

Opinion

The Black Lives Next Door

A new generation of activists is trying to figure out where to concentrate its efforts. Residential desegregation is the final frontier.

By Richard Rothstein

Mr. Rothstein is the author of "The Color of Law: A Forgotten History of How Our Government Segregated America."

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Last year in San Mateo, Calif., a history teacher at Hillsdale High School conducted a mock hearing of South Africa's Truth and Reconciliation Commission. Sophia Heath, then a freshman, played an anti-apartheid lawyer. She recalls that she "was really excited and that was the beginning of where my activism started." On the web, she found Coalition Z, a youth group that registers voters and presses officials to combat climate change, provide more equitable school funding and enact gun control. Ms. Heath started a local chapter.

Its first activity, after the killing of George Floyd in Minneapolis, was a Black Lives Matter demonstration on June 3 at San Mateo City Hall. Ms. Heath and her Coalition Z chapter members used Instagram to recruit young participants and Nextdoor to recruit adults. Speakers included the mayor, the local congresswoman, a school board member and an N.A.A.C.P. official. The police estimated a crowd of over 2,000. Signs and chants called for an end to systemic racism, including police militarization and brutality. Protesters also called for reparations to compensate African-Americans for centuries of enslavement and oppression.

Nationwide, something like 20 million Americans participated in similar demonstrations. Some won commitments for police reform, and others continue to wage campaigns to achieve it.

Black Lives Matter protests have laid a foundation for real change. But in their aftermath, activists in San Mateo and similar communities mostly lack a continuing program to tackle the comprehensive racial inequality that allows abusive police practices to flourish. Ms. Heath and her recruits, young and grown-up, have untapped opportunities to take action in their own town, contributing to a new civil rights movement for racial progress.

San Mateo is a segregated Silicon Valley city. Ms. Heath observes that there are no Black families in her Hillsdale neighborhood. San Mateo's few remaining African-Americans mostly live in another neighborhood, where they have long been concentrated. One percent of Hillsdale High School students are Black.





Sophia Heath. Andres Gonzalez for The New York Times

Ms. Heath says she would like to live in a more diverse neighborhood. The way to do that, she says, is to insist that the City Council provide more affordable housing — subsidized units for low-income families — in her neighborhood. That would be a step forward, but most African-Americans are not poor; working- and middle-class Black families whose incomes are too high to qualify for existing subsidies were also excluded from neighborhoods like Hillside because of their race.

Effective strategies to redress segregation in all its forms would become clearer if activists in San Mateo and elsewhere did deep research into how their communities' racial boundaries were established.

In San Mateo, they would learn that builders constructed the residential Hillsdale neighborhood for whites only in the mid-20th century. Public records reveal that the 1941 deed to Sophia Heath's family home says, "No persons other than members of the Caucasian or White race shall be permitted to occupy any portion of said property, other than as domestics in the employ of the occupants of the premises."

The racial restriction was signed by officers of the American Trust Company, which financed its construction. David D. Bohannon, a developer who built the largest share of homes in Hillsdale, signed similar deed requirements for racial exclusion. Although the whites-only clauses are no longer enforceable, they remain in the deeds of Hillsdale homeowners.

Mr. Bohannon became one of the biggest developers of whites-only housing throughout the San Francisco Bay Area in the mid-20th century, with significant responsibility for the segregated landscape that persists. Although many Black Americans flocked to the Bay Area to take jobs in war production during World War II, Mr. Bohannon barred nonwhites from his projects. Several Bohannon neighborhoods for workers in shipyards and supporting factories during the war were financed with loans guaranteed by the federal government from financial institutions like Bank of America and the American Trust Company, which didn't resist the government's policy of racial exclusion.

In 1955, when a developer attempted to create a racially integrated neighborhood in Milpitas, not far from San Mateo, Mr. Bohannon's company sued and successfully lobbied the Milpitas City Council to raise sewer connection fees to an exorbitant level that made the project unfeasible, delaying it for years.

David Bohannon's race policy did not make him a pariah in the home-building industry. Quite the contrary. In 1942, as he was creating Hillsdale, Mr. Bohannon served as president of what is now called the National Association of Home Builders. His contribution to racial segregation went unmentioned in 1958 when he was elected national president of the influential research group for planners, the Urban Land Institute, which praised him as "one of the West Coast's most successful land developers and community builders." In 1986, Mr. Bohannon was added to the California Homebuilding Foundation's Hall of Fame for having "enriched the homebuilding industry through innovation, public service, and philanthropy," which apparently did not extend to remedying the segregation he had enforced.

The Bohannon company continues to operate. Adjacent to its San Mateo development, it created the Hillsdale mall (open for business again after pandemic-induced closures), anchored by Macy's and Nordstrom, and filled with upscale shops. While malls nationwide have been struggling, the Bohannon firm recently invested several hundred million dollars in the Hillsdale mall's renovation and in the development of a nearby office park.



Hillsdale Shopping Center in San Mateo, Calif. Andres Gonzalez for The New York Times

A real estate firm, Fox & Carskadon, marketed the Hillsdale homes in 1940 with newspaper ads boasting of the deed clauses that enforced the neighborhood's racial exclusivity: "Let us tell you of the protective covenants that guarantee Hillsdale's enduring character for all time to come."

