarn. Although Arthur Spingarn marked only the third president of the NAACP by 1940, his professional background as a lawyer aided the organization’s further advancement. Randolph was a powerful and influential labor leader and the founder of the Brotherhood of Sleeping-Car Porters, the first nationally recognized black labor organization to receive a charter from the American Federation of Labor (AFL).³

¹ “Iron Ring in Housing,” *The Crisis*, July 1940, pg. 205.

² *Selective Training and Service Act of 1940*, 54 Stat. 885, chapter 720.

³ “Along the N.A.A.C.P Battlefront,” *The Crisis*. February 1940, pg. 53.

While Randolph and Spingarn aided in the advancement of the NAACP, Mary White Ovington, one of the founders of the association, one-time chair of the national board, and in 1940, their national treasurer, argued that another prominent figure was also responsible for the flourishing of the NAACP. According to Ovington, in her monthly editorial focusing on the finances of the NAACP, John R. Shilladay played a major role in galvanizing financial support for the NAACP. Although his tenure preceded the 1940s, Ovington concluded that Shilladay not only took the NAACP from a local to a national organization in terms of branches formed, but also galvanized African Americans to support the NAACP. In February of 1940, in Ovington's monthly column for the crisis magazine, she articulated how the NAACP's support had, in earlier decades, ebbed and flowed in connection to poignant racial incidents throughout the country. These incidents marked increases in revenue for the NAACP through donations. For example, the first anti-lynching campaign in 1916, and the Scottsboro Case in 1931 both boosted contributions for those years. Ovington's noted, "People will give for a specific cause when they cannot be interested in a day by day drive for justice."⁴ The cause for fair housing was one of those "day by day" drives for justice. Perhaps this is why housing had not received the considerable amount of attention it deserved. Moreover, Ovington's message was clear to her audience at the onset of the 1940s: African Americans had to be fully invested in the uplift of the race. First, Ovington used a previous comment from Shilladay in regards to negative comments that people were disappointed the NAACP did not raise more money from white members. Then, Ovington used a passage from Shilladay to reinforce the need for consistent annual giving. Shilladay responded, "Unless

⁴ "The Treasure Says," *The Crisis*, February 1940, pp. 57-58.

we can show that the Negroes of the country believed in the N.A.A.C.P., it was futile to talk to the whites.”⁵ Shilladay understood the correlation between African American economic support and NAACP survival. Ovington took that message and formulated her plea to African Americans stating,

I would stress the necessity of the Negroes themselves shouldering the support of our ceaseless drive for freedom and democracy. While we shall always have a steady and generous support from the white group, we cannot today, facing the overwhelming suffering and persecution in Europe expect our need to come first. The Negro must fight his own battle against discrimination and persecution.⁶

The decade of the 1940s marked an ideological transition. The NAACP, although always arguing for the uplift of the race, now understood that due to entrenched racism, the beginning of WWII, and the draft, that if change were to come, African Americans must fight for it. In the field of housing, that fight was a continual push to secure equal housing and to abolish restrictive covenants.

An article published in the same February edition of *The Crisis* entitled, “The Iron Ring in Housing,” labeled restrictive covenants as the primary tactic used to cripple African American access to homeownership. In 1940, ground zero in the battle to end restrictive covenants appeared to be the city of Chicago. The term “iron ring” derived from the white homeowners whose property surrounded African American communities. Those white homeowners all placed restrictive covenants on their properties, essentially barring African Americans from escaping their deplorable living conditions. Another tactic often used by the middle of the twentieth century was to accuse NAACP officials of negligence or illegal acts. Following this method, Carl A. Hansberry, branch treasurer

⁵ “The Treasure Says,” *The Crisis*, February 1940, pp. 57-58.

⁶ “The Treasure Says,” *The Crisis*, February 1940, pp. 57-58.

of the Chicago chapter of the NAACP was accused of buying and owning property associated with an existing covenant. That land was then taken from Hansberry without compensation for his initial investment. The NAACP launched into action, assembling not only a legal team to fight the case in court, but also securing the necessary money for legal fees. Due to the notoriety of Chicago's housing problem, a corps of lawyers was assembled in hopes of setting a precedent in the case, including Irvin C. Mollison, President of the Illinois NAACP; Earl Dickerson, President of the Cook County Bar Association; and Loring B. Moore, Assistant Attorney General for the state of Illinois. Although Hansberry ultimately secured a victory through the United States Supreme Court who overturned the Illinois State Supreme Court's decision, it was a hollow victory for two reasons. First, Hansberry received a narrow victory based not on the merit of the unconstitutional framework of restrictive covenants but rather the lack of required signatures from property owners. Secondly, Hansberry represented the reality that African Americans were not entitled to a review of racist and oppressive laws, but rather only a review of proper procedure. More importantly, the argument can be made that if this situation had occurred with an African American citizen that did not have Hansberry's notoriety or NAACP prominence, this ruling may have been upheld. Nonetheless, Hansberry retained his property and the NAACP hailed this case as a legal victory.⁷

The 1940s marked a pivotal transition for African Americans in housing and also the NAACP's attack on unfair housing. The public sphere was marked by rampant attempts to place African Americans in low-cost affordable housing, while

⁷ "High Court Acts on Illinois Case Barring Negroes," *The Independent Record*, November 20, 1940.

simultaneously taking either their land or property. In the private property sphere was the final showdown for African American rights to own, sell, or purchase land due to restrictive covenants. Both restrictive covenants and public housing shaped the economic climate for African Americans in the South.

In Nashville, the 1940s marked a time of intense examination, scrutiny, and backlash over the issue of housing. While scholars such as Robert G. Spinney depicted the growth of the African American population in Nashville during the 1940s in his book, *World War II in Nashville*, Spinney focused mostly on the growth of the African American population. In 1940, out of the 180,000 residents in Nashville, 51,000 were African American (28 percent), while this data highlighted rapid growth of the African American population it doesn't necessarily depict the housing disparity of African Americans compared to their white neighbors. According to Spinney, the at the beginning of the 1940s most African Americans resided either in North Nashville surrounding the cities three Historically Black institutions or in a small pocket of South Nashville known as the "Black Bottom."⁸

In 1940, there were approximately 19,317 sub-standard dwellings out of a total number of 25,770. Three years after the creation of the National Housing Authority, Nashville mayor Thomas L. Cummings appointed James A. Gayce as the authority's first chairman. Gayce and the authority wasted no time initiating research over improvement strategies for affordable and standard housing. In conjunction with these efforts to understand the nature of Nashville's housing problems, Eli S. Marks and John H.

⁸ Robert G. Spinney, *World War II in Nashville: Transformation of the Homefront* (Knoxville: University of Tennessee Press, 1998) pp. 52-53.

Brandon conducted a 1940 housing survey. At the time of the survey, Marks was on faculty at Fisk University in the department of social science. The intent of the survey was to target all substandard housing units in Nashville, which included both black and white owned homes. The term “substandard” in 1940 referred to homes with a lack or absence of indoor plumbing, private wash-rooms, and dwelling units unfit for living. Of the 17,790 target units, approximately 9,432 were owned or rented by African Americans.⁹

The survey was conducted in conjunction with Fisk University, a major player in the realm of racial research. Charles S. Johnson, Fisk’s first African-American president, convened the Institute of Race Relations. By the 1940s, Johnson established a central role in providing critiques and possible solutions to the racial issues plaguing American society. Johnson’s book, *Pattern of Negro Segregation*, emphasized the inevitability of assimilation. Johnson noted, “Logically it would be appropriate for the government to impose controls and regulations...to ensure all its racial minorities not only free but equal participation in the economic and political life of the country.”¹⁰ Johnsons’ argument was the climax of over a decade of research with particular attention to housing, employment, agriculture, and management.¹¹

⁹ Lawrence Wendell McVoy II, “A Review of Housing Conditions and Public Funds Expended Affecting Negroes in Nashville, Tennessee Since 1940 with Recommendations for Improvement,” (Senior thesis, Tennessee Agricultural and Industrial State College, June 1945) pp. 1-5; Eli Marks and John H. Brandon, “Housing Survey: Low income Housing Areas of Nashville, Tennessee prepared for the Nashville Housing Authority,” 1940, pp. 1-3.

¹⁰ Patrick J. Gilpin and Marybeth Gasman, *Charles S. Johnson: Leadership Beyond the Veil in the Age of Jim Crow* (Albany: State University of New York Press, 2003) pg. 72.

¹¹ Patrick J. Gilpin and Marybeth Gasman, *Charles S. Johnson: Leadership Beyond the Veil in the Age of Jim Crow*, pg 72.

Over 135 participants from around the world attended the conference including the NAACP. According to Johnson, the intent of the institute was to create an intensive practical study of the problems and methods of dealing with racial institutions.¹² The NAACP's attendance at the institute placed them in a keen position to benefit from the emerging scholarship on race relations, but also offered an invaluable opportunity to witness the Nashville low-income housing survey take form. Moreover, because the survey offered recommendations, it is conceivable that the NAACP had a blueprint or at least an image of what constituted standard and substandard living conditions. One of the seldom mentioned, yet chief initiatives of the NAACP nationally was to secure affordable, but also livable and standard housing conditions.

Throughout the South, larger cities such as Atlanta and Nashville boasted large numbers of African Americans living in the inner city. Moreover, African Americans in both cities comprised a significant number of the city's overall residents. As mentioned earlier, in Nashville, approximately 9,500 African Americans occupied substandard homes. These numbers suggest that African Americans were a vested part of the city. Furthermore, this number was compounded by the large swell of African-American soldiers who returned after WWII to a lack of adequate housing. In Nashville, the housing authority even modified its original policies of admitting only low-income

¹² Charles S. Johnson papers, Fisk University archive, Patrick J. Gilpin Correspondence of manuscript of Johnson, "Charles S. Johnson: Combating White Racism in Preparation for the Freedom Movement, July 1970," pp. 44.

families from substandard dwellings to grant several discharged war veterans and civilians entrance to the James C. Napier homes.¹³

Nashville represented a city that believed public housing was the answer to the crisis of inadequate housing for both whites and African Americans. Yet this belief fell too close to equality and was often challenged and met with violence from Nashville residents. Nashville gained a notable reputation for its political and social conflicts over civil rights and integration during the 1950s and 1960s, including the bombing the notable Nashville councilman, civil rights champion, and lawyer Z. Looby Alexander in 1960.¹⁴ The Middle Tennessee region of state, with Nashville at the forefront, boasted a similar existence of violence and tension over housing for African Americans even before the 1950s. Perhaps one reason for the rise in violence in the 1940s was the Supreme Court Decision in *Shelley v. Kraemer* in 1948.

Although housing was one of the first areas the NAACP attacked through legal measures, their progression with Supreme Court cases was a gradual process. *Buchanan v. Warley* (1917) eradicated residential segregation ordinances, while *Corrigan v. Buckley* (1926) discounted a constitutional challenge to racially restrictive covenants on the grounds that state action was absent. The NAACP persisted in trying to secure a review of both cases in hopes of receiving a more favorable clarification from the Supreme Court.¹⁵ However, this caused an entire decade of Supreme Court silence on matters of racial housing segregation. To make matters worse, the 1930s, as mentioned throughout

¹³ Lawrence Wendell McVoy II, "A Review of Housing Conditions and Public Funds Expended Affecting Negroes in Nashville, Tennessee Since 1940 with Recommendations for Improvement," (Senior thesis, Tennessee Agricultural and Industrial State College, June 1945) pg. 5.

¹⁴ "Home Bombed; Looby Charges Into Action" *Pittsburgh Courier*, April 30, 1960, pg. 3.

¹⁵ Michael J. Klarman, *From Jim Crow to Civil Rights: The Supreme Court and the Struggle for Racial Equality* (Oxford: Oxford University Press, 2004) pp. 212-215.

chapter three, was a decade of structural formation for the NAACP in the realm of housing and federal intervention in the American market. Special legal counsel for the NAACP, most notably Thurgood Marshall, was hesitant to directly challenge the constitutionality of restrictive covenants primarily because of the legal weight of influence placed on the original precedent, along with the numerous NAACP defeats in lower courts through the country.¹⁶

Contemporary historians consider World War II, and more specifically the return of American GIs to the states, as a watershed event, because thereafter, thousands of soldiers returned home in search of education, a livelihood, and most importantly, a place to live. The enormous swell of NAACP membership during the war years demonstrated a consciousness frame of reference concerning the war and African Americans' position within it. Both white and black Americans expected life to be different when they returned home from the war. White soldiers expected higher paid wages and comfortable living conditions, while African American soldiers expected a reduction in racial tension and violence. Essentially, both expected a better existence than before the war with the economic hardships of the Great Depression.¹⁷

The GI Bill was, in theory, the piece of legislation set to bridge the social, economic, and educational gap of returning veterans. From the standpoint of housing the GI Bill was a necessary component of the social welfare of the majority of veterans. By 1945, a crisis had already begun across America with many American cities reporting

¹⁶ Michael J. Klarman, *From Jim Crow to Civil Rights*, pg. 213.

¹⁷ *Nashville Tennessean*, 15 July 1945; Paul Fussell, *Wartime: Understanding and Behavior in the Second World War* (Oxford: Oxford University Press, 1989); Chad L. Williams, *Torchbearers of Democracy* (Chapel Hill: University of North Carolina Press, 2013).

shortages soaring over 90 percent for single-family structures and apartments.¹⁸

Moreover, the Federal Housing Administration (FHA) and the Department of Veteran Affairs (VA) entered an agreement on mortgage loans that guaranteed the first loan by the VA and the second by the FHA. This system was damaging to African Americans because the VA implemented the very FHA rating strategy that marginalized, profiled and stigmatized African Americans.¹⁹ This was coupled with the reality that production in homebuilding was halted by America's entry into the war. By 1942, the War Production Board (WPB) prohibited, "All nondefense construction and put stringent limitations on alterations or improvement of existing structures."²⁰ By 1948, governor of Tennessee Jim McCord was preoccupied by a bond campaign worth \$3,000,000. This project worked directly with veterans securing temporary housing for nearly 18,000 of them who were already enrolled in Tennessee colleges and universities. In Nashville, however, for African American communities, his accomplishments and efforts fell on deaf ears. The late 1940s was a turbulent time.²¹

Similar to the 1930s, the expansion of government housing infrastructure during the 1940s saw the growth of immense programs to build, sustain, or renovate public housing. An example of this took place in Nashville with veteran housing. The Nashville

¹⁸ Rosemary Davenport Blose, "Welcome Home, Solider: The Housing Crisis in 1940s Nashville," (M.A. thesis, Middle Tennessee State University, 2000) pp. 14-15.

