

# Excluding Blacks and Others From Housing: The Foundation of White Racism

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Some time after English writer Henry Fairlie emigrated to the United States in the mid-1960s, he visited Thomas Jefferson's Monticello plantation and took the standard tour. When the White guide asked for questions, Fairlie inquired, "Where did he keep his slaves?" Fairlie reports that the other tourists looked at him in disturbed silence, while the guide "swallowed hard" and said firmly that "the slaves' quarters are not included in the official tour." (Fairlie, 1985.) Housing segregation, and the systemic racism it reveals, are still not on the official tour.

Widespread housing discrimination against Americans of color in U.S. neighborhoods is sometimes referred to as a "national" problem, an aberration that must be fixed by new government policies. Liberal politicians and social scientists have taken this stance periodically since the Fair Housing Act of 1968 was enacted. However, this view is wrongheaded, if not naive. Widespread discrimination in housing, and the consequent segregation, is *not* an unpleasant aberration in an otherwise free and egalitarian Nation. Instead, contemporary housing discrimination and residential segregation are the modern descendants of Monticello's spartan slave quarters. As the 21st century approaches, Americans still live in a country where White racism remains the core reality. Housing segregation is only one of the critical manifestations of that reality.

Social analysts have employed many different terms for *racism*. Each has its utility. *Racial inequality* refers to imbalances in such resources as income or housing access but is more or less neutral on the causes of these inequities. The term *racial oppression* describes the imposition of discriminatory burdens on a subordinate racial group by the dominant group. The term *White supremacy* emphasizes an ideology of White superiority and reflects the creation of "White" and "Black" identities by the White founders of this Nation. The all encompassing phrase I prefer is *systemic White racism*. This phrase refers to the system of racist domination and oppression and its consequent racial inequality that has been created, maintained, and legitimized by those who subscribe to the White supremacy ideology.

Elsewhere, I have suggested these points:

- Modern racism is substantially the consequence of slavery and its system of legal segregation.
- Slavery, segregation, and modern racism give Whites major material and cultural advantages they do not deserve.
- Clear processes of social transmission have helped Whites pass material, cultural, and symbolic capital from one generation to the next, beginning at the time of slavery and continuing to the present day.

Systemic racism in the United States is a four-centuries-old system that denies African-Americans and other people of color many of the privileges, opportunities, freedoms, and rewards that this Nation offers to White Americans.<sup>1</sup> The unjust enrichment of Whites and unjust impoverishment of Blacks, created by the first generations of White Americans, have been maintained now for about 15 generations.

## The Reality of Modern Residential Apartheid

If we view the layout and activities of a typical city from a few hundred feet above the streets, the structure of modern residential apartheid can easily be seen. For the most part White Americans live separately from Black Americans. Whites are often separated from other Americans of color as well. If we look closely, we will find that Blacks are much more likely than Whites to cross the territorial boundaries of race as they move through their daily routines. Average African-Americans typically spend much more time in the presence of Whites than average Whites spend in the presence of African-Americans. There is a clear racial topography to our cities.

Several research studies have shown that metropolitan areas in the North and South still have a high degree of racial segregation. Between 1980 and 1990 there were only minor decreases in the level of housing segregation in 30 major metropolitan areas, a smaller decrease than occurred during the 1970s. Researchers Nancy Denton and Doug Massey (1993) have calculated indices of segregation for these cities and found that, to create proportional desegregation in housing configurations, two-thirds of the African-American residents in southern metropolitan areas and more than three-fourths of those in northern metropolitan areas would have to move from their present residential areas (census tracts). In other words, these metropolitan areas are highly segregated. This high level of residential segregation from Whites characterizes all groups of African-Americans, including those in the middle class (Massey and Denton, 1987). Indeed, most middle-class Blacks live in predominantly African-American areas, often adjacent to older African-American residential areas.

