

P E R S P E C T I V E S
on Eminent Domain Abuse

1
Volume

Eminent Domain & African Americans

What is the Price of the Commons?



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Eminent Domain & African Americans

What is the Price of the Commons?

Mindy Thompson Fullilove, M.D.

Black people were uprooted from Africa and forced into slavery in the Americas. This disruption started a chain of destabilizing events that includes the slave trade within the Americas, the resettlement after emancipation, the institution of segregation, the Great Migration, redlining, the Second Great Migration, urban renewal under the Federal Housing Act of 1949 between that year and 1973, catastrophic disinvestment, federal demolition of public housing under the HOPE VI program, and gentrification.¹ Through all these upheavals, legalized “takings”—first of the person, to make him or her a slave, and more recently of houses, to get people’s land—have threatened African Americans’ lives, homes, and family. For the past 50 years, the government’s use of eminent domain—its power to take land for “public use”—has been an important part of this story of repetitive forced displacement. And an important part of the story of eminent domain has been the story of the loss of neighborhood: the urban commons.

Taking land—in one way or another—is probably as old as human history, but using the law to legitimate

the seizure of land is of more recent origin. It has important roots in the enclosure acts in England. These were special laws, passed in the House of Lords between 1600 and 1850, that allowed rich people to claim land that had been held in common by all the residents of an area or was owned by small landowners.²

In fact, many of the revolutionaries who founded the United States had lived through or knew about the excesses of English law that permitted the enclosures in England. They were aware that land was taken for purposes of economic development that profited the well-to-do. They were also aware that the loss of shared common lands—woods, fields, and marshes that provided grazing for livestock, firewood, and wild foods—had a devastating effect on the survival of the poor. Perhaps to protect against the excesses of English law, the framers wrote in the Fifth Amendment to the United States Constitution that “...private property [shall not] be taken for public use, without just compensation.”

This amendment offered important protection for individual landowners. However, as experience

has shown—particularly in the last 50 years—some landowners received more protection than others and assets held in common received no protection at all. Both of these shortcomings play an important part in the story of African American dispossession in the 20th century. The specific example to be examined in this paper is the Federal Housing Act of 1949. Under that act, which was in force between 1949 and 1973, cities

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were authorized to use the power of eminent domain to clear “blighted neighborhoods” for “higher uses.” In 24 years, 2,532 projects were carried out in 992 cities that displaced one million people, two-thirds of them African American.³

African Americans—then 12% of the people in the U.S.—were five times more likely to be displaced than they should have been given their numbers in the population. Given that African Americans were confined because of their race to ghetto neighborhoods, it is reasonable to assume that more than 1,600 projects—two-thirds of the total—were directed at African American neighborhoods.⁴ Within these neighborhoods there existed social, political, cultural, and economic networks that functioned for both individual and common good. These networks were the “commons” of the residents, a system of complex relationships, shared activities, and common goals.

In order to get an understanding of what the loss of the commons meant, I decided to talk to people who had lived through the experience. My research group, the Community Research Group, with funding from a Robert Wood Johnson Health Policy Investigator Award, undertook a study of the long-term consequences of urban renewal in five American cities: Newark, New Jersey; Roanoke, Virginia; Pittsburgh, Pennsylvania; St. Louis, Missouri; and San Francisco, California.⁵ We interviewed people who had been displaced, planners and politicians who organized

urban renewal, and advocates and historians who had watched the process. We also visited the sites, spent time in local archives, collected photographs and maps, and read newspaper accounts. We read the extensive literature, largely created in the 1950s and 1960s, that examined urban renewal as it was going forward. We also spent time with two people—one in Newark and one in Philadelphia—who toured their cities with us, took us to their homes, and otherwise helped us become immersed in the story of urban renewal.⁶

One of those people was David Jenkins, who lost his home in Philadelphia’s Elmwood neighborhood. David often used the phrase, “The government came and took our land,” to describe his bitter experience with eminent domain during one of Philadelphia’s largest urban renewal projects in the 1950s. His lingering anger resulted from a long list of losses he experienced: home; neighbors and neighborhood; family stability; support for his aspirations; security; and the joys of nature. This heavy burden created a deep grief that had eased but was not erased in the nearly 50 years since those events transpired.