¹⁹ Louis L. Woods, "Almost 'No negro Veteran... Could Get a Loan': African Americans, the G.I. Bill, and the NAACP campaign Against Residential Segregation, 1917-1960, *Journal of African American History*, Vol 98, No. 3, Symposium: "St. Claire Drake: The Making of a Scholar-Activist" (Summer 2013): 392-417.

²⁰ Rosemary Davenport Blose, "Welcome Home, Solider, pg. 19; Quote was taken from Blose, "Welcome Home, Solider," original quote from John Morton Blum, *I Was for Victory: Politics and American Culture During World War II* (San Diego: Harcourt Brace and Company, 1976) pg. 101-102.

²¹ John R. Long Jr., Chairman, *Accomplishments of the Administration of Jim McCord, Governor of Tennessee*, pamphlet published by the campaign committee, 1948, McCord papers, Box 14, Folder 11, Tennessee State Library and Archive (TSLA).

Housing Authority (NHA) operated several locations throughout metropolitan Nashville for veterans including Meadow Lawn Homes (located in Smyrna), and Vine Hill war housing projects. Each contained more than 150 units. Yet, even with the support of the NHA, the housing crisis for veterans in Nashville was pervasive. In 1944, the same year the NHA took over operation of the two aforementioned housing projects, they published their annual report highlighting continued inadequate public housing.²² There was simply not enough housing for the influx of veterans. Interestingly enough, veteran records are devoid of mentions of race, yet deeper inspection clearly shows that most of the efforts put forth by the governor and the NHA were for the maintenance and subsistence of white veterans in Nashville.



Figure 1. National Housing Authority Director Nathan Straus Visits Cheatham Place Homes in Nashville.²³

²² Tony Sudekum, Chairman, *Annual Report of the Nashville Housing Authority*, Housing Authority Record Group, Metro Archives (Nashville: n.p., 1944) pg. 3.

²³ In 1944, National Housing Authority Director Nathan Straus, visited Cheatham Place, a white public housing project in Nashville, Tennessee. Courtesy of the MDHA Photograph Collection.

While the modest earning power of African Americans is among the causes of poor housing conditions, it was not the chief cause, but rather a contributing factor. The chief cause was, in fact, the limited existence of housing options resulting from systematic restrictions, most notably restrictive covenants. In many southern cities, African Americans were relegated to certain neighborhoods based on their exclusion from large areas being zoned as “desirable,” and therefore white, neighborhoods or zones.²⁴ As was the case for many of the major victories and advances in the fight for civil rights, the NAACP was usually working arduously behind the scenes to secure a favorable position for whatever impending battle was necessary. In 1947, a year before the NAACP took restrictive covenants to the Supreme Court in *Shelley v. Kraemer*, the NAACP amassed a dynamic support system that incorporated virtually every type of professional and organizational support.

The story of the NAACP and housing is often told from the perspective of the strategies of Supreme Court litigation. While this is a vital piece of the story, it often eclipses the vast logistical and strategic efforts necessary to permit a Supreme Court victory. In January of 1947, restrictive covenants were at the forefront rather than the backdrop of the civil rights agenda for the NAACP. Walter White addressed the board

²⁴ Robert Weaver, “Negroes Need Housing,” *The Crisis*, May 1940, pp. 138-139; Edmund P. Freund, *Colored Property*; Jeannine Bell, *Hate Thy Neighbor: Move in Violence and the Persistence of Racial Segregation in American Housing* (New York: New York University Press, 2013).

with reports from Thurgood Marshall on the housing situation.²⁵ Marshall was already immersed in compiling research to make a case against the unconstitutionality of restrictive covenants. To accomplish this task, Marshall and the NAACP legal team used a wide range of relevant interdisciplinary research. Among them were articles by Harold Kahen and D.O. McGoveney, both legal scholars who published crucial research on restrictive covenants in 1945.²⁶ The press department of the NAACP also decided to join the effort after persuasion from Judge Ira W. Wayne. A Circuit Court Judge from Detroit, Wayne informed the NAACP that at the National Convention of Lawyers, a representative from the NAACP whom he believed to be vice president of the NAACP (most likely Walter White) called out the Attorney General's department on a live radio broadcast for failure to do anything to enforce the laws of civil rights for African Americans.²⁷

In April of 1947, the conversation on restrictive covenants and direct action toward dismantling the system took shape. The American Council on Race Relations (ACRR), under the direction of Clarence E. Pickett, Chairman of the Board; Charles H. Houston, Vice President, consultant, and NAACP legal wizard; and Will W. Alexander, treasurer out of the Atlanta division of the NAACP, released a document with a poignant yet layered message. First, it stated that the time had arrived to fight for fair housing and,

²⁵ Library of Congress, Papers of the NAACP, Part 5 (Jan 01, 1947-Dec 31, 1950): Campaign Against Residential Segregation, 1914-1955, Restrictive real estate covenants and racial violence, "Memorandum from Walter White to Thurgood Marshall." January 23, 1947.

²⁶ Library of Congress, Papers of the NAACP, Part 5 (Jan 01, 1947-Dec 31, 1950): Campaign Against Residential Segregation, 1914-1955, Restrictive real estate covenants and racial violence, "Letter from Thurgood Marshall to Clifford Moore." February 4, 1947; Harold Kahen, "The Validity of Anti-Negro Restrictive Covenants," *University of Chicago Law Review*, 1945; D.O. McGoveney, "Racial Residential Segregation by State Court Enforcement of Restrictive Agreements," *California Law Review*, 1945.

²⁷ Library of Congress, Papers of the NAACP, Part 5 (Jan 01, 1947-Dec 31, 1950): Campaign Against Residential Segregation, 1914-1955, Restrictive real estate covenants and racial violence, "Letter from Ira W. Wayne to NAACP Press Service." February 5, 1947.

in particular, public enemy number one of unfair housing, restrictive covenants. Secondly, it outlined a proposed project that, if successful, “would bring together pertinent social and economic data used by lawyers and laymen concerned with racial residential restriction litigation.”²⁸ Their aim was to draw on the advice and experience of a wide array of professionals including attorney Loring B. Moore of the Chicago branch of the NAACP, attorney Byron Miller of the American Jewish Congress, and professors from both the University of Chicago and the University of California law schools. The NAACP, which was of course intertwined amongst the many levels of the ACRR, spoke with Marion Perry of the NAACP legal division about their involvement.²⁹ Moreover, perhaps the true intent of the document being sent to Walter White was to ensure that the ACRR did not duplicate any efforts already in place by the NAACP.

The NAACP earned the reputation as the top civil rights organization seeking justice through legal avenues. Thurgood Marshall answered the request given by Wirth and the ACRR asserting that, contrary to popular belief, there was not enough research done on the topic. Marshall was clear that the fight for fair housing was a joint effort and that, although the NAACP planned to create such a study on housing, their efforts were diverted due the numerous other pending court cases.³⁰ Marshall and the ACRR corresponded regarding whether the NAACP should take up the fight of restrictive covenants in the Supreme Court.

²⁸ Library of Congress, Papers of the NAACP, Part 5 (Jan 01, 1947-Dec 31, 1950): Campaign Against Residential Segregation, 1914-1955, Restrictive real estate covenants and racial violence, “Louis Wirth’s statement on behalf of the American Council on Race Relations to Walter white.” April 15, 1947.

²⁹ Library of Congress, Papers of the NAACP, Part 5 (Jan 01, 1947-Dec 31, 1950): Campaign Against Residential Segregation, 1914-1955, Restrictive real estate covenants and racial violence, “Louis Wirth’s statement on behalf of the American Council on Race Relations to Walter white.” April 15, 1947.

³⁰ Library of Congress, Papers of the NAACP, Part 5 (Jan 01, 1947-Dec 31, 1950): Campaign Against Residential Segregation, 1914-1955, Restrictive real estate covenants and racial violence, “Thurgood Marshall to Louis Wirth.” April 23, 1947.

While history recorded *Shelley v. Kraemer* as the defining Supreme Court decision on restrictive covenants, in 1947, there were actually two cases on the Supreme Court's docket. The overshadowed case was *McGee v. Sipes* out of Detroit. Charles H. Houston, acting as a consultant with the NAACP since his departure to private practice, corresponded with D.O. McGovney, professor of law and author of the 1945 publication "Racial Residential Segregation by State Court Enforcement of Restrictive Agreements." McGovney informed Houston that the NAACP should intervene in both cases with a determined effort to win. McGovney had studied housing and found sufficient evidence to support the NAACP's case to reach the Supreme Court. Moreover, McGovney offered to contribute his time and expertise free of charge for the NAACP in any of the cases dealing with restrictive covenants.³¹ Shortly after McGovney's pledge of commitment, numerous organizations joined the fight, including the American Jewish Committee.³²

With several organizations in support, the NAACP placed pressure on Congress to probe real estate interests. Spearheaded by the Washington, DC Branch, the NAACP asked congressional leaders to enact a formal investigation of real estate and mortgage investment practices. This strategy was aimed to corner the public and private sectors of housing for African Americans. Furthermore, a formal investigation scrutinized the entire platform of housing in America.³³ In contrast to Robert Weaver's appeal in 1940, which argued that restrictive covenants were the central issue plaguing African American

³¹ Library of Congress, Papers of the NAACP, Part 5 (Jan 01, 1947-Dec 31, 1950): Campaign Against Residential Segregation, 1914-1955, Restrictive real estate covenants and racial violence, "Letter from D.O. McGovney to Charles H. Houston," June 3, 1947.

³² Library of Congress, Papers of the NAACP, Part 5 (Jan 01, 1947-Dec 31, 1950): Campaign Against Residential Segregation, 1914-1955, Restrictive real estate covenants and racial violence, "Memorandum from Thurgood Marshall to Walter White," July 1, 1947.

³³ Library of Congress, Papers of the NAACP, Part 5 (Jan 01, 1947-Dec 31, 1950): Campaign Against Residential Segregation, 1914-1955, Restrictive real estate covenants and racial violence, "Press Release, Congress Urged to Probe Real Estate Interests," July 1, 1947.

housing, the NAACP elected to place blame on federal agencies when speaking before congress. This was a brilliant move, because the NAACP could have argued for the immediate eradication of restrictive covenants but realized that there was more power behind attacking the systematic obstacles that the federal government oversaw. Restrictive covenants were upheld by judicial action. However, Since *Buchanan v. Warely*, the government never enacted racially restrictive covenants, whereas unfair mortgage and interest adjustments crippled middle-class African-American prospective homeowners.

Leslie Perry led the literary charge for the NAACP, sending letters to various Republican senators, including then chairman of the Republican Policy Committee Robert Taft, and Chairman of the Banking and Currency Committee Charles W. Tobey. Perry was adamant that, “The Negro pays more for his home in relation to what he gets [...] a higher rate of interest, and has the least freedom of choice in buying and renting than any other group in America.”³⁴ The NAACP was notorious for using congressional figures and politicians as pawns to elevate the African American cause. In this instance, Robert Taft, the son of former President William Howard Taft, was a staunch conservative who opposed many aspects of the New Deal and virtually every one of Harry S. Truman’s programs. Charles Tobey was somewhat of an ally to the liberal cause and fought senator Taft on many of his conservative views.³⁵ All of the attention on

³⁴ Library of Congress, Papers of the NAACP, Part 5 (Jan 01, 1947-Dec 31, 1950): Campaign Against Residential Segregation, 1914-1955, Restrictive real estate covenants and racial violence, “Press Release, Congress Urged to Probe Real Estate Interests,” July 1, 1947.

³⁵ Clarence E. Wunderlin, *Robert A. Taft: Ideas, tradition, and Party in U.S. Foreign Policy* (New York: Rowan & Littlefield, 2005) pp. 116-118.

restrictive covenants placed a burden on the NAACP to actually meet the needs of local chapters.

Letters from individuals from across the country continued to pour in, requesting briefings on the constitutionality of covenants. The national office was having difficulty keeping up with responses.³⁶ The NAACP wasted no time disseminating through the ranks educational material revolving around housing. Shortly after urging congress to investigate, the NAACP press service released documents educating the public and primarily African Americans on what was in store in the fight to secure fair housing opportunities, which involved first describing restrictive covenants and then giving examples of where they occur. Before the wide use of television and syndicated broadcast, the press remained the most useful and intentional way to publicize information nationwide. The NAACP included not only current trends of restrictive covenants, but also the pending Supreme Court cases, the lawyers handling those cases, and the wide array of diverse groups who joined their effort, which included the CIO, American Jewish Congress (AJC), American Jewish Committee (AJC), Anti-Defamation League, American Civil Liberties Union (ACLU), National Bar Association, and the National Lawyers Guild.³⁷ The AJC wasted no time in leading the charge from support organizations, urging the NAACP to send any and all information regarding the team of

³⁶ Library of Congress, Papers of the NAACP, Part 5 (Jan 01, 1947-Dec 31, 1950): Campaign Against Residential Segregation, 1914-1955, Restrictive real estate covenants and racial violence, "Letters from Marian Wynn Perry to Miss Louise Evans" August 25, 1947.

³⁷ The Library of Congress, Papers of the NAACP, Part 5 (Jan 01, 1947-Dec 31, 1950): Campaign Against Residential Segregation, 1914-1955, Restrictive real estate covenants and racial violence, "For Immediate Press Release" September 6, 1947.

lawyers handling the Supreme Court cases.³⁸

Ultimately, the NAACP secured a landmark victory in the *Shelley v. Kraemer* case, striking down federal and state participation in upholding restrictive covenants. Although the generally accepted history is that Thurgood Marshall, with the aid of the legal committee and others, diligently researched and presented a concise argument, that legal dream team almost never occurred according to the NAACP records. In September of 1947, a flurry of correspondence transpired between Thurgood Marshall, David M. Grant, President of the St. Louis Branch of the NAACP, and James T. Bush, President of the Real Estate Brokers Association (REBA). The topic of discussion revolved around who would represent the Shelley family in the Supreme Court case. REBA hired George L. Vaughn and Herman Willer for the *Shelley* case. Meanwhile, Thurgood Marshall and the NAACP offered financial assistance with the case and believed that because of the national significance of the case for African Americans in housing throughout the country, the case was better suited for the NAACP Legal Committee.