Why does this racial apartheid still exist? The majority of Whites say that they are not responsible for segregation, and many believe that racial equality has been achieved in housing and other areas of the society. In one 1994 survey conducted by the National Opinion Research Center (NORC, 1994), 6 in 10 Whites disagreed that “Blacks have worse jobs, income, and housing than White people ... mainly due to discrimination.” Other surveys have shown that a majority of Whites feel that African-Americans now have an equal opportunity for a quality education, skilled jobs, and decent housing. The majority of Whites believe institutional racism is no longer a fundamental problem in this society and Black Americans have only themselves to blame for persisting inequalities. This belief, however, is little more than a tooth-fairy delusion blinding Whites to the pervasive racism still routinely maintained by most Whites, including the survey respondents.

## Creating and Maintaining Apartheid: Slavery and Legal Segregation

How was residential segregation created and how is it maintained? The roots lie in the racist oppression and discrimination carried out by many Whites over nearly four centuries. Systemic White racism has long involved the control of space and territory in the United States. For example, housing in at least one Florida panhandle town is still segregated across the proverbial railroad tracks—and has been since enslaved African-Americans lived there (Sullivan, 1996). There are many other Black residential areas in southern and border cities that have had their names (that is, the “quarters”) since slavery or Reconstruction. Since the 1600s, being Black has meant experiencing limitations on where one can work, live, and travel. Spatial controls that create segregated housing and neighborhoods have always been part of the system of racial oppression, although the character, extent, and maintenance of this segregation have varied. During the two-and-a-half centuries of slavery, most slaves lived in quarters that were separated from slaveholders’ homes. In addition, an individual slave’s spatial movement was severely controlled by the instruments of law, coercion, and violence.

Enslavement of Africans began for labor reasons, but it had extensive effects beyond the economy of the new American society. Just as enslaved Africans were separated into slave quarters in plantation areas, free Black Americans were segregated early in ghetto areas of towns and cities. After slavery, White elites in the South created an extensive legal system of “Jim Crow” segregation, following the lead of the northern States. Before the Civil War, Jim Crow laws in the North enforced the segregation of free Black Americans in public transportation, hospitals, jails, schools, churches, and cemeteries. Segregated railroad cars were established early in Massachusetts. In all northern cities many Whites enforced severe anti-Black housing discrimination and established segregated housing areas at a time when most southern cities had no comparable segregation. As noted earlier, southern slaves often lived in or near residential areas of the slavemasters (Feagin and Feagin, 1999).

A few decades after the Civil War, a new legal segregation in housing and other areas of southern life sought to keep the still-needed Black workers separate and in their place as low-wage labor for southern agriculture. Residential and other segregation laws were designed to keep African-Americans available as laborers and racially subordinated.

### How Apartheid Is Maintained Today

**The Majority of Whites Still Discriminate.** For the first 350 years of colonial and U.S. development, the residential segregation of African-Americans by Whites was governmentally and legally imposed in most areas where African-Americans resided. After the 1968 Civil Rights Act became law, this residential separation became more informal, but the pattern remained. Current residential and other segregation flows directly out of past segregation, which was legally enforced at some point in time in all States of the North and South. Today, spatial-residential controls are still part of a system of racial oppression. Using informal real estate controls, Whites maintain effective segregation spatially by keeping their residential areas mostly or entirely White.

Housing discrimination cuts across a variety of institutions and involves White landlords, homeowners, bankers, Realtors, and government officials. The data suggest that the majority in each group discriminates if the circumstances are right. Segregated housing patterns result from continuing discrimination by owners and managers of rental housing and by real estate salespeople. In the past decade a number of audit studies, using White