David’s house

David’s house was not grand or well-equipped, but his family—poor by many standards—owned the house and a nice piece of adjacent land. It is probable that the primitive septic system was used to justify the taking of the land in the eyes of the urban renewal authorities. In those days, less-than-perfect plumbing was a sure indicator of blight. Blight, in turn, was a “cancer” that needed to be cut out of the city in order for the city to survive.⁷

But the Jenkins family, like many other upwardly mobile families, was proud that they had gotten a toehold in the American city. Both of David’s parents had migrated from the south, drawn to Philadelphia—and to the Elmwood neighborhood in particular—by abundant industrial jobs that offered unskilled workers a chance to make a decent living. Buying a home—

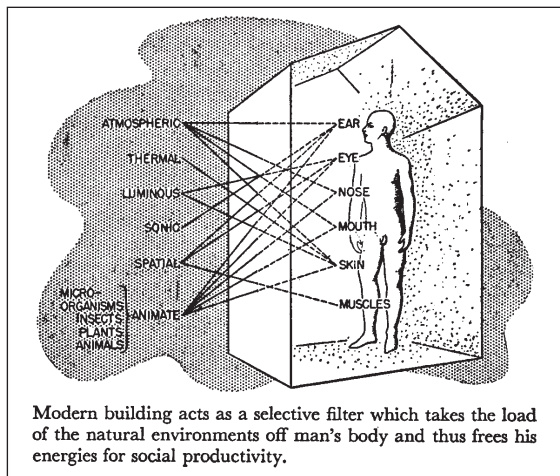
that crucial American dream—seemed a start in the right direction.

But a home is not just a symbol of social status. Rather, it is a splendid invention that gathers, protects, and situates the family. A home keeps the warmth in and the rain out, the predators at bay, and the loved ones close. James Marston Fitch, author of a beloved textbook on American architecture, noted that homes do many kinds of work for people, as he depicted in this drawing.⁸ In many ways, we have family life because we have a home. Without a home it is difficult for the family to have dinner in the dining room or watch television together. Even a modest home like David's offers a family a center within which their collective life unfolds.

In 2006, looking back at a modest, working class

what homes mean to people. They have found that people come to love their homes and to feel connected to them. They miss their houses when they are away from them, and take great pleasure in returning to them. This connection, or attachment to home, is found among people all over the world. Even nomads are attached to the way they journey and to the tents or caravans that go with them. Some researchers have thought that the attachment to home comes from the very fact that a home “takes the load off.”⁹

Of course, we must not forget the symbolic value of a home: people who can buy a house have made it in some small way in American society. Others look at them with respect for what they have accomplished. For David's parents—African Americans who had relatively little money—buying a home moved them into a new stratum in the small world of their Elmwood neighborhood.



From AMERICAN BUILDING, Vol. 1: The Historical Forces That Shaped It by James Marston Fitch. Copyright (c) 1947, 1948, renewed 1966 by James Marston Fitch, Jr. Reprinted by permission of Houghton Mifflin Company. All rights reserved.

house of the 1950s, people might wonder why a family would love such a structure. Current trends towards bigger and fancier houses make it seem that happiness depends on a large, comfortable home. While such a house can be fun for a family, large houses add what we might call “optional” features. What every family really needs is to have the “load”—as Fitch calls it—taken off, and the fundamentals satisfied.

Researchers from many disciplines have studied

David's neighborhood

The magic of David's neighborhood is well illustrated by the handmade map he drew for me one day. Within the narrow domains of a boy's life—the area depicted is not one square mile—small notes highlight the richness of his neighborhood associations. He could catch turtles in the swamp, buy candy at Miss Maggie's store, sing gospel with Patti LaBelle in the Young Adult Choir at Beulah Baptist Church, or arrive in time for dinner at the home of any of the fine cooks who lived in the area. David's notes bring to life what it means to live in a neighborhood, partaking of the richness that it has to offer.

