

NEH Application Cover sheet (FZ-292685)

Public Scholars

PROJECT DIRECTOR

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Status: Senior scholar

Field of expertise: Urban History

INSTITUTION

Virginia Tech Department of History

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APPLICATION INFORMATION

Title: *Property Wrongs: The Forty Year Battle Over Race and Real Estate*

Grant period: From 2024-01-01 to 2024-12-31

Project field(s): U.S. History; African American History; Urban History

Description of project: Property Wrongs is a book that tells the story of a nearly 40-year battle between the real estate industry and the civil rights movement over race and real estate. It illustrates how race and segregation were central to the formation of the modern real estate profession and how housing segregation was key to the emergence of the civil rights movement.

REFERENCE LETTERS

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Significance and contribution

Why is homeownership so closely linked to racial inequality? There is a fundamental, century-long conflict between real estate practice and racial equality. The basic ideas of real estate development have been segregationist and unequal: that people of color in a white neighborhood are damaging to property values; and that white home ownership is more highly valued than Black and minority homeownership. These ideas were embedded in the origins of the real estate profession a century ago. To understand them requires a historical telling of their creation, their implementation in law and public policy, and the work of the civil rights movement to try to undo them.

Property Wrongs tells the story of a nearly 40-year battle between the real estate industry and the civil rights movement over race and real estate. It illustrates how race and segregation were central to the formation of the modern real estate profession and how housing segregation was central to the emergence of the civil rights movement. The National Association of Real Estate Boards formed in 1908 and became the leading organization promoting the development of real estate as a profession, including ethics, practices, education, and basic theories of value. The National Association for the Advancement of Colored People was founded after the Springfield Race Riot of 1908 and took housing segregation as a key plank in its civil rights platform. The two coalitions clashed in court cases again and again throughout the first half of the twentieth century. They reached an uneasy detente that continued through the end of the twentieth century.

This work will bring together race, real estate, and civil rights in a way that has not been told to the public before. It will illustrate how these two movements – the real estate profession and the civil rights movement – arose in tension with one another. W.E.B. DuBois’ original priorities set for the organization featured the fight against housing segregation, an effort that continued through the mid-century legal efforts of Thurgood Marshall, Charles Hamilton Houston, and Constance Baker Motley in the era of *Shelley v. Kraemer*. At the same time, key figures in the real estate world, including economists Richard Ely and Homer Hoyt, appraiser Frederick Babcock, and attorney Nathan MacChesney, all worked to create intellectual scaffolding and professional practices that made racial segregation seem natural. In illuminating this latter group, I expand the way we think about the “Chicago Schools” of sociology and of economics, to illustrate that foundational scholars at the University of Chicago were part of a larger set of Chicago institutions shaping public policy and intellectual life.

In *Property Wrongs*, I will use a series of U.S. Supreme Court cases (detailed in the outline) to structure and organize the book from the formation of the two coalitions, through multiple cases argued before the Court, and ending in a tentative and incomplete victory over segregation in the 1948 *Shelley v. Kraemer* ruling.

Court cases will structure *Property Wrongs*, but this book will also show how legal battles were just one front in the conflict over race and real estate. The court cases were ways of trying to resolve issues that had been shaped by business practices, influenced by academic ideas, and implemented through politics. In short, legal cases and rulings were important actions where social, economic, and political claims were distilled and decided, tentatively and temporarily. However, politics, the economy, and social values were not subservient to the law – they all existed in tension and in dialogue with legal interpretations.

Sources and organization

This project will combine archival work with legal analysis and journalistic storytelling. For *Property Wrongs*, I will draw on archival collections of some of the key figures and institutions in this story: the Richard T. Ely Papers at the Wisconsin Historical Society; the Robert C. Weaver Papers at the New York Public Library’s Schomburg Center for Research in Black Culture; the Herbert Hoover and Nathan MacChesney papers at the Hoover Institution and the Hoover Presidential Library; the National Association of Realtors archives; the Home Owners’ Loan Corporation and Federal Housing Administration collections at the National Archives II facility; and the NAACP, Legal Defense Fund, and Thurgood Marshall papers at the

Winling – Property Wrongs

Library of Congress, along with the Charles Hamilton Houston papers at Howard University and the W.E.B. DuBois papers, digitized by the University of Massachusetts at Boston. These I will join with everyday sources including an array of newspaper collections in Chicago, Washington, DC, and other communities such as Louisville, Baltimore, and St. Louis.

Chapter Outline

Part I – 1908-1917

1. **Beginnings** – In 1908, real estate leaders founded a national organization to make real estate into a profession. In the same year, racial violence in Springfield, Illinois prompted the creation of a new national civil rights organization. The National Association of Real Estate Boards and the National Association for the Advancement of Colored People lined up on opposing sides of a national debate over racial segregation.
2. **Journeys** -- Accounts of the escape of Black refugees from the Jim Crow South early in the Great Migration. will introduce us to the dramatically changing conditions in cities like Chicago, Washington, and Louisville that swelled with the arrival of tens of thousands of Black newcomers in the 1900s and 1910s, along with the tensions over housing that emerged in this era.
3. **Challenges** – Details the emergence of residential segregation ordinances in Baltimore, their spread via the real estate industry, and the effort by locals in Louisville, Kentucky, to organize a challenge to the ordinance in concert with the NAACP.
4. **Arguments** – The NAACP and Louisville attorneys prepare for a Supreme Court hearing for arguments in *Buchanan v. Warley*, including an account of the courtroom. The court found for the NAACP, ruling against the ordinance, settling the questions of equal protection and property rights--temporarily.