and Black testers who attempted to rent apartments in various neighborhoods, have demonstrated that racial barriers in housing are very common. For example, a major Federal research project performed 3,800 test audits in two dozen large metropolitan areas. The study estimates that Black testers seeking to rent apartments faced discriminatory treatment by landlords 53 percent of the time, while Black testers seeking to buy a home faced discriminatory treatment by real estate salespeople 59 percent of the time. The study estimates that Latino testers faced discriminatory barriers only a little less frequently than Black testers (Turner, Struyk and Yinger, 1999). In addition, four audit studies conducted in Fresno, Montgomery, New Orleans, and San Antonio from 1995 to 1997 found even higher rates of racial barriers for Black renters, who faced discrimination 61–77 percent of the time (Central Alabama Fair Housing Council, 1997; Fair Housing Action Center, Inc., 1996; Fair Housing Council of Fresno County, 1997; 1996 San Antonio Fair Housing Council, 1997). Moreover, a recent Washington, D.C., audit study of real estate sales found that African-American testers seeking to buy a home faced racial barriers one-third of the time, a figure that increased to 50 percent in the Maryland suburbs (Mayer, 1997). Several studies conducted in the 1980s, including audits in Boston and Denver, showed the same pattern for Blacks, Latinos, and Asian-Americans (Yinger, 1984).

In the mid-1990s one HUD official estimated there were between 2 and 10 million cases of housing discrimination each year in the United States. Most of these involve African-Americans and other Americans of color.

**Insurance Agents and Lenders Still Discriminate.** Discrimination by landlords and real estate agents when individuals seek to rent an apartment or buy a house may be followed by other racist hurdles. According to recent research, many White-dominated insurance businesses create racial barriers for Black and Latino Americans. In one recent study Black, Latino, and White testers presented themselves as homeowners to the offices of three major insurance companies in nine cities. Overall, the minority testers were discriminated against 53 percent of the time in such areas as coverage and premium rates. The discrimination rate ranged from 32 percent in Memphis to 83 percent in Chicago (Smith and Clous, 1997).

Lending institutions have created racial barriers for African-Americans seeking to buy homes. For many years the U.S. Government fostered racial discrimination in lending, but over the last three decades, Federal regulations have banned lending discrimination, at least on paper. In addition, the 1968 Civil Rights Act and the Equal Credit Opportunity Act officially prohibit mortgage discrimination. Yet several Federal reports have demonstrated that discrimination in lending persists. A report of the Federal Office of Thrift Supervision found that, nationwide, Black mortgage loan applicants have been rejected by savings and loan associations twice as often as White applicants (Kluckman, 1990; Office of Thrift Supervision, 1989). A 1990 Federal Reserve Board study of more than 6 million bank mortgages found that 34 percent of Black applications were rejected, compared with only 14 percent of White applications (Thomas, 1992). High loan rejection rates for Black applicants seem to result from the assumption made by White lenders that borrowers must fit the image of the ideal White middle-class family seeking to buy homes in White middle-class residential areas (Byrne, 1992).

Discrimination affects all African-Americans, including middle-class African-Americans, wherever they buy homes (Feagin, 1994). One Los Angeles study discovered that Black homebuyers seeking homes in Black residential areas frequently faced intentional discrimination by lenders and appraisers, such as “stringent scrutiny of past credit problems, disappointing appraisals, and a reluctance on the part of private mortgage insurers to provide the insurance that lenders demand.” (Bates, 1992.)

Some discrimination appears to be motivated by a concern for “sound business practices,” and thus does not appear to be intentional. Sometimes lenders and property insurers refuse to provide services or provide services on unfavorable terms to prospective buyers of older homes located in areas where valuations are low. Because these homes are often in neighborhoods where most residents are not White, these conventional lending practices have a negative impact on Black homebuyers. Racial considerations are deeply imbedded in lending practices. As Gregory Squires (1998) observes:

Many of those underwriters and sales agents who follow these rules really do believe they are acting on the basis of sound business practice. In fact, many of these same individuals are simultaneously working on a range of reinvestment activities in efforts to counter the long-term and current effects of their industries’ practices. Obviously, racism went into the formulation of such rules, and these industries no doubt have as many racists as any other. But such institutionalized practices, with severely discriminatory effects, are often carried out by people who simply are not thinking about race.