Parallel to the manner in which a home “takes the load off” the family, a neighborhood provides an even more extensive “external homeostatic system.”¹⁰ Just as a basic home is essential to survival, so too is a basic geographic niche, which in urban settings is provided

Americans since their first arrival on these shores in 1619.

Ejected from their homes, African Americans faced a very difficult struggle to find new places to live. Rigid policies of segregation made it impossible to live outside the demarcated ghetto areas, but the ghetto was shrinking in size, even as population was expanding.¹⁴ It was often the case that housing prices were higher in the neighborhoods to which people were moving. Wherever they found themselves, the displaced families

had to begin again, building a new community to replace the one they had lost. This challenge was extremely difficult. For example, a study of residents displaced from a Southwest neighborhood in D.C. found not only that former residents felt a deep sense of loss one year later, but also that 25% had not made a single friend after being forced from their old neighborhood.¹⁵ Also, studies have shown that the tangible effects of forced dislocation include increased risk from stress-related diseases, such as depression and heart attack.¹⁶

Table of Losses:

Loss	An example*...
Unfair offer for old home	Mr. Caldwell Butler was a white lawyer who helped people displaced by urban renewal bring suit for just compensation. (p. 79)
Higher costs for new home	Mr. David Jenkins remembers that families were given \$5,000 for homes that were taken in Elmwood, not enough to buy an equivalent home elsewhere in Philadelphia. (transcript)
Loss of sentimental value of home	Mr. Charles Meadows had his house “to where I really liked it” and never liked his new home as much. (p. 82)
Inability to move business	Many businesses were unable to move, as was the case in Pittsburgh’s Lower Hill. (p. 172)
Segregation limiting mobility	Monsignor William Lindner noted that urban planning and vigilantism limited African American movement out of Newark. (p. 144)
Emotional turmoil: grief, anger, stress	All interviewees – even those who thought urban renewal was overall a good idea – agreed that losing one’s home was a painful and stressful event.
Opportunity costs	Ms. Arleen Ollie moved around for seven years during her childhood, while her parents tried to get back on their feet after displacement. (p. 78)
Loss of organizations	Councilman Sala Udin reported that there were thousands of organizations in the Lower Hill, many lost due to urban renewal. (transcript)
Loss of structure of neighborhood	Mr. Charles Meadows noted that, in the old neighborhood, “...we just had better relations.” (p. 82)
Dispersal of family and neighbors	Councilman Sala Udin remembered being sad at moving because “old, old, <i>old</i> friendships that bound people together were being broken.” (p. 174)
Loss of cultural capital	Ms. Tamanika Howze said she looked forward to rites of passage in the Hill District, such as going to the famous jazz clubs, many of which were lost in urban renewal. (p. 165)
Loss of political capital	Councilman Sala Udin noted, “...we are not only politically weak, we are not a political entity.” (p. 175)
Permanent exile from the old place	Because the land was put to new uses, people could never go back to the areas that had been home. For David Jenkins, the sight of a car rental agency’s parking lot where his home had been was almost as upsetting as losing his home the first time. (p. 132)
Loss of faith in government	Dr. Reginald Shareef, who studied urban renewal, reported, “...a deepening, deepening distrust and mistrust between the black community and the city government.” (p. 99)

* All page numbers refer to my book, *Root Shock*; interview transcripts were all collected as part of our study of the long-term consequences of urban renewal.

It should be added to the long list of losses that businesses were displaced as well as homes. Businesses suffered severely, losing their strategic position and their client base. Compensation rarely covered the real losses the businesses incurred, and only a fraction were successful in relocating.¹⁷ In some sectors—jazz venues, for example—the failure rates were so high that they threatened the whole industry. I have proposed that urban renewal is one of the reasons why jazz almost died in the United States in the 1960s, to be saved by music lovers in Europe and Japan. In any event, the massive loss of capital and of entrepreneurial know-how set African American economic development back by at least two decades.