Conversations were tense as the REBA felt that Marshall and the NAACP were using their notoriety to upstage an already moving operation.³⁹ Thurgood Marshall sent a three-page letter to the REBA insisting that the provided financial assistance was contingent on NAACP lawyers' involvement in the case. Moreover, Marshall chastised James T. Bush, making continual comments about the ridiculous manner in which both organizations had engaged over the matter. Marshall was invested in the other Supreme

³⁸ The Library of Congress, Papers of the NAACP, Part 5 (Jan 01, 1947-Dec 31, 1950): Campaign Against Residential Segregation, 1914-1955, Restrictive real estate covenants and racial violence, "Letters from Byron Miller to Marian Wynn Perry," September 11, 1947.

³⁹ The Library of Congress, Papers of the NAACP, Part 5 (Jan 01, 1946-Dec 31, 1948): Campaign Against Residential Segregation, 1914-1955, Legal challenge to restrictive real estate Covenant in St. Louis, "Letter from James T. Bush to Thurgood Marshall." September 19, 1947.

Court case *McGee v. Sipes* along with Loren Miller, but he initially told Bush that he planned to remove himself and place Charles H. Houston on the *Sipes* case with Miller. Even though it does appear that Marshall bullied the REBA for control of the *Shelley* case, he crafted remarks in his response to Bush in such a way as to appear to support REBA. Marshall stated, “We will not make any progress we expect if we are going to have petty bickering back and forth. I cannot for the life of me see why there can be serious objection to lawyers who are working together with other lawyers who are working on the same problem.”⁴⁰ *Shelley v. Kraemer* crystallized the NAACP as a formidable force in the legal arena. Arguably, Marshall was cognizant of the historical implications of the cases and therefore pushed the agenda to secure ownership over trying the case. Nonetheless, The NAACP was credited with the monumental shift in housing equality for African Americans.

In Nashville, the NAACP became a more formidable force during the 1940s. Although the burgeoning Civil Rights Movement saw various organizations including the NAACP operating out of Nashville, investigations into racial violence and discriminatory practices increased resulting from New Deal programs that aided in the construction of racial barriers. In tandem, the combination of higher wages and substandard housing conditions forced both black and white citizens in Nashville together and created a welfare state, while simultaneously buttressing both white and black public housing units. Moreover, it also increased racial tension.⁴¹ That tension spanned the course of the 1940s

⁴⁰ The Library of Congress Papers of the NAACP, Part 5 (Jan 01, 1946-Dec 31, 1948): Campaign Against Residential Segregation, 1914-1955, Legal challenge to restrictive real estate Covenant in St. Louis, “Letter from Thurgood Marshall to James T. Bush.” September 23, 1947.

⁴¹ Jacquelyn Dowd Hall, “The Long Civil Rights Movement and the Political Uses of the Past,” *Journal of American History*, 91 No. 4. (March 2005) pg. 1240.

due to continual social, economic, and political strife that continually circled back to the racial issues plaguing the country.

In order to grasp Nashville's housing situation, one must first understand the dynamic of creating urban space. Ernest Burgess, in his 1928 article, "Residential Segregation in American Cities," makes a persuasive argument about population movements and how they ultimately affect segregation practices. Those population movements begin at the epicenter of a city or town and usually push outward as the city expands toward the periphery. This usually ensues once a city takes form. This motion occurs in four stages and African Americans fit into each phase of this process. Kevin Kruse argued a similar point in his work *White Flight*, depicting the political and social movements in Atlanta that spawned suburbia. The first phase was invasion, beginning with an unnoticed or gradual penetration. The second phase was reaction, or the resistance, often involving violence, from the majority of the community. The third phase is influx, which occurs as a result of original residents' discontent with the changing environment (usually the phase of white flight). The final phase is climax, which occurs once an area has achieved a new equilibrium or status within the dynamic of that city.⁴²

Burgess argued that zoning ordinances of the 1920s belonged to the second phase. This was the case for a few reasons. Blacks were usually found to own or rent land everywhere relative to where whites did. Another reason for this was because blacks were most often there first, residents of what would become prime real estate and therefore

⁴² Charles S. Johnson Collection (1-27) (1935-1956), Box 6 Series I: Social Science Dept. Materials, Subseries IV: Writings- Unidentified Authors, V-W, Race- "On Racial Segregation in Residential Areas in the United States. (Author reviews Ernest Burgess, "Residential Segregation in American Cities," *The Annals of American Academy of Political and Social Science*, Vol. 140, *The American Negro* (Nov., 1928) 105- 115; Kevin Kruse, *White Flight: Atlanta and the Making of Modern Conservatism* (Princeton: Princeton University Press, 2005).

assumed the charter that came after full development along with white people. Those white people subsequently pushed African Americans out of those areas. This dissertation argues that while zoning ordinances belong to the second phase of Burgess' ideological framework, restrictive covenants belonged to the third phase. This was seen in push-back by residents to leave their environment and instead create physical barriers by way of restrictive covenants that locked African Americans into certain areas.

In 1944, the Nashville branch of the NAACP was consumed with the state of education for African Americans. Under the direction of Rev. W.J. Faulkner, who was elected in 1944, the mission during the early 1940s was to provide African Americans opportunities in the realm of education and enlightenment. Faulkner was a professor at Fisk University where he also served as Dean of the chapel and Dean of men. Faulkner earned a reputation as a motivating and enthusiastic speaker. Before his appointment, Faulkner, addressed a body of students and clergy at a vesper service at Miami State University where he spoke of the irony and contradiction of American soldiers, mostly youth, fighting for freedom with guns and warfare while simultaneous carrying with them ideas of politics, governments, and race relations⁴³

In 1946, the Nashville chapter petitioned to the national branch to urge the Department of Justice to investigate murder evidence found in a wallet in Nashville. The wallet, unmistakably the property of a white man, contained the picture of a dead body hanging from a tree.⁴⁴ To make matters worse, perhaps the single greatest perpetual event

⁴³ "Election of Officers," *The Tennessean*, June 24, 1944, pg. 21; "White's Hear Fisk Dean," *The Pittsburgh Courier*, March 6, 1943, pg. 15.

⁴⁴ The Library of Congress Papers of the NAACP, Part 5: Campaign against Residential Segregation, 1914-1955, National Public Housing Conference, veterans housing, and national housing policy and legislation,

that diverted effort from housing was the threat of or engagement in violence. Such was the case for Nashville in 1946 with the infamous Columbia, Tennessee riots. The riots in Columbia set an unspoken precedent for violence and terror against African American veterans returning from the war. Moreover, it aimed to place power back in the hands of white southerners as thousands of emboldened African-American soldiers returned to the states. Both Walter White and Thurgood Marshall personally traveled to Columbia, Tennessee to investigate the incident. In a report to the Board of Directors for the NAACP, White assembled first-hand accounts and interviews of the events, noting that, “this riot was one of the most serious episodes of its kind both in what was done and the pattern of postwar racial attitudes which would surely develop out of this disorder.”⁴⁵

The incident occurred when Gladys Stephenson and her son James, who had recently returned from the Navy, complained about overpriced and faulty work done on their radio. Upon exiting the store Mrs. Stephenson told a patron entering the store not to do business at this establishment because they did faulty work. The white repairman, William Fleming, rushed to the door and attacked Mrs. Fleming. A fight ensued that involved a local police officer, Mrs. Gladys’ son James and other citizens of Columbia. Outraged that the Stephensons were beaten before they were arrested, local African-American citizens sought bail on their behalf. The magistrate at the time, Hayes Denton, told everyone who approached the jail that, “they better leave the boy in jail because

including the Veterans Homestead Act of 1948, “Report to the Assistant Secretary (For the February 1946 Meeting of the Board).”

⁴⁵ The Library of Congress, Papers of the NAACP, Part 5: Campaign against Residential Segregation, 1914-1955, National Public Housing Conference, veterans housing, and national housing policy and legislation, including the Veterans Homestead Act of 1948, “Report from Walter White to the Board of Directors on Columbia Race Riot,” March 1946, pg. 1.

trouble is brewing.”⁴⁶ Later, under the advisement of J.J. Underwood, Sheriff of Columbia, local African American businessman Saul Underwood, and two of his associates secretly sent James Stephenson to Nashville, and subsequently, to a Northern city. Meanwhile, his mother Gladys was rushed to the countryside into hiding. Later that evening, a mob of more than 75 white men approached the jail looking for James Stephenson. When it was revealed that he was gone, white citizens purchased rope and uttered comments including, “This is for lynching some Negroes Tonight.” What ensued was a traumatic battle between white citizens, armed with guns and marauding the streets of Columbia, and African Americans, trapped in their homes, returning fire and desperately trying to stay alive.

Later that night, four policeman drove into a black neighborhood and a firefight ensued. Walter White was certain there was no credible evidence highlighting which side shot first; nonetheless, a policeman was killed during the exchange of gunfire.⁴⁷ The killing of the policeman changed the entire dynamic of the incident. The NAACP national office placed pressure on the governor through the Nashville Branch. Essentially, once Walter White and Thurgood Marshall arrived, all other matters concerning African Americans in Nashville were halted to attend to the Columbia riot. Almost immediately after hearing about the incident, the national office contacted Z. Alexander Looby, the Nashville chapter lawyer and an appointee to the National Legal

⁴⁶ The Library of Congress, Papers of the NAACP, Part 5: Campaign against Residential Segregation, 1914-1955, National Public Housing Conference, veterans housing, and national housing policy and legislation, including the Veterans Homestead Act of 1948, “Report from Walter White to the Board of Directors on Columbia Race Riot,” March 1946, pg. 1.

⁴⁷ The Library of Congress, Papers of the NAACP, Part 5: Campaign against Residential Segregation, 1914-1955, National Public Housing Conference, veterans housing, and national housing policy and legislation, including the Veterans Homestead Act of 1948, “Report from Walter White to the Board of Directors on Columbia Race Riot,” March 1946, pg. 2.

Committee, and Donald Jones, a field secretary who happened to be in Chattanooga conducting a membership drive. The two men secured the services of Maurice Weaver, a dazzling white southern lawyer, to end the injustice in Columbia. While all of these actions took place in Nashville, the local branch assisted Walter White as he met with the Governor McCord, whom he believed was weak and inept.⁴⁸ The Nashville branch did everything possible to facilitate national leadership's coordination with area leaders and local allied organizations. The chapter used Fisk University, probably because of Faulkner's authority there, and held meetings with the Southern Conference for Human Welfare and the Young Men's Hebrew Association.⁴⁹

Meanwhile, in Atlanta, 1946 marked the seventh annual gathering of the NAACP Youth Conference. Over 100 youth presented on the most pressing issues facing their futures. Delegates from twenty-two states passed a resolution on housing, opposing restrictive covenants and insisting on complete abolishment of racial deed restrictions. One of the primary principles within the resolution was a call for the federal government to immediately initiate a nationwide program of federally subsidized low-cost housing.⁵⁰ While the majority of the influence over the fight for fair housing has been attributed to the general NAACP body, the youth division was knowledgeable and present in various

⁴⁸ The Library of Congress, Papers of the NAACP, Part 5: Campaign against Residential Segregation, 1914-1955, National Public Housing Conference, veterans housing, and national housing policy and legislation, including the Veterans Homestead Act of 1948, "Report from Walter White to the Board of Directors on Columbia Race Riot," March 1946, pg. 2.

⁴⁹ The Library of Congress, Papers of the NAACP, Part 5: Campaign against Residential Segregation, 1914-1955, National Public Housing Conference, veterans housing, and national housing policy and legislation, including the Veterans Homestead Act of 1948, "Report from Walter White to the Board of Directors on Columbia Race Riot," March 1946, pg. 2.

⁵⁰ Library of Congress, Papers of the NAACP, Part 5: Campaign against Residential Segregation, 1914-1955, National Public Housing Conference, veterans housing, and national housing policy and legislation, including the Veterans Homestead Act of 1948, "Report of the Youth Secretary, for the January meeting of the Board," January 5, 1946.

national conversations. This was in large part due to the leadership of Ruby Hurley, then national youth secretary of the NAACP. Hurley had a long career in the NAACP, serving as one-time field secretary for the southeast region. Hurley was adamant that the NAACP had been “the voice of the repressed Negro.”⁵¹ The added perspective of the youth afforded the NAACP a more robust outlook on national issues.

With the end of World War II and the influx of returning veterans, and the landmark Supreme Court victory *Shelley v. Kraemer* essentially crippling restrictive covenants, racial tensions over housing reached a breaking point at the end of the 1940s, erupting in racially motivated violence. At the national level, in February of 1949, Walter White sent a memorandum to President Truman challenging the FHA’s blatant disregard for the *Shelley* decision. Almost immediately after the rendering of the *Shelley* decision, Franklin D. Richards, commissioner of the FHA, essentially took the position that although the Supreme Court decided that judicial enforcement of restrictive covenants was unconstitutional, it ultimately had little impact on how FHA programs operated. Richards specifically noted that there would be “no change on either our basic concepts or any phase of underwriting processing or procedure as a result of the court’s decision.”⁵²

1949 marked the climax of a tense period in the battle over housing discrimination in America. Nowhere was this more evident than in Nashville, Tennessee. At the local level, tensions also reached a boiling point. In Nashville, the NAACP was

⁵¹ Thomas L. Bynum, *NAACP Youth and the Fight for Black Freedom 1936-1965* (Knoxville: The University of Tennessee Press, 2013) pg. 35.

⁵² Louis L. Woods, “Almost “No negro Veteran... Could Get a Loan”: African Americans, the G.I. Bill, and the NAACP campaign Against Residential Segregation, 1917-1960, *Journal of African American History*, Vol 98, No. 3, Symposium: “St. Claire Drake: The Making of a Scholar-Activist” (Summer 2013): 17.

fully occupied fighting for the African Americans who were being prosecuted because of events in the Columbia riot, leading membership drives, protecting development projects that were attacked as a result of white rage at the thought of African American public housing, and still maintaining the persistent fight for a fair playing field in the realm of housing.

In January of 1949, the NAACP urged the City-County Planning Commission and the Nashville Housing Authority to include African Americans in their study and survey on housing. The Nashville chapter, under the direction of President C.L. Dinkins, sent two identical letters to both agencies formally requesting their immediate attention on black housing. Dinkins noted that overcrowding, as well as unsanitary and substandard public and private housing conditions in black areas, was still a reality. Dinkins further requested that a citizens committee be set up at the conclusion of the survey and that the NAACP have representation on that committee.⁵³

⁵³ "NAACP Urges Housing Study Include Negroes" *The Nashville Banner*, January 10, 1949, Special Collections, Nashville Public Library.