Covert or informal discrimination is also practiced by critical private and government entities carrying out urban redevelopment projects that convert Black neighborhoods into gentrified residential areas for affluent Whites. The differentiation of racial groups is pushed to its logical extreme when Black residents of the central cities become outsiders in what was once their own territories. Over the last few decades capital for construction of new commercial and housing projects has flowed back into certain central city areas. However, that housing is often being renovated to accommodate White professional and managerial families returning to central cities. Whites moving back demand neighborhoods and housing that are comparable in quality to what they, or their parents, had in the suburbs. Meanwhile, the land occupied by residents of color becomes a prime target for real estate speculation and development. In this way the disinvestment-investment process has a clear resegregative impact (Nager, 1980; Feagin and Parker, 1990).

Racism in business and developmental decisions has become so routine that some Whites may not be aware that they practice it. Significantly, African-Americans are not, and have not been, seriously consulted by insurance companies or lenders that develop lending rules generally favoring White homeseekers.

## Consequences of Residential Apartheid

**Creating Job Barriers.** Whether implemented consciously or unconsciously by law or informal custom, residential segregation keeps African-Americans “out of sight and beyond empathy and understanding.” (Willhelm, 1970.) These segregated residential “reservations” create a situation where African-Americans are “constantly ignored and made to feel invisible.” (Willhelm, 1970.) This residential exclusion bars African-Americans from many jobs being created across the Nation. Since World War II, racial polarization in U.S. cities has increased as White middle-income families moved to the suburbs, leaving behind a substantially poorer, and mostly non-White population in the central cities. This suburban migration of Whites has been stimulated by the investment decisions of industrial corporations, banks, and developers and has been assisted by Federal Government subsidies for home mortgages and road building. In this uneven development process, capital flows to housing in the suburbs and away from housing development in the central cities. Moreover, the decentralized suburbs provide growing numbers of jobs for their mostly White populations. These job and residential redistributions contribute to the racial polarization of metropolitan areas. The creation of better paying jobs a long way

from the central cities makes it difficult for many Black Americans and other Americans of color to access such employment (Feagin and Parker, 1990).

Recent research on urban job problems tends to ignore the role of intentional discrimination in housing. William Julius Wilson (1996) has analyzed the employment problems of central city African-Americans in Chicago without reference to centuries of blatant and covert housing discrimination. Wilson demonstrates the high concentration of the Black poor with problems in central city neighborhoods. He accents the importance of this concentration and points out its ties to the movement of more affluent African-Americans and Black institutions from inner-city neighborhoods. Yet, Wilson does not discuss the fact that many decades of overt housing discrimination and segregation have caused the past and present concentrations of poor and working-class African-Americans in Chicago neighborhoods. There is no discussion of the major role that powerful, White real estate entrepreneurs have long played in establishing and maintaining the city's high level of residential segregation. Finally, Wilson does not discuss the White-controlled urban renewal programs that destroyed Black neighborhoods and concentrated displaced individuals in adjacent poverty areas. On the standard index of dissimilarity, Chicago remains one of the Nation's most highly segregated cities. Open and covert real-estate discrimination, encouraged or condoned by the city's White leadership, has long been a major factor in determining where Black citizens live there, as well as other major cities.

**School Segregation.** Decades after the U.S. Supreme Court declared that racially segregated public schools are inherently unequal, there is ample evidence that the decision in *Brown v. The Board of Education* has not provided equal educational opportunity for most children of color. Today, two-thirds of Black students still attend schools where the majority of students are not White. Segregated schools reinforce segregated housing patterns, and segregated housing patterns reinforce segregated schools.

In contrast, school desegregation has encouraged housing desegregation. Research shows that large cities with metropolitan-area school desegregation plans experience more rapid housing desegregation than those that do not have such comprehensive plans. The extent of housing desegregation in cities of similar size and racial mix is directly related to the scope of school desegregation. Those with metropolitan-area desegregation plans covering only the central city have had less housing desegregation than those with plans that attempt to desegregate both central cities and suburban areas (Pearce, 1980).