Not only did African Americans lose their land, neighborhood, and capital, but also they were frequently excluded from the new “higher” uses to which the land was put. Lincoln Center in New York City and the Mellon Arena in Pittsburgh are two examples of “higher

[A]s of June 30, 1967, urban renewal had destroyed 400,000 housing units and built only 10,760 low-rent units to replace them.

uses” that replaced African American homes without intending to welcome them to the new edifices.¹⁸ Universities, which were built on formerly African American neighborhoods, accepted few students from the displaced communities.¹⁹ Public housing that was built on the land was so inferior to the previous neighborhoods that it was demolished within decades of being built, and the residents were dispersed again.²⁰ Marc Weiss, in a review of the urban renewal program, noted that, as of June 30, 1967, urban renewal had destroyed 400,000 housing units and built only 10,760 low-rent units to replace them.²¹ Furthermore, urban renewal both intensified segregation and divided rich African Americans from poor African Americans, a division that is widely acknowledged as a source of enormous hardship for rich and poor alike.²²

And now?

Urban renewal under the Housing Act of 1949 and its subsequent amendments was shut down in 1973 by President Richard Nixon. The program was ended because of widespread outrage that it was destroying American cities, increasing segregation, impoverishing working people, and destroying historic areas. Though that federal program was stopped, the tools of urban renewal had been honed through 20 years of projects. Politicians and developers found that they could repackage eminent domain and government subsidies in many new ways, facilitating the taking of land for “higher uses.”

In 2006 in New York City, for example, major development projects were going on all over the city, many using or threatening to use eminent domain. African American neighborhoods were among those threatened. Columbia University, for example, had proposed an expansion of its campus into West Harlem, which has been an African American neighborhood since the days of the Harlem Renaissance in the 1920s.²³

But such projects can be found throughout the United States. In 2005, Englewood, New Jersey, the town where I live, displaced businesses and homes in the African American section of town. The old buildings have been torn down to make room for a new complex that includes a shopping center and luxury homes. My 10-year-old granddaughter, who used to live on the block, often laments as we pass, “My house is gone. I can’t believe it.” I have photographed the demolition of the housing, and the scattering of the businesses. This 2005 photograph depicts the last moments of my granddaughter’s old home.



All across the United States, the adroit use of eminent domain by developers and their politician partners threatens the homes of ordinary people. Houses that they worked hard to buy will be replaced by fancy new malls and condominiums. Those displaced may well be forced out of an area they have called home for many generations, unable to afford the housing that will be built on the spot, or even that in nearby neighborhoods. They will suffer as others have, struggling to rebuild their lives and their neighborhoods.

My reflections on this history

Eminent domain's destruction of communities must end

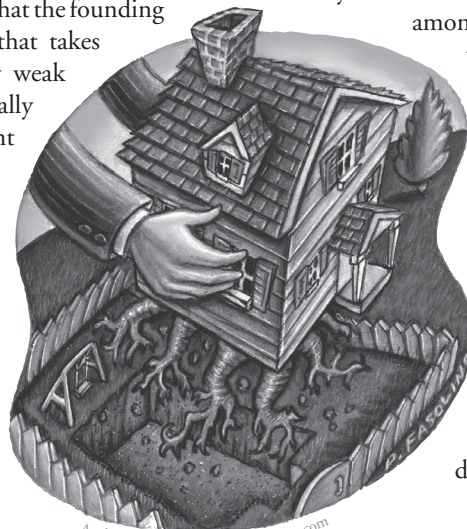
Eminent domain has become what the founding fathers sought to prevent: a tool that takes from the poor and the politically weak to give to the rich and the politically powerful. What the government takes from people is not a home, with a small “h”, but Home in the largest sense of the word: a place in the world, a community, neighbors and services, a social and cultural milieu, an economic anchor that provides security during the ups and downs of life, a commons that sustains the group by offering shared goods and services.

In fact, the losses are so massive and so threatening to human well-being that I have used the term “root shock” to describe them. This term is borrowed from gardeners, who observed that a plant torn from the ground will go into a state of shock, and may well die. The external homeostatic system of home and neighborhood “roots” people in the world. As the illustration below reveals, it is the house that has the roots, not the person. Our home and our neighbors connect us to the niches from which we draw sustenance.