Figure 2. Example of 1940s Nashville Substandard Living Conditions.⁵⁴

Dinkins' leadership ability was a familial trait. His family was instrumental in the founding and leadership of Selma University in Selma Alabama, where they originated.⁵⁵ Dinkins was classically trained as a minister and an educator, with degrees from Oberlin College in Ohio, and is perhaps most famous in Nashville for his instrumental leadership of First Baptist Church in East Nashville. From 1944 when he joined the pulpit at First Baptist following the death of Reverend Ellington, until he left Nashville in the early 1960s, he fused ministry with outreach from the NAACP to help African Americans

⁵⁴ Unknown African American community displaying substandard homes in what is believed to be North Nashville. Courtesy of the MDHA Photograph Collection.

⁵⁵ Dinkins Hall, Selma University, Selma, Alabama, the main physical structure of the College is named after two pivotal men responsible for the universities founding and early leadership. C.S. Dinkins and W.H. Dinkins. Their names can be found on marble engraved commemorative plaques and cornerstones on several campus buildings.

navigate the Civil Rights Movement.⁵⁶ Dinkins held a prime position in the African American community and this is best seen through his aggressive critique and openness with local newspapers. The Nashville branch leadership ultimately supported the housing survey of 1949, but remained adamant that their support was contingent on the inclusion of blacks and also that a citizens' oversight committee was established.⁵⁷

In May of 1949, the Nashville branch endorsed the clearing of the slum north of the state capital. The NAACP was unwavering in their commitment to fighting for viable, sustainable, and adequate housing. The NAACP understood the various components of "Negro removal" from urban areas. In certain instances, cities used the creation of public parks, recreational areas, or public amusement as excuses to eradicate African American communities.⁵⁸ Fully aware of this common trend in cities, the NAACP accompanied their endorsement with several press releases, one of which stated,

If the area is to be reclaimed for light industry or for parks and recreational areas, the city of Nashville will still have to face the problem of what is going to happen to the people who are now living in this area [...] one of the worst slums in the city.⁵⁹

Dinkins challenged the slum clearance if there was no favorable replacement for African Americans citizens in Nashville. Dinkins emphatically stated,

No gain will be made by the city if the slum North of the state capital is cleared if it means only that another slum area will be created or perpetuated in another part of the city... the fact remains that a vast majority of Negro citizens are living in

⁵⁶ Leslie N. Sharp, Gwyneth Ann Thayer, and Katherine Haskell, "National Register of Historic Places Inventory Nomination from First Baptist Church in East Nashville," United States Department of the Interior- National Park Service, February 2005, pp. 8-10.

⁵⁷ "Local NACP Backs Tally of Housing," *The Nashville Banner*, January 24, 1949, Special Collections, Nashville Public Library.

⁵⁸ For more information on how recreational space either excluded African Americans or removed them from their communities see, Victoria Wolcott, *Race, Riots and Roller Coasters: The Struggle Over Segregated Recreation in America* (Philadelphia: University of Pennsylvania Press, 2014).

⁵⁹ "NAACP Supports Slum Clearing But Asks Housing," *The Nashville Banner*, May 5, 1949, Special Collections, Nashville Public Library.

substandard areas and no organized efforts have resulted in more better housing facilities for these citizens. It is our [the NAACP's] information that real estate interests are opposing the erection of houses for Negroes.⁶⁰

Scholars argue that by the late 1940s, attitudes toward race and discrimination specifically involving state accountability in private matters loosened enough to allow the verdict that was reached in the *Shelley* decision.⁶¹ But those shifts in the way the public viewed the state-sponsored acts on race and discrimination were often forged in fear and blood.

Before the *Shelley* decision, the judicial enforcement of restrictive covenants was the law of the land. These covenants shaped the landscape of living for African Americans. In two instances, the violence Nashville generated was in direct correlation to attempts to provide African Americans standard public and private housing. First, on the night of April 7, 1949, a scorching blaze lit the night sky. A burning cross sat atop of Antioch Pike, a mile east of the Woodbine section of the city. Reports from the *Tennessean* labeled the event, "Antioch Pike residents watch blaze light Negro housing unit."⁶² The cross was lit on property that was allocated for black housing units at approximately 8:15pm and drew a significant crowd of onlookers. The land where the cross was burned was owned by Dr. Needham L. Roberts, a respectable African-American Nashville Dentist. Although no injuries occurred, this incident sent a clear message that although the *Shelley* decision was handed down, white Nashvillians were

⁶⁰ "NAACP Supports Slum Clearing But Asks Housing," *The Nashville Banner*, May 5, 1949, Special Collections, Nashville Public Library.

⁶¹ "NAACP Supports Slum Clearing But Asks Housing," *The Nashville Banner*, May 5, 1949, Special Collections, Nashville Public Library; *Shelley v Kraemer*, 334 U.S. 1 (1948).

⁶² "Burning Cross Startles County," *The Tennessean*, April 7, 1949, pg. 1.

not ready to deal with the possible ramifications of the decision.⁶³ Fire Chief Sam Norton recounted that residents said the blaze could be seen for miles out. The black housing unit was surrounded by white homeowners.

In December of that same year, an explosion shook the very same community in Antioch, Tennessee a suburb of Nashville. The explosion, unlike the cross burning, sent a more physically targeted message about African American housing in Nashville. The one-story homes in this development were nearing completion and ready for rent, which more than likely prompted a more formidable example of discontent. The cross burning was merely the first stage, a statement of notice that African Americans were not welcome. The bombing followed as a clear and dangerous threat. Although Nashville police were hasty in response to both incidents, no charges or arrests were ever made. These violent incidents made it clear that white Nashville residents were prepared to create separation at any cost if the local, state, and federal government continued to place African Americans near white neighborhoods.⁶⁴

Ultimately, the 1940s showed the NAACP at the federal, state, and local levels that when groups of individuals are afraid, they will resort to violence to preserve the racial integrity of their neighborhoods, even if securing that safety comes at the consequence of scaring, manipulating, or marginalizing other groups. While champions for the cause of equal rights in housing could be found within various organizations at all levels of government, the overarching institutions were steeped in a sense of fear. At the national level, this fear came from Supreme Court cases destroying years of legal

⁶³ "Burning Cross Startles County," *The Tennessean*, April 7, 1949, pg. 1.

⁶⁴ "Officers Say Explosives Planted," *The Tennessean*, December 8, 1949, pg. 1.

precedent endorsing the supposed racial inferiority of African Americans. At the state and local levels, this fear presented itself in events like the Columbia race riot and the cross burning and bombing of prospective African American housing units. Although these efforts demonstrated a clear opposition to African American uplift in Nashville and across the country, by the late 1940s, the NAACP was invested in openly fighting for equal rights for all individuals.

In the postwar period, the NAACP embarked on a new agenda that challenged segregation on all levels. The right to vote and the desegregation of schools dominated the national spotlight during the 1950s. *Brown v. Board of Education* diverted much of the NAACP legal team away from housing, but local chapters continued to paint the Federal Housing Administration and state and local governments as unscrupulous and overtly oppressive toward African Americans. In the 1950s, the United States entered a new political era as Dwight D. Eisenhower was elected President, ending the tenure of President Truman and forcing the NAACP to establish a new precedent with the former military commander. Moreover, even though the United States entered the first decade removed from World War II, the United States quickly entered another conflict in the Korean War.

The traditional narrative of United States history cites the 1950s as the beginning of the Civil Rights Movement. While many scholars argue that the movement begins decades earlier, there were several decisive battles waged by the NAACP and other organizations including SNCC and the SCLC during the 1950s. Among those activities was Rosa Parks' 1955 refusal to give up her seat on a local bus in Montgomery, which launched the Montgomery Bus Boycott. Furthermore, the Civil Rights act of 1957, which

set precedent in the realm of voter registration, became the first racially beneficial legislation enacted by congress since the Reconstruction Era. Chapter five will explore how the fight for housing, although muted in the public due to many of the aforementioned happenings during the decade, intensified within organizations such as the NAACP alongside various other civil rights campaigns for equality.

CHAPTER FIVE: NASHVILLE IN THE 1950s

Following previous decades, the 1950s began with looming questions about the state of the “Negro” in American society. Attempting to attack this question from all angles, cities, states, and the federal government examined Black life, culture, and living conditions. This examination was twofold, for as the local and federal municipalities inspected African American life with an often frail sense of genuineness, so too did white citizens and hate groups, which blamed anyone appearing to challenge the legality of the separation, segregation, and inferior living conditions long endured by African Americans.

By 1950, there still persisted a respectable effort to ensure that equal, affordable, and standard housing conditions were possible for African Americans. Although slum clearance and redevelopment was used in the 1920s as part of city beautification projects, this trend remerged during the 1950s and helped to create a new phenomenon known as “urban renewal.” This chapter discusses the duality of the NAACP during the Civil Rights Movement by examining their efforts in the arena of housing in the direct shadow of the campaign to desegregate public schools. By the late 1950s, the Civil Rights Movement was a national agenda for black Americans. Simultaneous with this fight, the FHA and the federal government produced numerous laws attempting to bind economic prosperity to residential housing. The zeal of the NAACP and their growing resources created a distinctive combative force against Jim Crow politics.

The 1950s began with an ominous agreement among many scholars, social activists, and professionals over the growing lack of attention, resources, and economic assistance given to African Americans and other minorities for housing throughout America. This agreement blossomed from numerous press releases, special reports, and conference agendas, all of which were engrossed with the issues of affordable and standard housing for African Americans. But now, unlike the prior decades, individuals in power, under pressure from the NAACP, were beginning to ask relevant questions and grapple with such issues. In January of the 1950, the Public Housing Administration (PHA) released a bulletin in conjunction with the Housing and Home Finance Agency (HHFA) entitled “Race Minorities Must Get Fair Share of Local Programs, Bloomberg Says,” which included pertinent information from chief economist of the PHA, Lawrence N. Bloomberg. Bloomberg stressed that accommodations required equitable participation by families of all races. This was the duality of the mid-twentieth century for African Americans and the issue of Jim Crow segregation, because policies and laws providing African American decent living conditions were standard by the 1950s; yet, this did not mean that African Americans were seen or treated as equal. Under United States Housing Authority (USHA) policies, local housing authorities providing public housing need not integrate, but they had to advance the state of living for African Americans beyond substandard.¹

While slum clearance and redevelopment had obvious impacts on the growth and overall urban sprawl of many southern cities, it also displaced thousands of African

¹ The Library of Congress, Papers of the NAACP, Part 5 (Jan 01, 1950-Dec 31, 1950): Campaign Against Residential Segregation, 1914-1955, Slum Clearance, urban redevelopment programs, and FHA loan policies “Bulletin from Public Housing Administration and the Housing and Home finance Agency, ‘Race Minorities Must Get Fair Shake of Local Programs, Bloomberg Says,’” January 1950.

American families. But even before redevelopment, according to Bloomberg's comments, USHA public housing policies were separate and unequal. Even though the NAACP understood that many of the governmental agencies were not fully invested in integration, it was in the NAACP's best interest to remain a vocal pillar in the conversation about fair housing, which included answering the numerous invitations to appear at conferences to debate housing solutions. Among those invitations, Roy Wilkins at the suggestion of Thurgood Marshall advised Constance Motely that the NAACP needed to be present at the Housing and Home Finance Agency at the end of January in 1950.²

As a civil rights stalwart and legal authority, the NAACP was consistently consulted for generating new ideas and programs, because virtually every government housing agency recognized that NAACP endorsement would generate a guaranteed level of support from the African American community. Likewise, the NAACP was aware of their influence and positioned their organization to participate in multiple conversations regarding how African Americans would be affected by any legislation, program, or congressional action impacting housing. In March of 1950, the HHFA sent copies of the "Guide to Slum Clearance and Urban Redevelopment" to the NAACP for their review. Historically, the argument has been made that the NAACP badgered organizations and the federal government along with their legal crusade to secure equality. While aspects of those notions are true, a more in-depth inspection clearly shows that many of those organization like the PHA and the HHFA willingly sought the approval of the NAACP

² The Library of Congress, Papers of the NAACP, Part 5 (Jan 01, 1950-Dec 31, 1950): Campaign Against Residential Segregation, 1914-1955, Slum Clearance, urban redevelopment programs, and FHA loan policies "Memorandum to Mr. Roy Wilkins From Constance Baker Motley, January 12, 1950; "Letter from Flora Hatcher to Clarence Mitchell," January 20, 1950.

even though they did not change their racist or oppressive language. For example, two documents, the “Guide to Slum Clearance” and “Statement on the Relationship of the Slum-Clearance and Low-Rent Housing Programs,” were forwarded to the NAACP for comment. First, Frank Horne, a champion for African Americans within the federal government vouched for the document.³ Secondly, the document and supporting statements released by the HHFA spoke directly to the possibility that African Americans would be the most affected group by slum clearance and redevelopment, and that in many of those blighted areas, the land would be transformed into public land for parks and other facilities. In essence, the Housing Act of 1949 carried a promise of transition for urban environments. The only issue was that the promise also carried with it the threat of African American removal from urban areas.

In 1950, there were numerous statements concerning the next wave of housing efforts to propel all Americans out of substandard conditions and thereby raise the standard of living in American society. Raymond M. Foley, from the Housing and Home Finance Agency, John Taylor Egan, Commissioner of the Public Housing Administration, and Nathaniel S. Keith, Director of the Division of Slum Clearance released a press statement on the impending fate of urban cities due to slum clearance, urban renewal, and redevelopment. Most of the document was spent explaining the breakdown of the National Housing Act of 1949.⁴

³ The Library of Congress, Papers of the NAACP, Part 5 (Jan 01, 1950-Dec 31, 1950): Campaign Against Residential Segregation, 1914-1955, Slum Clearance, urban redevelopment programs, and FHA loan policies “Letter from Frank S. Horne to Unknown NAACP officer (it is believed this letter was sent to either Walter White, Thurgood Marshall or Constance Baker Motley,” March 13, 1950.