Many Whites work hard to keep city residential areas and schools as White as possible. Racial tracking and other forms of racial discrimination still persist within urban school systems. *Secret Apartheid*, a 1996 report by the community organization Association of Community Organizations for Reform Now (ACORN)<sup>3</sup>, cited widespread racial steering in New York City schools (New York ACORN Schools Office, 1996). Trained testers, posing as parents, visited 28 elementary schools in one-half of New York City's 32 community school districts. Fifty of the 99 visits were made by Whites and 49 by people of color. All but one of the visits were unannounced. The White parent-testers were able to speak with an educator, such as the principal or assistant principal, much more often than the Black and Latino parent-testers. Whites were two-and-one-half times more likely to get a school tour than testers of color, and Whites were given much more information. The school staff were more likely to mention programs for gifted children to White testers than to Black and Latino testers. The ACORN report describes these actions as institutional racism that is probably rooted in conscious racial prejudices, malign neglect by public officials, and the "dysfunction that results when a vital public responsibility is managed by people whose racial, class, and cultural reality is totally different from that of the people whom they are supposed to serve." (New York ACORN Schools Office, 1996.)

**Isolation of Whites.** Since most Whites reside in highly segregated neighborhoods, their understanding of Americans of color and, thus, of critical racial issues is often severely limited. One 1992 Chicago field study by *New York Times* reporters examined two adjacent working-class suburbs, one overwhelmingly White and one mostly Black. The Whites resided in a suburban enclave where they generally had few or no opportunities to know Black Chicagoans as individuals. The Black suburbanites, in contrast, spent much of their days in interaction with Whites, whether at work, in schools, or while shopping. Both groups were fearful of one another, but the Black suburbanites were “fearful because much of their contact with White people was negative.” (Wilkerson, 1992.) The White suburbanites were “fearful because they had little or no contact.” When talking about contacts with African-Americans, Whites often repeated what they had heard from others or from the mass media rather than relating their own experiences. In contrast, the Black residents often supported their views of Whites with accounts of interactions, including discrimination, that they or their families had experienced.

Because of their residential separation, many Whites assume that the life experiences and consciousness of people of color are dramatically different from and inferior to their own. There is little or no empathy across the racial boundary. Living separately means that most Whites must rely heavily on the mass media to provide the main window through which they presume to see the Black world. This can be destructive. One 1996 Pennsylvania survey asked White respondents to identify their main sources of information about Black Americans. Most cited the mass media, friends, or acquaintances as their main sources (Smith, 1996).

Residential separation is especially serious for White Americans of higher status or class levels for it means that those with greater privileges and power do not have the experience necessary to accurately judge people in other racial/ethnic groups. In contrast, most African-Americans *must* spend substantial time dealing with, and thus getting to know, Whites. Today the balkanized reality of U.S. towns and cities defines the ways in which White and Black Americans think about and relate to each other.

**Reinforcing White Supremacy in White Minds.** Residential segregation has many symbolic implications beyond housing separation, for it stems directly from the racist ideology of superior and inferior racial groups. Racial superiority and inferiority are graphically and geographically manifested through the exclusion of African-Americans from White neighborhoods. This takes on a “natural” appearance:

The lived experience of people in a segregated society links the perceived natural quality of the world we inhabit with its racialized characteristics—giving the social construction of race a quality that seems both natural and inevitable (Mahoney, 1995).

From the time of slavery, race came to be associated with place, and place came to signal race. This was true on plantations and in all cities and States, where there have always been places of racial inclusion and exclusion. We even have spatial terms such as *slum* or *ghetto* that summon images of rundown neighborhoods populated by Americans of color, most often Black or Latino Americans. Interestingly, the word *ghetto* has lost touch with its origins as a 16th-century Venetian word for segregated Jewish communities. The word is now applied too easily to Black or Latino communities.

Places where poor Americans of color live have other symbolic meanings. Anthony Farley (1997) suggests that these “urban Bantustans” manipulate images of race to market illicit pleasures by displaying themselves as the negation of White middle-class values.

These all-Black enclaves are seen by some Whites as dark and seductive places where Whites can go to find drugs or prostitution.