A Home is a biological necessity. Losing a Home is a traumatic stress, costly for the individual and for the society. For the past 50 years, United States cities and redevelopment agencies have displaced people to build condominiums, highways, entertainment centers, and shopping malls. The displaced have only been compensated for a very small fraction of the losses they have endured. It is time for the pendulum to swing the other way, for drawing back from the widespread use of eminent domain and moving towards the all-out support of community and neighborhood life—the commons—as a source of well-being that every citizen needs and deserves.

Surely, a commitment to justice would compel us to say that that which we all need, the weakest among us need the most. The poor, the minority, and the politically disenfranchised are deserving of our protection when they find themselves in the path of a misused tool of government.

What is the price of the commons? It has no price: it is as necessary as air or water, it is the stuff of life itself. As David Jenkins would say, “You can’t take somebody’s neighborhood. You just can’t do that to people.”



Art by Peter Fasolino www.pfasolino.com

Endnotes

1 These processes are not all equally well known to the American public, nor is their cumulative impact – what my colleague Rodrick Wallace has called “synergistic damage accumulation” – fully appreciated. The African slave trade, which dragged people from their homes in Africa and sold them into slavery in the Americas, took the liberty of 12 million who arrived alive. It is estimated that twice that number died on the journey within Africa and during the middle passage across the Atlantic. After the slave trade was banned in 1808, an internal slave market developed in the U.S., which regularly sold slaves from Virginia and other more Northern states to the lower South. Emancipation restored people’s liberty, but at a great disadvantage of owning no land and having no education. There was massive population movement after the war as people sought to reunite with family, go to school, find land or work, and begin their new lives as freedmen. This hopeful epoch came to a violent end with the institution of Jim Crow laws, which made African Americans second-class citizens, stripped of their right to vote or to be protected in the courts. The two Great Migrations represented people’s efforts to make new homes in the city, where they might have more economic and political opportunity. This effort, too, was thwarted by the reification of segregation in the cities. Redlining, instituted in 1937, aggravated segregation by steering investment away from African American ghetto neighborhoods. Urban renewal then found these to be “blighted” and ordered them cleared for “higher uses.” Catastrophic disinvestment in the 1970s and 1980s represented the active removal of assets – from fire stations to banks and supermarkets – from minority and poor neighborhoods. Many of those displaced by urban renewal and catastrophic disinvestment moved into housing projects, and became vulnerable to a new “improvement” scheme in 1992, this one called HOPE VI. At the same time, poor and minority neighborhoods that had maintained some of their historic buildings and charm were targeted for gentrification, and the poor forced to move again. In sum, the efforts of African Americans to free themselves and become first-class citizens have not only been met with resistance, but also have been actively undone by government programs operated in close cooperation with business leaders. See, especially, Thomas W. Hanchett, *Sorting Out the New South City: Race, Class, and Urban Development in Charlotte, 1875 – 1975*, University of North Carolina Press, 1998, and Arnold R. Hirsch, *Making the Second Ghetto: Race and Housing in Chicago, 1940 – 1960*, University of Chicago Press, 1998, on the institution of segregation; Mindy Thompson Fullilove, *Root Shock: How Tearing Up City Neighborhoods Hurts America, and What We Can Do About It*, One World/Ballantine, 2004, on urban renewal; Deborah Wallace and Rodrick Wallace, *A Plague on Your Houses: How New York was Burned Down and National Public Health Crumbled*, Verso Press, 1998, on catastrophic disinvestment; and John A. Powell and Marguerite L. Spencer, “Giving Them the Old “One-Two”: Gentrification and the K.O. of Impoverished Urban Dwellers of Color,” *Howard Law Journal*, Spring 2003, on gentrification.