⁴ The Library of Congress, Papers of the NAACP, Part 5 (Jan 01, 1950-Dec 31, 1950): Campaign Against Residential Segregation, 1914-1955, Slum Clearance, urban redevelopment programs, and FHA loan

The National Housing Act of 1949 literally changed the dynamic of both urban and rural landscapes. This landmark legislation had profound effects on the nationwide demographics of inner-city communities, primarily because of its financial and logistical support of slum clearance and urban renewal. All across America, cities intrigued with ideas of altering their demographic and economic prosperity of their urban centers entertained various redevelopment programs.

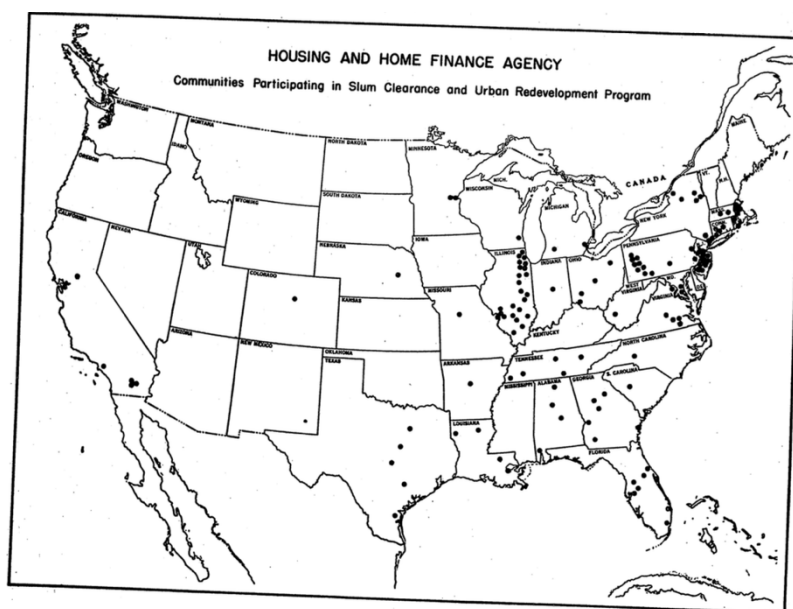


Figure 3. Chart of the Participating Cities in HHFA's the Slum Clearance and Urban Redevelopment Program.⁵

policies "Statement on the Relationship of the Slum-Clearance and Low-Rent Housing Programs," June 29, 1950.

⁵ The Library of Congress, Papers of the NAACP, Part 5 (Jan 01, 1950-Dec 31, 1950): Campaign Against Residential Segregation, 1914-1955, Slum Clearance, urban redevelopment programs, and FHA loan policies "Chart of the participating cities in HHFA's the Slum Clearance and Urban Redevelopment Program."

This platform eventually trickled down from the federal level to state and city officials who were offered opportunities to apply for loan applications for renewal and slum clearance programs. While historically, cities such as Durham, North Carolina and Chattanooga, Tennessee became synonymous with urban renewal and the ultimate removal of substandard dwellings, eyesores of the city skylines, Nashville actually possessed one the earliest contracts for a final advance-planning loan from the HHFA as early as 1950. This loan gave Nashville \$157,770.82 for redevelopment. The term “redevelopment” in this research refers to the removal of what the HHFA deemed “primary residents,” which in many cases meant African Americans.⁶

One of the most confusing aspects of the study of unfair housing as it relates to African Americans is that the federal government and organizations like the HHFA, although rooted in principles of segregation, still transitioned through time to encompass ideals of what I am calling “realistic livelihood.” I use this term to refer to instances such as the HHFA continuing to uphold the segregation of public housing and the removal of black homes from urban centers, while, where public housing for minorities was required, those same entities ironically supported pouring research money into better quality facilities. For example, in September of 1950, amidst the unveiling of the HHFA’s slum clearance and redevelopment campaign, they simultaneously released a document entitled, “Housing is more than a house.” The purpose of the document, among other things, was to inform the public of the current research on making efficient homes. This was accomplished by incorporating studies to improve wood construction that

⁶ The Library of Congress, Papers of the NAACP, Part 5 (Jan 01, 1950-Dec 31, 1950): Campaign Against Residential Segregation, 1914-1955, Slum Clearance, urban redevelopment programs, and FHA loan policies “Housing and Home Finance Agency Office of the Administrator,” HHFA Release No. 203, July 1 & 2 1950.

would be durable and more economically beneficial, and providing studies that search for better prefabricated building frames capable of withstanding arctic winds. At first glance, one would assume that this means that the HHFA somehow cared about the livelihood of African Americans homeowners. However, further investigation yields evidence that this report was done primarily for the city of Philadelphia in their preservation of historic areas throughout the city. Nonetheless, this document was found within the NAACP's records and association leadership was undoubtedly well aware of the back-handed gesture of improving structures for them.⁷

In February of 1953, The HHFA launched a serious examination into the living space available to racial minority families. A continuation of the conversation on slum clearance, redevelopment, and urban renewal, this report mentioned plans to build standard affordable homes for African Americans.⁸ The NAACP closely followed the HHFA's often contradictory and feeble statements of concern over the placement of African Americans who would be removed as a result of these proposed programs. An example of the contradictory rhetoric of the HHFA appeared in their report on living space availability to racial minority families. One of the primary purposes for the document was to discuss the effects slum clearance and redevelopment would bring, but more importantly how to deal with those situations. In the section labeled, "Their Importance to Racial Minorities," it stated:

⁷ The Library of Congress, Papers of the NAACP, Part 5 (Jan 01, 1950-Dec 31, 1950): Campaign Against Residential Segregation, 1914-1955, Slum Clearance, urban redevelopment programs, and FHA loan policies "Housing is More than a House," Home Finance Agency Office of the Administrator, HHFA-OA-No. 108 September 9 & 10 1950.

⁸ The Library of Congress Papers of the NAACP, Part 5 (Feb 01, 1953- Sep 30, 1953): Campaign Against Residential Segregation, 1914-1955, Racial discrimination in housing and federal policies, "Living Space Available to Racial Minority Families," Local Public Agency Letter No. 16, February 2, 1953.

It is obvious that the acquisition and disposition of open land for the development of housing as an adjunct of slum clearance activity is of critical importance to racial minority families. Most of the slum areas to be first cleared are of excessive racial minority congestion. These slum areas, under Title I [of the 1949 Housing Act], can be and are to be in a number of instances cleared and redeveloped not for residential re-use at all but, instead for industrial, commercial, or public re uses. [...] In such a situation, all of the displaced families will have to be rehoused elsewhere. But even where housing is for re-use and the housing is to be largely occupied by Negroes, there may remain a need for open land for new construction.[...] Generally, fewer dwellings will be built than the number of families displaced[...]the particular displaced families often will not be financially able to either rent or purchase the new housing.⁹

HHFA policymakers, then, were fully aware that African Americans would be displaced due to lack of housing and lack of financial ability to purchase or rent new housing. Yet, there were no logistical plans to offset these issues. The NAACP quickly mobilized, scheduling a three-day conference in March of 1953 on the theme of racial discrimination in housing. The NAACP deliberated over ways to challenge the racial segregation policies of public housing authorities. The conference resulted in a chain of events for the next several months that pushed the agenda of housing through several avenues with the national office leading the charge. The NAACP produced a list of eight objectives on how to challenge discrimination in public housing. Most likely, public housing was targeted first because the government unveiled their proposed redevelopment programs. This is significant because scholarship often credits the early 1950s as the principle strategic time of the NAACP legal defense fund for the battle against the national public school system with *Brown v. Board of Education*. However, the records support a narrative that stresses the duality an NAACP Legal Defense and Educational Fund that

⁹ The Library of Congress, Papers of the NAACP, Part 5 (Feb 01, 1953- Sep 30, 1953): Campaign Against Residential Segregation, 1914-1955, Racial discrimination in housing and federal policies, "Living Space Available to Racial Minority Families," Local Public Agency Letter No. 16, February 2, 1953.

was entrenched in the fight for fair housing while simultaneously preparing for the Supreme Court fight over desegregation of public schools.¹⁰

Shortly after the conference on housing in April of 1953, Walter White personally addressed the Senate Appropriations Committee, urging them to restore provisions for 35,000 public housing units that were cut from the independent officer's Appropriations Bill generated in the House of Representatives. This came after the House of Representatives voted to stop any further funding to low-rent public housing. This vote and decision was against the NAACP and the White House's recommendation of 35,000 new public housing units for 1954. The NAACP usually had knowledge of the president's views in various areas, which had given them a considerable advantage in legal and social movements since the 1920s. Yet, the NAACP was scrambling to find information on President Eisenhower's views up to and through his inauguration. It was, however, a hopeful prospect that the White house supported a similar view in the creation of low-rent public housing that would undoubtedly benefit some minorities. Yet, it was still unclear if those sentiments were left from Truman's presidency.¹¹ Nonetheless, White also sent a telegram to President Eisenhower urging him to use his influence in the White House to ensure the restoration of the public housing program along with the full

¹⁰ The Library of Congress, Papers of the NAACP, Part 5 (Feb 01, 1953- Sep 30, 1953): Campaign Against Residential Segregation, 1914-1955, Racial discrimination in housing and federal policies, "Memorandum from Constance Baker Motley to the Lawyers and other Specialist invited to attend the conference in New York on Racial Discrimination in Housing," (no date listed).

¹¹ The Library of Congress, Papers of the NAACP, Part 18 (Jan 01, 1953- Dec 31, 1955): Special Subjects, 1940-1955, Series B: General Office Files: Abolition of Government Agencies-Jews, Dwight D. Eisenhower positions on civil rights and desegregation, 1953-1955, "Memorandum from Roy Wilkin to Walter White," January 16, 1953.

budget originally requested for the race relations service.¹² In a press release from the NAACP that chronicled White's speech before the Senate, it also mentioned the consistent legal trend in the arena of housing.

While White addressed the Senate, Thurgood Marshall and Constance Baker Motley were responding to a housing case out of Savannah, Georgia. Judge Alexander Holtzoff presided over the case that essentially removed thirteen African American families from their homes due to the erection of a low-rent all-white public housing unit. Constance Baker Motley argued that this was in direct violation of the federal government, who constitutionally had no right to enforce segregation of public facilities. However, the government and judge Holtzoff disagreed, ruling that the federal government in fact had the right to segregate the races.¹³ Both Motley and Marshall feverishly rebutted Judge Holtzoff's decision, citing the *Shelley v. Kramer* case and others as supporting evidence. Once again, the records reveal that although during the 1950s the issue of residential segregation slipped from the notoriety of the front page of many national newspapers, the NAACP was entrenched in the fight for housing while simultaneously executing efforts to desegregate public schools.

While White spoke to the Senate and Marshall and Motley dealt with the court case in Georgia, the Department of Branches unleashed an immediate action release to all NAACP branches. The memorandum was titled, "To save the housing program" and outlined, as White asked for previously, a system of "Write, Wire, and Visit." In this

¹² The Library of Congress, Papers of the NAACP, Part 5 (Feb 01, 1953- Sep 30, 1953): Campaign Against Residential Segregation, 1914-1955, Racial discrimination in housing and federal policies, "NAACP Protest Ban on Public Housing," April 23, 1953.

¹³ The Library of Congress, Papers of the NAACP, Part 5 (Feb 01, 1953- Sep 30, 1953): Campaign Against Residential Segregation, 1914-1955, Racial discrimination in housing and federal policies, "NAACP Protest Ban on Public Housing," April 23, 1953.

plan, each branch would have every member write their local official, wire them and the federal government, and visit them in person. This multi-tier plan of pressure was to ensure that the agenda remained at the forefront of the federal government's action plans.¹⁴

Frank Horne contacted the NAACP to alert them of an article set for publication by the *House and Home Magazine*. Horne, using the NAACP's fluid line of communication, notified the NAACP before the editor of *House and Home Magazine*, Curney Breckenfeld, had the opportunity to contact the NAACP. The cause for alarm was rooted in the potential positive attention the article presented on non-white housing. Horne, who was to be featured in the article, alluded to the NAACP that he made reference to the injustice and racially inequity of Levittown.¹⁵ Horne wanted the NAACP to pay particular attention to the section entitled "Non-White Housing," with the opening passage stating, "In the postwar housing boom, most builders shied away from Negro housing; now with homes harder to sell, the big untapped market beckons."¹⁶ The article shamed both the realtor and home construction markets for their lack of attention to African American homebuyers, either because of their racism or distrust of African American economic stability. The article quoted several prominent individuals in the

¹⁴ The Library of Congress, Papers of the NAACP, Part 5 (Feb 01, 1953- Sep 30, 1953): Campaign Against Residential Segregation, 1914-1955, Racial discrimination in housing and federal policies, "Department of Branches memorandum: Save Housing Program," April 23, 1953.

¹⁵ The Library of Congress, Papers of the NAACP, Part 5 (Feb 01, 1953- Sep 30, 1953): Campaign Against Residential Segregation, 1914-1955, Racial discrimination in housing and federal policies, "Note from Frank Horne to the NAACP," April 23, 1953; "Letter from Curney Breckenfeld to Walter White," May 7, 1953; David Kushner, "When the Niggers Moved into Levittown," *Journal of Blacks in Higher Education*, No. 63 (Spring, 2009): 80-81.

¹⁶ The Library of Congress, Papers of the NAACP, Part 5 (Feb 01, 1953- Sep 30, 1953): Campaign Against Residential Segregation, 1914-1955, Racial discrimination in housing and federal policies, "Note from Constance Baker Motley to Walter White," May 15, 1953; "Non-White Housing" *House and Home Magazine*, April 1953.

homebuilding arena, including Phillip M. Klutznick, President of Chicago's American Community Builders. Klutznick argued that a new day in homebuilding was on the horizon, stating,

Previous to this time people who discussed the problem [of negro housing] was considered a do-gooder, a leftist, or worst...Now it is no longer a matter of political ideology...Our treatment of this aspect of our housing concern may well determine our ability to save many of our cities from central deterioration and decay.¹⁷

The NAACP intended to use this article to expose weak arguments that African Americans were high-risk renters or homeowners and argue rather that they were viewed as inadequate based solely on race. The article was filled with statistical facts and analysis that strengthened the argument for more home development for African Americans and simultaneously strengthened an argument for the NAACP to shift their focus from low-rent housing to providing African Americans with opportunities to purchase affordable homes. The article took a thematic approach to non-white housing. Land and financing, slum clearance, rising income of non-white homeowners and segregation laws and practices were among the chief topics. The article essentially uses the research and knowledge of Klutznick and Horne to demonstrate to the reader that the three biggest issues plaguing the "disinterest in Negro Housing," were the lack of knowledge about the market, issues of securing land, and problems with financing. Klutznick argued, "Simply put the land problem is segregation.[...] More than anything else [the Negro housing problem] is the search for space in our urban centers on which to

¹⁷ The Library of Congress, Papers of the NAACP, Part 5 (Feb 01, 1953- Sep 30, 1953): Campaign Against Residential Segregation, 1914-1955, Racial discrimination in housing and federal policies, "Non-White Housing" *House and Home Magazine*, pp. 44-47, April 1953.

build homes.”¹⁸ Among the realization that African Americans were a needed and valued part of the American economy, and in particular the housing market, the article also affirmed to the NAACP that the topic of providing equal, adequate, and affordable housing had left the margins of African American politics and was now being championed also to a white popular audience.