**Violence of Place.** Much of the police harassment and brutality targeted at Americans of color is linked to housing segregation. White police officers, raised in isolation, generally know little about the Americans of color they police. Being out of place has been potentially dangerous for African-Americans (especially men) since the days of slavery. If Black individuals are found in historically White residential areas, they run the risk of harassment or punishment by the police, other security forces, or White mobs. For example, in the spring of 1990 a group of White youths killed a Black youth, Yusuf Hawkins, in New York's Bensonhurst area because the attackers thought Hawkins should not have been in their area. (Hawkins had gone to Bensonhurst to inquire about buying a used car.) Skin color in the United States has long been attached to places, and these places reinforce images of skin color or race in the minds of all concerned. Residential segregation has great symbolic significance as turf and territory.

**Passing Wealth Across Many White Generations.** Slavery, segregation, and modern racism give Whites huge and undeserved material advantages as well as a process to transmit material and cultural capital across many generations. Once the unjust enrichment of the Whites and unjust impoverishment of the Blacks were created by slavery, the White leadership of this Nation, strongly supported by most rank-and-file Whites, used segregative and discriminatory means to perpetuate this enrichment and impoverishment from one White generation to the next.

The transmission of material capital across White generations has cut off African-Americans from land and homes, the main source of wealth among ordinary White Americans. At the end of the Civil War, Congress considered proposals to give freed African-Americans 40 acres and a mule to begin their new lives, and some Union generals gave confiscated Confederate lands to former slaves. However, most of this Confederate land had to be returned and African-Americans were never given access to the land promised by Congress.

Stephen DeCanio (1981) has developed an economic model that suggests that enslaved African-Americans who were emancipated without significant land to farm, would have endured a major and long-term economic disparity with Whites even if they had faced very favorable employment conditions, which, of course, they did not. He notes that "this initial gap in wealth would have produced by itself most of the gap in income between Blacks and White Americans throughout the late 19th and early 20th centuries."

Without inherited wealth and decent incomes, it has been difficult for the majority of African-Americans to build up any significant family wealth. Legal and de facto segregation, until the late 1960s supported by the Federal Government, kept African-Americans from generating the family wealth necessary to compete effectively with Whites in the economy, particularly as the generations passed. Home equity is a major source of wealth for most families. Persistent discriminatory practices in housing and insurance sectors still seriously limit the ability of many Black Americans to build up housing equity that can be used to start a business or help the next generation get a good education (Oliver and Shapiro, 1995). Average African-American families today have about one-tenth the wealth of their White counterparts. White families with modest incomes (\$7,500–15,000) actually have greater net worth than African-Americans making four times as much (\$45,000–60,000) (Magee, 1993). Without this housing capital Black parents often have been unable to provide the kind of education or other cultural advantages necessary for their children to compete equally and fairly with Whites.

## Apartheid as Slavery Unwilling To Die

In a pathbreaking 1968 decision, *Jones v. Alfred H. Mayer Co.*, the U.S. Supreme Court ruled that the 1866 Civil Rights Act (section 1982), which prohibited discrimination in the sale of property, could be cited by a Black complainant.<sup>2</sup> The case involved a husband and wife who were refused a home in a St. Louis subdivision because they were Black. After the couple had been denied justice at lower court levels, the Supreme Court held that section 1982 of the 1866 Civil Rights Act “bars all racial discrimination, private as well as public, in the sale or rental of property, and that the statute, thus construed, is a valid exercise of the power of Congress to enforce the 13th Amendment.” The court also noted that “when racial discrimination herds men into ghettos and makes their ability to buy property turn on the color of their skin, then it too is a relic of slavery.” (*Jones v. Alfred H. Mayer Co.* et al. 1968.)

The court reasoned that present discrimination is a direct consequence of the fact that slavery was never fully abolished:

Surely Congress has the power under the 13th Amendment rationally to determine what are the badges and the incidents of slavery, and the authority to translate that determination into effective legislation....

For this Court recognized long ago that, whatever else they may have encompassed, the badges and incidents of slavery—its “burdens and disabilities”—included restraints upon “those fundamental rights which are the essence of civil freedom, namely, the same right ... to inherit, purchase, lease, sell and convey property, as is enjoyed by white citizens.” (Civil Rights Cases, 109 U.S. 3, 22.) Just as the Black Codes, enacted after the Civil War to restrict the free exercise of those rights, were substitutes for the slave system, so the exclusion of Negroes from white communities became a substitute for the Black Codes. And when racial discrimination herds men into ghettos and makes their ability to buy property turn on the color of their skin, then it too is a relic of slavery.”