2 The history of the enclosures has occupied many historians in Britain. Two useful articles are: Bill Frazer, “Common Recollections: Resisting Enclosure ‘by Agreement’ in Seventeenth-Century England,” *International Journal of Historical Archaeology*, June 1999, at 75 – 99, and J.R. Wordie, “The Chronology of English Enclosure, 1500 – 1914,” *Economic History Review*, Nov. 1983, at 483 – 505. A website, set up for ninth graders in Alberta, Canada, addressed the enclosure acts, and provides a useful, quick summary. It ends with “QUESTION: Did the wealthy land owners who passed the Enclosure Acts know that they would force peasant farmers off the land and into low paying, dangerous factory jobs in cities? ANSWER: Of course they did!” See Jason Hunter and John Wasch, “Enclosure Acts,” *The Grade Nine Social Studies Website*, <http://www.cssdlab.ca/tech/social/tut9/>, accessed May 15, 2006.

3 Alexander Garvin reports these figures based on the final report of the urban renewal project issued by HUD in 1973. See Alexander Garvin, *The American City: What Works, What Doesn’t*, The McGraw-Hill Companies, 1995, at 122. Numerous authors have cited the figure of one million people displaced, including Mary Bishop, “Street by Street, Block by Block: How Urban Renewal Uprooted Black Roanoke,” *The Roanoke Times*, Jan. 29, 1995.

4 Herbert Gans, writing in “The Failure of Urban Renewal,” noted, “Indeed, because two-thirds of the cleared slum units have been occupied by Negroes, the urban renewal program has often been characterized as Negro clearance, and in too many cities, this has been its intent.” See Herbert J. Gans, “The Failure of Urban Renewal,” *Urban Renewal: The Record and the Controversy*, ed. James Q. Wilson, The M.I.T. Press, 1966, at 539.

5 Our project, the Long-term Consequences of African American Upheaval, is the foundation of my book, “Root Shock: How Tearing Up City Neighborhoods Hurts America and What We Can Do About It.” Fullilove, *supra*.

6 In order to document this personal experience of urban renewal, we asked Patricia Fullilove to be interviewed on camera for a movie called “Urban Renewal is People Removal,” a 2005 LaBooth Video production. It won best short documentary at the Trenton Film Festival that year.

7 “Blight” is a term that has no fixed meaning. It implies that a building or a piece of land is in poor condition. It is used to infer that the building or land represents a “cancer” that has to be cut out in order for the “body” of the city to survive. “Blight” designations are applied to homes and territory that are to be designated for taking, as part of eminent domain proceedings. For excellent discussions of the origins and use of the term, see Wendell E. Pritchett, “The ‘Public Menace’ of Blight: Urban Renewal and the Private Uses of Eminent Domain,” *Yale Law & Policy Review*, Winter 2003, and Robert M. Fogelson, *Downtown: Its Rise and Fall*, Yale University Press, 2001. See especially the chapter, “Inventing Blight,” at 317 – 380.

8 Fitch, writing in *American Building*, noted that we are faced with two contradictory necessities: the necessity of maintaining a constant equilibrium within the body while natural external environments may fluctuate from friendly to hostile. “Faced with these two and often contradictory necessities, man had to evolve external instruments for regulating the relationship between his body’s relatively constant environmental requirements and the fluctuations of an inconstant Nature. Building and clothing are the principal instruments so evolved... the function of clothing is to protect the individual organism from the natural environment, while that of building is to protect an entire social operation or process.” James Marston Fitch, *American Building: The Forces That Shape It*, Houghton Mifflin Company, 1948, at 149 – 150.

9 Marc Fried helped to establish the importance of attachment to home with the publication of his important paper, “Grieving for a lost home.” See Marc Fried, “Grieving for a Lost Home: Psychological Costs of Relocation,” *Urban Renewal: The Record and the Controversy*, ed. James Q. Wilson, The M.I.T. Press, 1966, at 359 – 379. Many scholars have since pursued this topic. Many dimensions of this important concept are explored in the book *Place Attachment*, edited by Setha Low and Irwin Altman. See Setha Low and Irwin Altman (eds.), *Place Attachment: Human Behavior and Environment: Advances in Theory and Research*, Plenum Press, vol. 12, 1992.