African Americans, in many instances led by the NAACP, were convicted in their ideals of American citizenship, even when their ability to own land, a principle agent in that identity, was often limited or withheld. While the NAACP was fighting to secure fair housing, they were correspondingly in conversation and partnership with the federal government over issues of democracy during the Cold War and the ever-present threat of communism. United States policymakers and African American activists have frequently contested the parameters of citizenship, debating which demographic communities best exemplified this term and who had the authority to dictate access to or exclusion from these fundamental constitutionally protected rights. An example of such movements during the 1950s was the government sponsored democracy tours featuring various notable African Americans. The critique of these tours and of those African Americans were varied as some black newspapers praised the actions, while others including the *Baltimore Afro-American* were more cautious and reflective. The *Baltimore Afro-American* noted, “With all the talk about democracy abroad, we hope that in the not too distant future, examples of democracy at home will be commonplace and consequently

¹⁸ The Library of Congress, Papers of the NAACP, Part 5 (Feb 01, 1953- Sep 30, 1953): Campaign Against Residential Segregation, 1914-1955, Racial discrimination in housing and federal policies, “Non-White Housing” *House and Home Magazine*, pp. 44-47, April 1953.

attract less attention.”¹⁹ In this effort to promote democracy, it is clear that the NAACP was aware that although the United States represented a democratic government, citizenship was still tied to more homegrown issues of land ownership, equal rights, and the ability to secure those two without fear of retaliation from white people.

While the NAACP national office was intensifying its attack on unfair housing through the federal government, at the local level, cities like Atlanta and Nashville were continuing their own local agendas in housing reform. In Atlanta, 1953 marked a year of organizational formation to galvanize black citizens against unfair housing. The Southern Bi-Partisan Citizens Housing Committee was formed to “Save Public Housing and the Racial Relations Service for Housing.”²⁰ The committee was comprised of some of the most influential and powerful African Americans throughout the city including: Chairman of the state Republican committee J.W. Dobbs; President of the National Association of Real Estate Brokers W. H. Aiken; President of Radio Atlanta J.B. Blayton; President of the Georgia Citizens Democratic Clubs and Civil Rights champion A.T. Walden; Director of Atlanta University School of Social Work Forrester B. Washington; Editor and Publisher of the Atlanta Daily World C.A. Scott.²¹ The aim of the committee was to educate the African American community about the dire state of housing for African American families. The committee provided housing data that

¹⁹ Helen Laville and Scott Lucas, “The American Way: Edith Sampson, the NAACP, and African American Identity in the Cold War,” *Oxford University Press: Diplomatic History*, Vol 20, No. 4 (Fall 1996): 573-574.

²⁰ The Library of Congress, Papers of the NAACP, Part 5 (Feb 01, 1953- Sep 30, 1953): Campaign Against Residential Segregation, 1914-1955, Racial discrimination in housing and federal policies, “Open letter from to J.W. Cobb Chairman of the Southern Bi-Partisan Citizen Housing Committee to perspective committee members,” May 2, 1953.

²¹ The Library of Congress, Papers of the NAACP, Part 5 (Feb 01, 1953- Sep 30, 1953): Campaign Against Residential Segregation, 1914-1955, Racial discrimination in housing and federal policies, “Open letter from to J.W. Cobb Chairman of the Southern Bi-Partisan Citizen Housing Committee to perspective committee members,” May 2, 1953.

displayed the increase in non-white housing, while proportionally, overcrowding among non-white housing was four times that of white housing. The intent of this information was to stress what would happen if appropriations for the HHFA and the constituent agencies proceeded with their proposed bills in the House of Representatives. Based in Atlanta, the Southern Bi-Partisan Citizen Housing Committee acted as a lobbying agent for the African American cause in the arena of housing. Comprised of a large number of elected officials of various organizations, the committee sought to reach the average citizen and encourage their support to pass congressional legislation. In this effort, the NAACP was urged to join the committee in the summer of 1953.²²

In Nashville, the 1950s were a time of staunch action. While the emphasis of much of this action was placed on the campaign to desegregate schools, the Nashville chapter did continue the fight for fair housing and the overarching movement to eradicate segregation throughout the city. At the last session of the southern division of NAACP's annual southeastern conference, then acting secretary of the NAACP, Roy Wilkins, boldly asserted, "We are at war[...]with the ideas that would hold Negro Americans to be inferior beings not entitled to rights, privileges, and responsibilities of full citizenship."²³ Although Wilkins statements were motivational in intent, they reflected the actions of the NAACP and other organizations throughout the state of Tennessee. The Nashville chapter took Wilkins' words and used them as inspiration, as evidenced by the progression of the fight for equality throughout the decade.

²² The Library of Congress, Papers of the NAACP, Part 5 (Feb 01, 1953- Sep 30, 1953): Campaign Against Residential Segregation, 1914-1955, Racial discrimination in housing and federal policies, "Open letter from to J.W. Cobb Chairman of the Southern Bi-Partisan Citizen Housing Committee to perspective committee members," May 2, 1953.

²³ "NAACP 'At War' With 'Inherent White Supremacy,'" *The Nashville Banner*, February 20, 1950.

By 1952, the Nashville chapter had selected new officers, with R.B.J. Campbell taking office as President and the wife of former president C.L. Dinkins became secretary.²⁴ Almost immediately after the election of new officers, the chapter began striking down racism throughout the city, not just the realm of housing. An example occurred in November of 1952 when the NAACP challenged the alleged offensive and racist practice of Nashville's three public golf courses. The NAACP filed an injunction against the park commissioners on behalf of two individuals, Paul Hayes and Emmett G. Kellogg. The city of Nashville elected to eradicate the situation quickly by agreeing to build a separate facility for African American golfers. The quick response of the NAACP and their openness to attacking city officials triggered a change in direct action by the Nashville NAACP in targeting racism.²⁵

This sharp revolution of rhetoric about the movement also signaled a new day in the fight for equality within the NAACP. At the Tennessee State Conference, Ruby Hurley, southeastern regional director, addressed the convention with an invigorating speech and charged the Tennessee members to understand first that desegregation in housing, public transportation, and employment were the next major goals. At the climax of Hurley's speech, she noted, "A solution to segregation can be attained only when people realize that segregation is dead...very dead...The only decision to be made now is when we're going to bury the body and how we are going to conduct the funeral."²⁶ Hurley's words were indicative of the next actions of the NAACP.

²⁴ "NAACP to Elect New Officers November 25," *The Nashville Banner*, November 12, 1952.

²⁵ "Nashville Asks Time to Equalize Gold Links," *The Nashville Banner*, November 14, 1952.

²⁶ "NAACP Seeks Mixed Housing," *The Nashville Banner*, Saturday October 30, 1954, pg. 10.

The annual convention of 1953 in St. Louis, Missouri brought the entire NAACP together from across the country. One of the highlights of the convention was the resolution on housing adopted by the majority body of the organization. The resolution began by condemning enforced residential segregation and restrictions on racial minorities, arguing that this issue is at the core of racial segregation as a whole in every phase of American life. Although the NAACP had always taken a firm stance on fair housing, the convention of 1953 saw the NAACP correlating all of their advances and campaigns with the need to secure fair and equal housing. The NAACP finally realized the irony of an environment where minorities enjoyed far more freedom and at times success in competing for private housing unaided by the federal government than when the federal government was involved. While private housing was accompanied by a different set of issues, mainly retaliatory actions including higher prices and violence from angered white neighbors, the fact still remained that some African Americans were granted mortgages and able to move to those locations. The resolution was passed through to the legal department and then sent to President Dwight D. Eisenhower. Since the 1920s, the NAACP intentionally attempted to incorporate each president in the housing affairs of African Americans.²⁷

While entrenched in the battle to desegregate schools, the NAACP and its legal team refused to end the fight for fair housing. In 1954, a news reports stated, “the fight to end racial discrimination in public housing was almost won.”²⁸ In that same report, NAACP lawyer Constance Baker Motely furthered the conversation on housing noting

²⁷ The Library of Congress Papers of the NAACP, Part 5 (Feb 01, 1953- Sep 30, 1953): Campaign Against Residential Segregation, 1914-1955, Racial discrimination in housing and federal policies, “Adopted Resolution on Housing from the 44th Annual Convention of the NAACP,” June 23-28, 1953.

²⁸ “NAACP Will Study Private Housing Areas,” *The Nashville Banner*. July 2, 1954.

that the NAACP would next move the fight from public housing to private housing. By private housing, the NAACP referred to mass subdivisions and housing projects that exclude African Americans by virtue of race. Motely argued that African Americans would continue attempting to move into white areas for three fundamental reasons: first, a dreadful shortage of African American housing existed; second, African Americans maintained a desire to live in new construction instead of the old dilapidated and decrepit quarters usually reserved for them; lastly, African Americans, according to Motely, continued to demonstrate an ambition to live in a decent neighborhood instead of one spurned by the community.²⁹ The spurn that Motely referenced was in large part the agent of white backlash over misguided feelings of marginalization. When African Americans have spoken out against the blatant neglect of their housing conditions, white people have historically and systematically channeled their aggression, accusing African Americans of marginalizing them. It subsequently follows that backlash appears from white people crying about their own imagined marginalization. This is seen in no better of an example then the far-right groups of the 1950s including the National Association for the Advancement of White People (NAAWP). Although small in numbers, the NAAWP was active in Nashville and kept small unorganized records. From those records it does not appear that the group was violent, but they were ominously stalking NAACP members.³⁰ Motley's affirmation on the NAACP's shift from public to private housing spoke directly to Nashville, a city with a minority population in housing dominated by renters instead of owners.

²⁹“NAACP Will Study Private Housing Areas,” *The Nashville Banner*. July 2, 1954.

³⁰ “Suit Asks Revocation of NAAW,” *The Nashville Banner*. October 6, 1954.

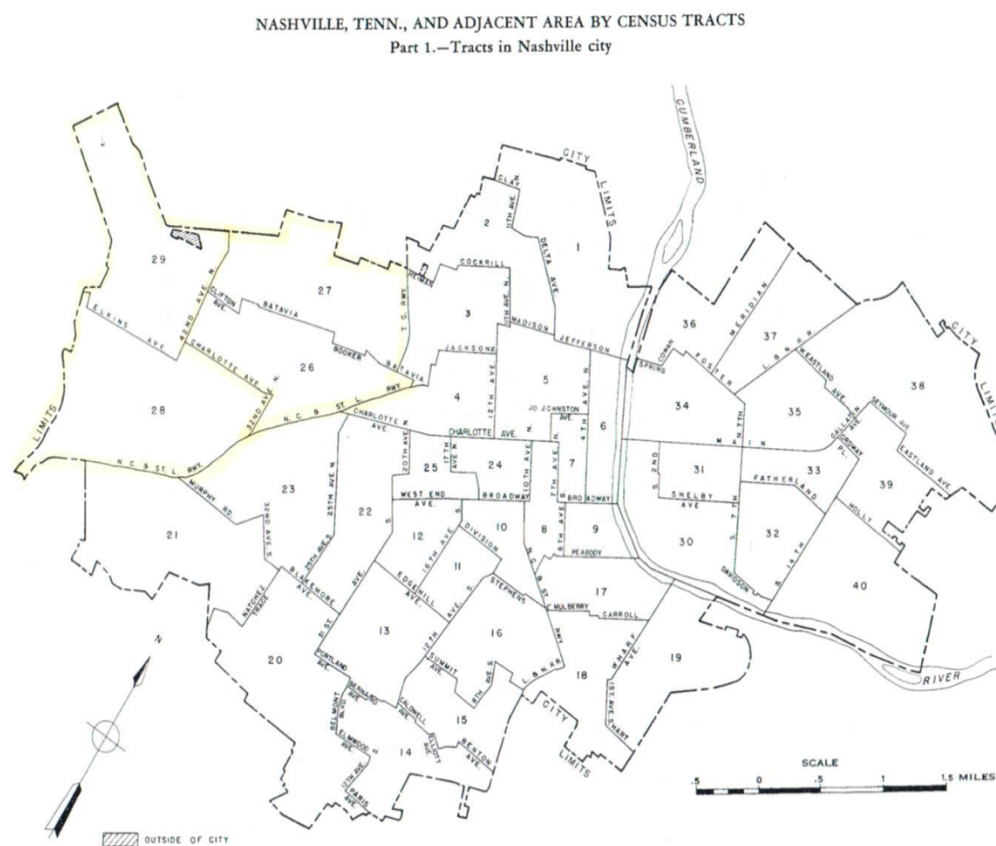


Figure 4. 1952 Map Showing Census Tracts of Nashville, Tennessee.³¹

³¹ Howard G. Brunsman. Nashville, Tennessee. *1950 Housing Census Report*. United States Census of Housing: 1950. United States Government Printing Office, 1952.

Table 1. Population of African Americans in North Nashville.³²

NASHVILLE AND ADJACENT AREA

21

Table 3.—CHARACTERISTICS OF DWELLING UNITS, BY CENSUS TRACTS: 1950—Con.