The Bohannon company, Fox & Carskadon and the American Trust Company could not have segregated Hillsdale without the support of government agencies. In fact, in some cases, federal agencies required builders like Mr. Bohannon to insert the racial clause in deeds. In our own time, the City of San Mateo continues to perpetuate the segregation of many of its white neighborhoods by prohibiting

construction of anything but single-family homes — no townhouses, duplexes or apartments affordable to teachers, firefighters, nurses, hotel and restaurant workers, and others who serve the community but cannot afford to live in it.

The American Trust Company and Wells Fargo merged in 1960. Coldwell Banker acquired Fox & Carskadon in 1995. Perhaps Sophia Heath's fellow young activists and their adult compatriots might embark on a campaign to persuade the Bohannon company, Coldwell Banker and Wells Fargo to face up to their considerable responsibility for the racial segregation and lack of opportunity for Black families that characterize San Mateo.

A local civil rights movement can insist that these businesses make substantial contributions to a fund that subsidizes African-Americans to purchase Hillsdale homes that would have been affordable when these institutions excluded Black home buyers but no longer are.

Token contributions will do little. The fund will have to be substantial. Fox & Carskadon advertised its Hillside houses for \$5,450, about \$100,000 in current dollars. But today those homes sell for about \$1.5 million, sometimes more. Shouldn't Bohannon, Coldwell Banker and Wells Fargo find the funds to enable African-Americans who qualify for a mortgage on a \$100,000 property to purchase Hillsdale houses worth \$1.5 million? That's the kind of commitment that reparations-like private initiatives require, while federal reparations remain far-off, hard to define and without effective political support.



Hillsdale neighborhood in San Mateo. Andres Gonzalez for The New York Times

When Wells Fargo and the American Trust Company merged and when Coldwell Banker absorbed Fox & Carskadon, the acquiring firms assumed their predecessors' assets and liabilities. San Mateo activists can justifiably claim that this includes moral liabilities as well. Although the statute of limitations has expired, the discriminatory development and marketing of Hillsdale houses violated a 19th-century Civil Rights Act that prohibited racial discrimination in housing but whose validity the U.S. Supreme Court recognized only a century later.

Coldwell Banker's website celebrates the company's "more than 100 years of excellence" and boasts of its early adherence to a National Association of Realtors' Code of Ethics adopted in 1913. The website doesn't mention that in 1924, the code added a warning that "a realtor should never be instrumental in introducing into a neighborhood ... members of any race or nationality, or any individuals whose presence will clearly be detrimental to property values in that neighborhood." This "ethics" requirement was still in force when Fox & Carskadon handled sales of Hillsdale homes for the Bohannon firm.

Bohannon's website has proclaimed: "One of the Bohannon Companies' hallmarks is our commitment to community. We look for opportunities to serve organizations and help causes that benefit the communities where we develop properties."

Wells Fargo has a foundation that, it has said, "is committed to addressing the full spectrum of housing issues." One of its programs provides down-payment assistance to low- and moderate-income home buyers. In the San Francisco region, its most recent grants, in 2017, provided about \$30,000 to families whose incomes were at or below the area median. Even when households could add some savings, down payments of that size permitted home purchases only in a few low-income neighborhoods that had not yet gentrified in Oakland and nearby. No grants have yet been made for home purchases in cities like San Mateo, and it is unlikely that the program could ever be adequate to give Black families access to neighborhoods that the American Trust Company helped create as white-only. Facing up to this is what addressing the full spectrum of housing issues involves.

To persuade Coldwell Banker, Bohannon and Wells Fargo to deliver meaningfully on their pledges, a campaign by local activists should be carefully planned and disciplined. It will require a well-researched proposal for which community education has built public support that is then presented respectfully to executives, board members and perhaps the stockholders of the companies from which remedial contributions are expected. Nonviolent public and perhaps disruptive tactics can be employed if quieter efforts at persuasion fail.



Andres Gonzalez for The New York Times

In the 1960s, racial justice victories were won only after marches, demonstrations and civil disobedience convinced elected officials that reform was necessary. Activists today have an advantage; there is much greater public understanding of the legacies of slavery and Jim Crow. But still, civil rights victories will almost certainly require more than rallies, demonstrations and discussions on social media.

Students typically learn that in 1955, Rosa Parks, a seamstress in a Montgomery, Ala., department store, was too tired at the end of her workday to give up a bus seat to a white passenger, as the law required. Most students don't learn that she had spent more than a decade in her local N.A.A.C.P. chapter and had attended — four months before she inspired a bus boycott — the Highlander Folk School in Tennessee, where she received training in nonviolent civil disobedience. In these trainings, the institute prepared other civil rights activists as well, including the Rev. Martin Luther King Jr. and John Lewis.

Black Lives Matter supporters in places like San Mateo will need similar training to acquire the skill to persuade powerful institutions to turn vague pledges of good intentions into actual reform.

Cities and towns in metropolitan areas across this country have a history analogous to San Mateo's. Uncovering it is hard work. Undoing it will be even harder. Winning the civil rights victories of the past required unusual dedication and persistence — extraordinary, really — and it will take more of the same to make Black lives matter in every neighborhood.

Richard Rothstein is a distinguished fellow at the Economic Policy Institute and the author of "The Color of Law: A Forgotten History of How Our Government Segregated America."

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