10 John Bowlby, a leader in the development of attachment theory, explored the essential role of the surrounding environment in his three-volume work on attachment. He proposed that there was attachment to place as well as to person, and described the natural environment as a second system of homeostasis. In elaborating on the development of an individual’s particular manner of using the environment, he wrote, “Those trained in physiology may find it illuminating to view the behaviour under consideration as homeostatic. Whereas the systems studied by physiologists maintain certain physico-chemical measures, internal of the organism, within certain limits, the systems mediating attachment behaviour and fear behaviour maintain the individual within a defined part of the environment. In the one case the states held steady are interior to the organism, in the other the states held steady concern the relationship of the organism to the environment.” John Bowlby, *Attachment and Loss, Vol. 2: Separation: Anxiety and Anger*, Basic Books, Inc., 1973, at 148 – 149.

11 Alexander Leighton, writing in *My Name Is Legion*, proposed a theory of community integration as the source of mental health. He defined an “integrated” community as one that would be able to raise healthy children, regulate the behaviors of its members, provide for a range of personalities, and care for the ill and the infirm. By contrast, the “disintegrated” community displayed family fragmentation, few and weak associations, few and weak leaders, few patterns of recreation, high frequency of hostility, high frequency of crime and delinquency, and weak and fragmented networks of communication. By comparing one disintegrated community to one integrated community, he was able to establish that rates of mental illness were higher in the disintegrated community. In fact, the poor people in the integrated community had better mental health than the well-to-do in the disintegrated community. Alexander H. Leighton, *My Name Is Legion: Foundations for a Theory of Man in Relation to Culture, Vol. 1*, Basic Books, 1959, especially at 306 – 315.

12 Kai Erikson, writing in *Everything in its Path*, reported the results of a study of the flood that destroyed Buffalo Creek, West Virginia, found that people seemed to know each other’s business instantly. This meant that there were no secrets. Kai T. Erikson, *Everything in Its Path: Destruction of Community in the Buffalo Creek Flood*, Simon & Schuster, 1976. See especially, “Collective Trauma: Loss of Communalities,” at 186 – 245. Charles Meadows, one of the people interviewed in the Root Shock project, said of his Roanoke neighborhood, “You could stand out and talk, so we just had better relations. We knew about ‘em; if anybody was sick, you knew about it; anybody died, we knew about it; anybody went to jail, we knew about it; if anybody got into trouble, or if there was a secret, we knew about it. There was no secret there, everybody knew everybody’s business. But we still had better relations.” Fullilove, *supra* at 82.

13 H.A. Franklin, *A Field of Weeds: The Story of Elmwood, Commonly Known as Eastwick*, EKO Productions Documentary Film, 1990.

14 The African American urban population was expanding between 1940 and 1970, as a consequence of the Second Great Migration. Even without the housing losses that accompanied urban renewal, ghetto areas would have been overwhelmed by the newcomers. As it was, two sources of housing shortage collided to create a very tense situation. Geographer John Adams, “The Geography of Riots,” has proposed that cities with an extreme housing shortage were likely to have experienced

riots in the 1965-1970 period. John S. Adams, "The Geography of Riots and Civil Disorders in the 1960s," *Black America: Geographic Perspectives*, eds. Robert T. Ernst and Lawrence Hugg, Anchor Books, 1976, at 277 – 297.

15 This study is cited in Bernard J. Frieden and Lynne B. Sagalyn, *Downtown, Inc.: How America Rebuilds Cities*, The M.I.T. Press, 1989, at 34.

16 Fullilove, *supra*. For a detailed review of the literature on health effects of displacement, see Mark Boutros, "Is There Space for Place?: Forced Migration and the Psychology of Place," Dissertation, Teachers College, Columbia University, 2006.

17 Frieden and Sagalyn, in *Downtown, Inc.*, note, "A study of 350 firms displaced by renewal or highway projects in Providence, Rhode Island, between 1954 and 1959 offers a look at what relocation meant for businesses. About one-third of the firms went out of business. Most of those that survived were doubly disadvantaged: they paid higher rents while their sales declined. Among small businesses, six of ten reported a drop in income after they moved, while only one in ten reported an increase. One of five owners who lost their businesses became unemployed, and one of five took retirement. The rest found other work, but nine of ten who went out of business earned lower incomes afterward." Frieden and Sagalyn, *supra* at 35.