[Asterisk (*) denotes statistics based on 20-percent sample. Median not shown where base is less than 100]

Subject	Tract 22	Tract 23	Tract 24	Tract 25	Tract 26	Tract 27	Tract 28	Tract 29	Tract 30	Tract 31	Tract 32	Tract 33
All dwelling units.....	1,570	1,455	605	670	1,171	1,228	1,962	1,958	704	1,216	986	1,189
Owner occupied.....	682	618	100	178	601	683	1,276	1,096	144	240	481	365
Nonwhite owners.....	10	...	97	90	425	671	2	46	34	4	67	16
Renter occupied.....	1,036	808	491	465	555	518	650	834	544	943	470	768
Nonwhite renters.....	32	10	471	213	330	516	1	35	59	13	58	35
Vacant nonseasonal not dilapidated, for rent or sale.....	25	9	5	12	6	7	21	10	6	17	14	35
Other vacant and nonresident.....	27	20	9	15	9	20	15	18	10	14	21	21

Statistics for Nashville in the 1940s and 1950s show a small increase in black renters and homeowners, with a continuance of African Americans residing in the Northern section of the city.³³ The NAACP's first goal was to secure housing and bring African Americans into a fully standardized style of living. The next step was to diversify that housing and by doing so build the middle class. Reverting back to Motley's assertions, African Americans flooded white areas because of the known fact that those middle-class principles dominated the most basic attributes of new facilities and neighborhoods.

President Eisenhower's administration also became involved in governmental action designed to aid African-American housing. A secret directive was handed down after a series of high-level meetings with President Eisenhower, Norman P. Mason, FHA Commissioner, and Albert M. Cole, Housing Administrator. The result was an eight-

³² Howard G. Brunsman. Nashville, Tennessee. *1950 Housing Census Report*. United States Census of Housing: 1950. United States Government Printing Office, 1952, pg. 21.

³³ Howard G. Brunsman. Nashville, Tennessee. *1950 Housing Census Report*. United States Census of Housing: 1950. United States Government Printing Office, 1952, pg. 21.

point directive designed to “assure better housing facilities.”³⁴ This directive came after Eisenhower pushed through the National Housing Act of 1954, which provided funding to thousands of people, many of whom were African Americans displaced by slum clearance.³⁵

Once the Supreme Court struck down segregation of public schools, the NAACP publically shifted their efforts to support the campaign to hold varying schools accountable to the decision. Alongside those efforts, the NAACP closely monitored racial violence, which set the tone and provided an unfortunate gateway for the country to see the anguish of racial injustice. Nashville was no different, falling victim to a shift in attitude and effort from housing to desegregation, and the monitoring of racial violence including the Emmett Till case.³⁶ Before the NAACP could properly return to fighting housing in a public format, they were bombarded with criminal cases. By 1956, there were over 300 NAACP chapter members in Nashville.³⁷ This inflation of members post-*Brown v. Board* did not go unnoticed by many state and local governments. NAACP chapters in Atlanta and New Orleans were attacked in efforts designed to undermine the effectiveness of their activism promoting African-American rights.³⁸

In March of 1957, the Governor of Tennessee, Frank Clement signed two bills both designed to restrict the activities of the NAACP throughout the state. The new bills required the NAACP to register with the secretary of state and provide sources of annual

³⁴ “Housing Memo Aids Negroes,” *Pittsburgh Courier*, Saturday, April 23, 1955.

³⁵ The Housing Act of 1954, Pub.L. 83-560, 68 stat. 590.

³⁶ “Integration Plan Revealed by Tennessee,” *The Bee*. Thursday, June 16, 1955; Robert Churchwell, “2nd Till Trial to Give Data,” *The Nashville Banner*, September 28, 1955.

³⁷ “Negroes to Desert Democratic Party NAACP Director Says,” *Freeport Journal- Standard*, Monday, April 16, 1956.

³⁸ “Atlanta Judge Jails Official of NAACP,” *The Nashville Banner*, December 14, 1956; “New Orleans NAACP ‘Back In Operation’,” *The Nashville Banner*, December 13, 1956.

income along with member registries.³⁹ This attempt from the state came as no surprise to the NAACP, as representatives from the Nashville chapter maintained a dominance throughout the state executive board and even nationally. Nashville Attorney Z.

Alexander Looby joined the national executive committee, giving a voice to Nashvillians. Looby, in his new position, responded to the new bill by welcoming a probe of himself or any member of the NAACP's organization.⁴⁰ The duality of politics and the issues of civil rights dominated government legislation and policy. In this arena, both black and white politicians walked a tightrope to satisfy constituents. Frank Clement fell victim to this concept. Although as governor he signed legislation essentially attempting to block the NAACP's effective actions throughout the state, Clement later ordered troops and state police to occupy Clinton, an embattled small town in west Tennessee that was attempting to desegregate its public school.⁴¹ Over the course of two years, Clinton received criticism from both blacks and whites over issues of equality. Clement went on record and defended his decision to stop the rioting in Clinton noting, "it is our painful duty to face that threat to freedom with force."⁴²

Toward the close of the 1950s, the Nashville chapter of the NAACP rotated leadership often. A.Z. Kelly, a local Nashville barber, was elected chapter president in 1959, while Dr. Vivian Henderson was elected committee chairman for the executive committee of the chapter. Although there was consistent rotation of leadership, the flood

³⁹ "Bills to Curb NAACP Inked," *The Montgomery Advertiser*, Tuesday March 12, 1957, pg. 1.

⁴⁰ "Looby on National NAACP Board," *The Nashville Banner*, October 25, 1956; "Looby Says He'd Welcome Probe of His Activities," *The Nashville Banner*, February 23, 1956.

⁴¹ "Frank Clement (1920-1969)," http://www.tn4me.org/sapage.cfm/sa_id/143/era_id/8/major_id/12/minor_id/36, Accessed December, 31 2017.

⁴² "Clement Defends His Actions in Calling Up Guard," *The Nashville Banner*. September 17, 1956.

of new members trickled down to a mere stream as members became cognizant of the state's new laws making them targets of organizations like the White Citizens Council and the NAAWP. Although Ruby Hurley emphatically proclaimed that the laws designed to tear the NAACP apart would not stand, members were reluctant, and membership suffered.⁴³

While the scope of this research documented the NAACP's roles and efforts in housing from 1920 to 1960, just outside of the scope of this research, in 1963, marked the triumph that justified the sacrifice made by many of the NAACP's members when John F. Kennedy signed executive order 11063. This executive order banned federal involvement in unfair or racist tactics in federally funded programs and projects once and for all. Kennedy signing this executive order in no way ended the struggle for economic prosperity and equal treatment of African Americans in the realm of housing, but it crystallized not only the importance of the forty-year period, but also of the NAACP's role in securing fair housing during that time span. John F. Kennedy mailed Roy Wilkins a signature pen honoring the occasion and reaffirming the already understood fact that the NAACP was among the principal reasons for the executive order.⁴⁴

Over a forty-year period, the NAACP managed to organize conversations with every US President. Moreover, the NAACP used their dynamic network of African Americans and white allies of varying organizations to create a movement attempting to

⁴³ "NAACP Losing Members," *The Nashville Banner*. March 8, 1958; "Barber new Head of Nashville NAACP," *The Nashville Banner*. December 24, 1958; "NAACP Elected Dr. Henderson," *The Nashville Banner*, January 15, 1959.

⁴⁴ The Library of Congress. Papers of the NAACP. General Office File, Administrative File, Series A, Group III, Series B: Foreign Affairs-Leagues and Organizations, Part 24: Special Subjects, 1956-1965, "Press Release, Wilkins Thanks President for Housing Order Pen," December 14, 1962.

gain true fulfillment of the term “citizenship.” Although the once mighty flame of the NAACP has been reduced in recent years to a mere spark, there continues a fight for the preservation of African American identity. This fight however, is more concerned with the preservation and education of the public on the importance of many of the communities and areas the NAACP risked their lives to cultivate. The final chapter of this research aims to highlight the current housing climate while discussing best practices for preserving the delicate history of the African American experience in the southern urban and rural landscape.

The period after the signing of executive order 11063 did not eradicate racial bias within the housing arena. The decades after brought about the next wave of unfair housing practices, moving away from public housing and focusing on private and suburban communities. The NAACP continued to push the agenda even as their voice lost some of its thunderous roar. By the twenty-first century, the NAACP was no longer seen as the mouthpiece of African American society. Yet, their relentless pursuit of equality within the arena of housing paved the way for public historians, historic preservationists, and academic historians alike to continue that fight on a new playing field. The NAACP began their fight to ensure equal housing. The next generation continues that fight to preserve and protect those historic treasures from being removed from the landscape. The final chapter of this dissertation takes a closer look at how the two seemingly unconnected fields of housing and historic preservation are actually joined in a unified effort to situate African American identity and culture on the forefront of the cultural landscape of American society.

CHAPTER SIX: OUR PLACES ARE HISTORIC TOO, SO KEEP YOUR HANDS
OFF!: PRESERVING IGNORED AFRICAN-AMERICAN LANDSCAPES
AND CULTURE IN THE AGE OF THE BULLDOZER

“The making of places worth remembering has a long and venerable history in the United States.”¹

No matter the time period, political conflict, or social unrest, the preserving of places worth remembering has been a task primarily left to public historians and historic preservationists working closely with those who experienced that past. The research of this dissertation has emphasized the NAACP's fight for fair federal housing laws. A fact ignored by most public historians and historic preservationists is how racism in national housing policy has impacted the “architectural integrity” of African American neighborhoods. Property owners in black neighborhoods never had the support of federal officials; decisions taken by southern governments in particular negatively impacted black property owners. Why in our assessment of historic neighborhoods, do we not take racism as a major influence in what we see today?

This chapter aims to highlight the intended roles public historians and historic preservationists play in maintaining the historical integrity of many of African American communities and landscapes discussed within this research. Several research questions are addressed. How are these efforts seen in the current challenges of public historians and historic preservationists as they attempt to preserve these endangered areas? If racism ultimately still persists at the state and local levels impacting decisions on what is

¹ Paul Shackel, *Memory in Black and White: Race, Commemoration, and the Post Bellum Landscape* (Lanham: Altamira Press, 2003), pg. xi.

significant, how preservationists and public historians develop strategies to preserve these endangered spaces? Finally, how can public historians contribute to help stop the perpetual victimization of African Americans in housing and across various intersections of the cultural landscape?

The African American narrative is woven into the built environment of American society. Yet that fabric like a wool sweater has been snagged and threads are consistently pulled out leaving gaping holes in the sweater. Similarly, the efforts to preserve those narrative histories, and the historic places that give representation of their monumental importance, are equally missing from the landscape. Although not as blatant as the laws and practices of housing, contemporary issues in preservation and public history revolve around identifying what is historically significant.²

There are several examples of the current struggle to preserve African American history on the landscape. One example out of Chattanooga Tennessee is Lincoln Park and its surrounding neighborhood. The park served the black community of Chattanooga since 1918; the neighborhood dates decades earlier.³ City officials set aside the original plot of land for the purpose of a separate area of the hospital but was later declared unfit for such a project. With unused land at the city's disposal, Commissioner of Parks, Ed Herron, decided to build the first designated recreational area for African Americans in Chattanooga. Lincoln Park served as a viable substitute for African Americans who were

² For more information see Donald L. Hardesty, and Barbara J. Little, *Assessing Site Significance: A Guide for Archeologist and Historians* (Lanham, MD: Altamira Press, 2009).

³ "Lincoln Park Opens June 1," *Chattanooga Times*, April 12, 1918.

unable to utilize Warner Park or nearby Engle Stadium that were designated exclusively for white citizens.⁴

This all too common occurrence of cities refusing to allow African Americans entrance to public parks and various locations of recreation reinforced in the Jim Crow era the necessity and the core value of why parks such as Lincoln Park were vested parts of what I refer to as “extended communities.” For African Americans, extended communities were places reserved strictly for them due to segregation and Jim Crow, yet still fostered a strong sense of community pride. This was the case with Lincoln Park, which after opening quickly became a focal point for the black community. In the 1937s the city dedicated a Works Progress Administration (WPA) funded swimming pool in the park. On hand at that ceremony were Commissioner R. M. Cooke of the Parks and Playgrounds Department and the Reverend J.B. Barber from Leonard Street Presbyterian Church. While White officials undoubtedly viewed the addition of the swimming pool as a gift for the African Americans, the new facility also reinforced two points.

First, in Chattanooga like many other southern cities, access to recreational parks represented contested space.⁵ Second, Whites hoped that African Americans, if provided with their own facilities, would have no desire to visit their designated parks. African Americans acknowledged the Jim Crow landscape but rarely accepted it. Instead, they turned the designated space into their own statement of belonging in the larger public landscape. Lincoln Park served as a safe haven for leisurely activities for African Americans. A gathering place for community events, the park hosted celebrations,

⁴ Sarah Calise, “Research Report: Lincoln Park in Chattanooga, Tennessee,” MTSU Center for Historic Preservation, 2016.

⁵ Victoria Wolcott, *Race Riots and Roller Coasters: The Struggle over Segregated Recreation in America* (Philadelphia: University of Pennsylvania Press, 2014).

organized baseball games (The Negro Baseball league), and even amusement rides.⁶ The significance of Lincoln Park as an extended community and as a vested part of African American life and culture is the question. But the need to preserve this space in recent years sparked disheartening discussions.

In 2014-15, city and state officials planned to construct a four-lane street through Lincoln Park to better connect the Erlanger Hospital and the University of Tennessee at Chattanooga campus to a nearby major highway. To meet compliance with federal preservation laws, the city and state chose a contractor to assess the eligibility of the park to the National Register of Historic Places. The contractor said the park was not eligible, a ruling supported by the Tennessee Historical Commission, the host agency of the State Historic Preservation Office.

The news that state officials had denied the inclusion of Lincoln Park was denied inclusion on the National Register outraged the African American community. In 2016, the Lincoln Park Neighborhood Association filed a complaint against the city with the Civil Rights Division of the federal government. It also asked the MTSU Center for Historic Preservation for assistance. The MTSU Center for Historic Preservation held two public meetings with the association and the Center director assigned one of his graduate students, Sara Calise, to draft a research report about the park and its historic significance. In a letter released to the Environmental Protection Agency, the center director made his assessment that the park was eligible for the National Register under Criterion A as a significant African American place.