The court accented what the 13th amendment was supposed to have accomplished

“If Congress were powerless to assure that a dollar in the hands of a Negro will purchase the same thing as a dollar in the hands of a white man. At the very least, the freedom that Congress is empowered to secure under the 13th Amendment includes the freedom to buy whatever a white man can buy, the right to live wherever a white man can live. If Congress cannot say that being a free man means at least this much, then the 13th Amendment made a promise the Nation cannot keep.” (*Jones v. Alfred H. Mayer, Co.* et al., 1968.)

In a concurring opinion, Justice William O. Douglas put it this way:

“Enabling a Negro to buy and sell real and personal property is a removal of one of many badges of slavery.... The true curse of slavery is not what it did to the black man but what it has done to the white man. For the existence of the institution produced the notion that the white man was of superior character, intelligence, and morality. The blacks were little more than livestock—to be fed and fattened for the economic benefits they could bestow through their labors, and to be subjected to authority, often with cruelty, to make clear who was master and who slave. Some badges of slavery remain today. While the institution has been outlawed, it has remained in the minds and hearts of many white men. Cases which have come to this Court depict a spectacle of slavery unwilling to die.” (*Jones v. Alfred H. Mayer Co.* et al., 1968.)

Douglas then listed the many kinds of discrimination still prevalent in this society.

Court action like that taken by the plaintiff in *Jones v. Alfred H. Mayer Co.* et al. is available only to Americans of color who have the time, energy, and money to pursue remedies through attorneys and lawsuits. Public resolution of housing complaints is far from adequate. In most regions of the country, White landlords and real estate salespeople can discriminate with virtual impunity in the case of housing. One housing expert has estimated that less than one-third of the 20,000 fair housing complaints filed annually in the late 1990s (about 6,000) were resolved in a way that was satisfactory for the complainant (Smith, 1997). And most of the latter cases did not involve stiff penalties for the White discriminators. Assuming that African-Americans face approximately 5 million cases of racial barriers in housing annually, the figures cited above would represent about one satisfactory resolution for every 800 cases of discrimination.

For centuries, the house metaphor has been used by Americans from John Adams and Abraham Lincoln to James Baldwin to describe the state of this Nation and society. Perhaps the most famous use of this metaphor occurred in Abraham Lincoln's June 16, 1858 speech to the Illinois Republican convention in which he warned that the United States was a "house divided" over the spread of slavery and predicted that a "house divided against itself cannot stand." He predicted slavery would either cease its spread and begin a course to "ultimate extinction," or else slavery would become legal across the entire Nation (Basler, 1962). Lincoln's sad metaphor remains highly relevant even today, for we are still divided by severe racism that has the potential to destroy this Nation.

## Notes

1. In this article I focus on White oppression of Blacks to keep the analysis to manageable length and because this White-on-Black oppression is the most typical of all racist systems in North America. Portions of this article will appear in Joe Feagin, *Systemic Racism: An Anti-Racist Theory and Method*, forthcoming.
2. The Supreme Court was asked to determine the scope and the constitutionality of the 1866 law, which stated "that all persons born in the United States and not subject to any foreign power ... are hereby declared to be citizens of the United States; and such citizens, of every race and color, without regard to any previous condition of slavery or involuntary servitude ... shall have the same right, in every State and Territory in the United States, to make and enforce contracts, to sue, be parties, and give evidence, to inherit, purchase, lease, sell, hold, and convey real and personal property, and to full and equal benefit of all laws and proceedings for the security of person and property, as is enjoyed by white citizens, and shall be subject to like punishment, pains, and penalties, and to none other, any law, statute, ordinance, regulation, or custom, to the contrary notwithstanding." *Jones et Ux. v. Alfred H. Mayer Co.* et al. 1968. 392 U.S. 409, 423.

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