18 Lincoln Center replaced a working class, ethnically mixed neighborhood, which was the subject of "West Side Story." All of the cultural institutions that were gathered on the site were patronized by wealthy, white people. There was no concerted effort, for example through the pricing of tickets and the offering of events of interest, to enable working class people to attend the cultural activities held there. Mellon Arena, originally known as Civic Arena, was designed to house Pittsburgh's Light Opera Company, which performed Gilbert and Sullivan and other operettas. They performed to a largely white audience, a fact which is documented in historical photographs. See, for example, Harold Corsini's photograph, "Civic Light Opera Crowd," 1950, in the Carnegie Museum of Art exhibit catalog, *Pittsburgh Revealed: Photographs Since 1850*, at 41. Also see Harold Corsini, "Audience at Civic Light Opera," *Carnegie Museum of Art*, <http://www.cmoa.org/searchcollections/Details.aspx?item=1023903>, accessed November 20, 2006.

19 Professor Sandra Lane of Syracuse University has estimated that approximately 1% of the students in that large university come from the city of Syracuse, although the university expanded using land obtained during urban renewal. Personal communication.

20 The Pruitt-Igoe housing project in St. Louis was perhaps the first housing project to be so dysfunctional that it had to be demolished within two decades of being built. See Alexander von Hoffman, "Why They Built Pruitt-Igoe," *From Tenements to the Taylor Homes: In Search of an Urban Housing Policy in Twentieth-Century America*, eds. John F. Bauman, Roger Biles, and Kristin Szylvian, Pennsylvania State University Press, 2000, at 180 – 205. Housing projects in Newark, New Jersey, were abandoned nearly as quickly; see J.T. Cunningham, *Newark*, New Jersey Historical Society, 2002, and the New Jersey Historical Society's website at <http://www.jerseyhistory.org>. Many of the housing projects destroyed as part of the HOPE VI program were built during the urban renewal era on land cleared by urban renewal.

21 See Marc A. Weiss, "The Origins and Legacy of Urban Renewal," *Federal Housing Policies & Programs: Past and Present*, ed. J. Paul Mitchell, Rutgers University Press, 1985, at 253 – 254.

22 In many U.S. cities, people of different races and income levels lived together. Civic policies created neighborhoods that separated people by race and class. There was less separation among African Americans than among whites until urban renewal destroyed ghetto neighborhoods. Segregation was intensified, but the blacks were spatially separated by class, with the poor moving into housing projects and the better-off moving into small houses nearby. For a study of how Americans were spatially separated by race and class, see Hanchett, *supra*.

23 Columbia University announced its expansion plans in 2004, and has maintained information about the expansion on its website. The internet is an excellent source for the lively debate that swirls around Columbia's proposal. See also the excellent article by Daphne Eviatar in the *New York Times*, "The Manhattanville Project." Daphne Eviatar, "The Manhattanville Project," *The New York Times Magazine*, May 21, 2006, at 32 – 36.

About the Author



Mindy Thompson Fullilove, M.D., a professor of clinical psychiatry and public health at Columbia University, has done pioneering research on the effects of AIDS on African American communities. She is the author of *Root Shock: How Tearing Up City Neighborhoods Hurts America, and What We Can Do About It*, and *The House of Joshua: Meditations on Family and Place*. She lives in Englewood, New Jersey.

About the Institute for Justice

The Institute for Justice is a non-profit, public interest law firm that litigates to secure economic liberty, school choice, private property rights, freedom of speech and other vital individual liberties and to restore constitutional limits on the power of government. Founded in 1991, IJ is the nation's only libertarian public interest law firm, pursuing cutting-edge litigation in the courts of law and in the court of public opinion on behalf of individuals whose most basic rights are denied by the government.

About the Castle Coalition

The Castle Coalition, a project of the Institute for Justice, is a nationwide network of citizen activists determined to stop the abuse of eminent domain. The Coalition helps property owners defeat private-to-private transfers of land through the use of eminent domain by providing activists around the country with grassroots tools, strategies and resources. Through its membership network and training workshops, the Castle Coalition provides support to communities endangered by eminent domain for private profit.