⁶ “*All Roads Leads to Lincoln park July 4th*,” *Chattanooga Observer*, July 4, 1947; Digital Sanborn Map of Chattanooga, TN, 1929, ProQuest, Walker Library, Middle Tennessee State University (accessed January 4, 2018)

In late 2016, Tiffany Rankins, secretary of the Lincoln Park Neighborhood Association, made a publicly recorded statement with the transcripts of several scholars, city officials, and federal organizations concerning the denial by the Tennessee Historical Commission (THC). Rankins emphatically disagreed with the THC on behalf of the Lincoln Park Neighborhood Association. According to Rankin the main reason given by the THC for non-eligibility was because the site failed to retain its physical integrity. This assessment was a slap in the face to African Americans for many two reasons. First, historically, African Americans have been relegated to areas where the landscape was constantly deteriorating yet culture thrives and a sense of community ownership is still present. Second, and in the case of Lincoln Park more importantly, the land and many key elements of the park were still present, as documented in the MTSU Center for Historic Preservation study.⁷

The National Park Service (NPS) has four main criteria (A-D) for listing a property on the National Register.⁸ Lincoln Park had a strong case for one of those areas. “Criterion A” states that a person, an event, a series of events or activities, or patterns of an area's development could be classified as significant. Preservationist often use Criterion A as a way of developing the context for a significant African American place. The United States Department of the Interior agreed with the CHP assessment and found Lincoln Park to be eligible under Criterion A.⁹ Furthermore, the keeper made this

⁷ State of Tennessee Department of Transportation, memo from Tammy Sellers, Historic Preservation Program Manager to Patrick McIntyre, State Historic Preservation Office, “Historical/Architectural Resource Assessment for proposed Extension of Central Avenue from East 3rd Street to Riverside Drive in Chattanooga, Hamilton County, Tennessee TDOT PIN 117216.00,” December 13, 2016.

⁸ https://www.nps.gov/nr/publications/bulletins/nrb15/nrb15_5.htm (NPS criterion for rating of location)

⁹ United States Department of the Interior, “Determination of Eligibility Notification for Lincoln Park, Chattanooga, Hamilton County, TN,” August 23, 2017.

statement in reference to Lincoln Park, “The documentation provided as a part of this DOE request makes it clear that Lincoln Park had a significant role in the history of the African American community from the time of its creation in 1918 through the recent past.”¹⁰

There are a few potential steps to eradicating racism within the designation process and ultimately within the narrative of preserving historical places. Perhaps the first and most important is building a coalition designated by the people and led with the expressed intent of the people. In the case of Lincoln Park, the Lincoln Park Neighborhood Association and to some degree Chattanooga Organized for Action serve as examples of residents of their city who will not be relegated to the margins of history. Next, neighborhood activists need to align with supporting organizations that can accomplish the task of providing documentation, research and appropriate public history products. Such cooperative partnerships are essential to success in preserving African American properties. While this approach will unfortunately seldom eradicate racism, it can suppress it or remove it from a situation. Moreover, when practiced correctly cooperative partnerships produces public history reports that are not only a reflection of the African American community needs but of the city as a whole.

Cooperative partnerships are at the bedrock of organizations such as the Center for Historic Preservation (CHP). Under the direction of Carroll Van West, the CHP travels across the region meeting with local communities and providing assistance in their preservation efforts. The essence to successful preservation of African American historic

¹⁰ United States Department of the Interior, “Determination of Eligibility Notification for Lincoln Park, Chattanooga, Hamilton County, TN,” August 23, 2017.

structures and sites is to change the way we prepare scholars and practitioners entering the field. For decades since the beginning of the public history field, the emphasis has been on remembering the past and creating a likeness through commemorative or historically relevant presentations. But what that has created has been an utter clash of race and memory.

W. Fitzhugh Brundage in his book, *Southern Past a Clash of Race and Memory*, got to the heart of the matter arguing that while Whites were often eager to preserve their history they would much rather destroy symbols of Black uplift or culture from the landscape.¹¹ One might argue that this is because of the difficult history associated with the African American narrative. Nonetheless, it is still an excuse used to shadow the real issue among public historians. In the current era, preservationists and many public historians are simply ill prepared, poorly trained and have subsequently fallen short when remembering any past related to people of color. Thus, their gaps in training leave them inadequately prepared and therefore deficient in creating strategies to preserve and document African American cultural bastions. While it is difficult to believe that the Tennessee Historical Commission would be categorized as such a group, the evidence in support is alarming.

How in the current system of designation does a state organization disagree with not only every other locally involved group, but also other experienced preservationists? Lincoln Park serves as an example of an African American extended community on the southern landscape that while vitally important to African Americans served no obvious

¹¹ W. Fitzhugh Brundage, *The Southern Past: A Clash of Race and Memory* (Cambridge: Harvard University Press, 2005) pg. 230.

purpose to the commemoration of white history and was therefore dismissed as having no significant value. The THC wisely disguised their argument within the premise that because the landscape changed, the property had lost its history. However, several buildings and parks throughout the state historically have gone through more turmoil over issues offensive to African Americans.

Tennessee is where the Sons of Confederate Veterans (SCV), a Neo-Confederate group, sued the city of Memphis in late 2017 over the removal of a statue dedicated to Confederate general and one-time head of the Ku Klux Klan, Nathan Bedford Forrest. The SCV challenged whether the city had the authority to sell the statue on a public park within city limits to a third-party company. While this issue remains tied in litigation it serves as a perfect example of the next step for many public historians seeking to change the landscape of preservation concerning African Americans. Since the first arrival of Africans to the shores of Virginia, the history of Africans Americans has been one of reaction. Yet, the removal of the Nathan Bedford Forrest statue alludes to a shift in culture. The reality is that no person should be forced to bear witness to racist symbolism. The city of Memphis brilliantly manipulated the system in favor of people of color and citizens tired of allowing celebratory Confederate history to dominate their landscape.¹²

Perhaps the first task public history professionals must accomplish in order to preserve African American communities is to stop ignoring the importance of the history and the lasting impressions of that history represented by long existing African American communities. The ignorance of so many historical enterprises is not always intentional.

¹² “Memorandum and order issuing temporary injunction for greenspace to preserve and not sell statues and to file notice by 1/31/18,” Chancery Court for the State of Tennessee, Twelfth Judicial District, Davidson County, Part III. *Sons of Confederate Veterans Nathan Bedford Forrest Camp 215 vs. City of Memphis Greenspace Inc.*, No. 18-29-III.

Yet, nonetheless, the results are lack-luster at best and public history professionals are rarely prepared to work with African Americans communities. An example of an organization attempting to preserve African American history is the American Association of State and Local History (AASLH) and its publication of a technical leaflet entitled, “Documenting Local African American Community history: Some Guidelines for Consideration.” This brief document provided vignettes of the proposed best practices to preserving African American history. From the beginning of document there is no mention nor in-depth discussion on the tangible outcomes for those African American communities. The term cooperative partnership is strengthened in the principal that you replenish the source you took from with a product designed to educate the public on aspects of the community’s history. Instead the pamphlet spent a considerable amount of time focusing on how scholars and academics can obtain various aspects of rich material culture from African American donors and communities. Furthermore, the pamphlet shrouds its efforts to take African American material culture behind the notion that those communities are ill-equipped to safeguard their history.

The labeling of sections of the work were perhaps most alarming as they unfortunately at times reflected a hollow gesture of concern for African American communities. The second step according to the document is entitled, “Gain Trust.” The beginning of this section began as follows, “Gaining donor trust ranks high among the strategies necessary for documenting the history of local black communities.”¹³ How did the authors suggest researchers should proceed: convince marginalized communities that

¹³ Lila Teresa Church, “Documenting Local African American Community History: Some Guidelines for Consideration,” *History News*, Vol. 66, No. 4 (Autumn 2011), pg. 5

you are “sincere” but by all means get their artifacts and documents. The author did not explore working with communities to protect documents and keep them in the community.

Towards the conclusion of the pamphlet the author stated, “Local black history belongs not just to the communities where it may be found, or solely to African Americans. This is the history of the state as well as the nation and the world.”¹⁴ Historically, this attitude about African American history is always one sided. When mainstream societies deem African American history as relevant by mainstream society it then is often exploits that past and takes it and taken away for “safe keeping.” Moreover, when African Americans venture into historical spaces deemed for white individuals they are often met with immediate resistance for their voice to be heard. Although it should be a part of the national historic narrative, African American history remains at the margins of United States history.

Scholars across various disciplines that incorporate history in their profession often make a critical error in assuming that they control or own history. Moreover, they lose sight of the privilege associated in working with communities to document their history and create lasting public history footprints on the landscape. History is best seen when educating the public of past events. If this theory is true, then as public historians, it is our mission not to treat local communities as donors in the first place, but rather as vessels of knowledge. That knowledge has the opportunity to educate the public and create a better society. A reality in the field of public history is that artifacts, documents, or digital information are best preserved for future use either by the community or

¹⁴ Lila Teresa Church, “Documenting Local African American Community History,” pg. 7-8.

researchers when housed in professional repositories located where the community lives. The AASLH best practice guide was problematic because the author minimized the significance of public historians cultivating community partnerships and community input in the construction of public history products.

Preservationists and public historians understand that racism and ignorance, no matter its intent, ultimately still persist at the state and local levels surrounding the making of African American historic places. Preservationists and public historians will consistently make positive lasting impressions on the landscape and their communities when they incorporate a mentality of displaying and preserving history rather than interpreting and controlling history. I use the word interpretation in the reference to the scholars and public historians who feel they have earned a right to classify information or artifacts as relevant historical material. This orientation is colonial in nature. Too often the attitude is: Give me your historical resources, I'll protect them in repositories that you will never access, but trust that I know what are the best ways to protect your history. When will we begin a healthy conversations of our errors within the field in order to provide tangible solutions on how to preserve these endangered spaces?

Cooperative partnerships are a pathway to better, more just results. In order to stop the perpetual victimization of African Americans in housing and across various intersections of the cultural landscape, public historians must focus on three strategies to ensure the safeguard of African American space. The role of preservationists and public historians today must be more than just designating historic moments, notable architecture, or significant historical figures. Their role today is to finally assist in bearing the burden of supporting the historical significance of African American landscapes.

Historically, the reluctance of local historic preservationists to designate black urban communities historically significant fueled racist sentiments. However, by placing a home, community or a landscape on the National Register of Historic Places preservationist and public historians make it a bit more difficult for those communities to be gentrified, ignored or erased.¹⁵ Moreover, making the preservation of those spaces a priority will only expand our knowledge and understanding of our diverse past both virtuous and difficult. When we are successful it will generate awareness and the realization of historical connection between preserved historical resources and the people who built and occupied the space through time.¹⁶

Both Tennessee State University and the Center for Historic Preservation (CHP) execute making preservation of African American spaces a priority in similar yet different ways. While the CHP focuses on the built environment as well as African American heritage, Tennessee State University (TSU) with their new initiative the North Nashville Heritage Project (NNHP) accomplishes a similar goal but within a specific zoned area. A creation of Dr. Learotha Williams, professor and public historian at TSU, the NNHP is in its infancy but has the potential to grow into a massive campaign of reclaiming space and documenting its relevance to the African American experience in Nashville.

North Nashville historically as chronicled throughout this research is labeled as the African American section of the city. Yet, with gentrification and a rapidly expanding

¹⁵ For more on the challenges of preserving the history of marginalized communities see Carroll Van West, "Assessing Significance and Integrity in the National Register Process: Questions of Race, Class, and Gender," in *Preservation of What, For Whom?: A Critical Look at Historical Significance*, ed. Michael A. Tomlan (Ithaca: National Council for Preservation Education, 1998).

¹⁶ Edie Wallace, "Reclaiming the Forgotten History and Cultural Landscapes of African Americans in Rural Washington County, Maryland," *Material Culture*, Vol. 39, No. 1 (Spring 2007) pp. 10-11.

city, there is a clear and present danger of losing that valued history. Moreover, the NNHP has engaged in partnerships with other civic organizations including the Promise Land Club striving to bring awareness to the historical contributions and struggles of African American life and culture through film and lecture series.¹⁷ Brilliantly implementing the ideas of providing a voice to the communities they serve the NNHP lists several locations within North Nashville including the Church of Christ Building located at 26th and Jefferson Street and a normal intersection at Tenth and Jefferson. While both seem insignificant the purpose of the NNHP is to ultimately provide the residents of the community an opportunity to delineate their cultural space.¹⁸ The NNHP does an excellent job of allowing for communities to retain their identity and their understanding of their community on the landscape.

The CHP, similar to the NNHP, takes the approach of working with communities to produce tangible products that communities can use to educate their surrounding areas. Likewise, the CHP offers communities the opportunity to boast about their points of pride whether, a restored Rosenwald School or an African American country driving tour. While these projects serve the communities they also incorporate state historic offices, and the Tennessee Department of Tourism. In this combined effort the CHP and the NNHP have provided the most tangible way to ensure that perpetual victimization does not occur: be proactive about the historical narrative of African American history and stand firm in an ethical principal of respecting communities that share their stories, artifacts, and buildings and pledge never to exploit those communities. The eradication of

¹⁷ “‘Created Equal: America’s Civil rights Struggle’ Showing,” *The Dickson Herald*, January 17, 2014.

¹⁸ “The Built Environment,” North Nashville Heritage Project, <http://www.tnstate.edu/nnhp/builtenvironment.aspx>, accessed January 3, 2018.

racism is an almost unfathomable concept, but if more energy is placed in preserving the culture that survives instead of just being concerned about architectural purity, we can push forward and continue to preserve African American culture on the Southern landscape.

Ultimately, this research was designed to encourage provocative questions about African American housing, by examining the role the NAACP played to help African Americans gain access to federal funding for homeownership. The NAACP tightened its focus to eradicate injustices that created barriers to homeownership for African Americans and legally fought to end the constitutionality of racially restrictive covenants. This research explored how in the 1930s the newly created federal organization proved to be more adversarial than beneficial to African Americans. Additionally, this dissertation examines how the NAACP attacked direct forms of oppression in housing as a result of the FHA's underwriting manuals and the Home Owner Loan Corporation four-tiered appraisal system. This research disclosed the dynamic and complex tactics used by the NAACP in the 1940s to build a coalition within the federal government to aid in its fight for equal housing. This research also exposed the duality of the NAACP during the Civil Rights Movement of the 1950s and 1960s. However, as African Americans fought for civil rights, the FHA remained stuck in its opposition to provide equitable housing for African American communities.

Finally, by collecting this information of the arduous fight of African Americans to carve an identity on the landscape, current public historians and preservationists must pick up the torch of earlier efforts and continue to promote the truth, which is that African American citizenship is woven into the fabric of society through the structures

and physical material culture that enhances our understanding of African American history. If this landscape is treasured and not exploited it will provide a more comprehensive view of the American experience and become part of a public history truly worth remembering.

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