INTERLUDE

Part II – 1919-1926

5. **Red Summer and Race Riots** -- After an uneasy truce during World War I, race riots erupted in Indianapolis, Washington, DC, Norfolk, VA, Chicago, and other cities in the summer of 1919. Whites aggravated racial tensions and attacked newly empowered Black communities, illustrating little had fundamentally changed since 1908. Civic elites and real estate leaders in Chicago, where 38 people died, vigorously attacked the problem, devising new ways to segregate and maintain the racial order.
6. **Rise of the Realtors** -- Herbert Hoover, Nathan MacChesney, and Richard Ely, a group of leaders at the edge of power in American politics and in the real estate industry, began working together to promote land use zoning, racial covenants, and new theories of land value that were informed by eugenics and white supremacy. These measures both solidified the real estate profession and helped build a new political coalition.
7. **Covenants in the Capital** – When a white Washington, DC, couple sold their home to a Black professional couple, neighbors sued to block the sale because neighborhood property owners had signed a racial covenant. Local NAACP lawyers represented the homeowner and buyer to test the constitutionality of racial covenants, which threatened to implement segregation ordinances by other means.
8. **The Zeal of Zoning** – The city of Euclid, Ohio, adopted land use zoning after Herbert Hoover's Department of Commerce promoted the practice across the country, but a local real estate company challenged the zoning ordinance when the city prevented the development of an industrial site. A federal judge ruled against land use zoning on racial grounds, leading to a final argument before the Supreme Court.
9. **Before the Court** – The Supreme Court heard arguments over both land use zoning (*Euclid v. Ambler Realty*) and racial covenants (*Corrigan v. Buckley*) in January of 1926, but the NAACP was only concerned with racial covenants. Moorfield Storey, the aged attorney who had defeated segregation ordinances, argued against covenants for the NAACP. The court declined to rule on covenants in *Corrigan* for lack of jurisdiction in private contracts, and ruled in favor of land use zoning in *Euclid*. The two rulings were victories for the real

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estate coalition and ratification of Hoover's zoning plans to develop single family housing, while serious setbacks for African American civil rights.

INTERLUDE

Part III – 1927-1948

10. A National Program for Housing – By the end of 1920s, the real estate coalition had achieved power, while the civil rights coalition was in danger of falling apart. Herbert Hoover was in the White House, Richard Ely sat atop a well-funded academic empire in Chicago, and Nathan MacChesney led the realtors while becoming central to Hoover's political fortunes and the Republican Party. At the same time, the first generation of NAACP founders was dying or departing the cause and the organization needed to rebuild. When the financial crisis hit, Hoover drew on real estate leaders' expertise to help rescue and reform the housing sector. Civil rights leaders were frozen out of the Republican party, were not yet empowered in the Democratic Party, and had almost no place in the response to the real estate and financial crises of the Great Depression.

11. Mapping the Segregated City – Roosevelt established the Home Owners' Loan Corporation and Federal Housing Administration, which hired Richard Ely's proteges and embedded their segregationist ideas in the agencies' work to rescue the housing sector and to restructure home finance. Activists in a resurgent NAACP learned that federal policy put billions of dollars and the power of the federal government behind racial segregation and protested to President Roosevelt, who deflected their complaints.

12. Cracks in the Armor – Black activists and businessmen on the South Side of Chicago decided to take matters into their own hands and challenge a racial covenant. Their case went to the Supreme Court against Chicago realtors and the University of Chicago, winning on technical grounds, though the Court declined to rule on the constitutionality of all covenants. Nonetheless, the Chicagoans' work reinvigorated the NAACP's legal effort on housing segregation.

13. Building a Legal Coalition – Thurgood Marshall assembled a national team of lawyers to develop an attack on racial covenants, one that embraced politics as well as the law. The lawyers met in Chicago in 1945 for a conference reflecting on a decade of court challenges that was a key step in challenging segregation of all types.

14. Covenants in the Courts – The NAACP followed several cases through the courts in preparation for a Supreme Court challenge, but the team was rife with internal tension when conflict erupted between lawyers Thurgood Marshall and George Vaughn and threatened to undermine their legal attack.

15. Day of Reckoning – The uneasy alliance among lawyers held as the NAACP coalition argued against the constitutionality of racial covenants before the Supreme Court.

Competencies, Skills, and Access

My book, *Building the Ivory Tower*, on American universities and urban development, won the Urban History Association's best book award on North American cities. My article, "The Roots of Redlining," won the prize for best article in planning history. My collaborative digital project on the mapping work of HOLC, *Mapping Inequality: Redlining in New Deal America*, has helped fuel the nationwide reckoning with redlining and spatial inequality. It has received more than 1,000,000 unique pageviews, and has featured in numerous journalistic articles, radio spots, and video pieces on redlining. I have visited or assessed all of the major archival collections that I will use (detailed in the sources section). I have full access to the materials.

Final Product and Dissemination

This writing will result in a trade or academic crossover book tentatively titled *Property Wrongs*. It will be for a general but historically-interested audience – the type of person who is seeking answers, especially in the wake of the protests of 2020, to why there is such structural racial inequality in the United States, but whose reading is driven by interest in narrative and characters. This book will be documented through endnotes to emphasize the flow of the text while still showing my research work to any interested readers.

Winling – Property Wrongs

Work Plan

This fellowship will cover the calendar year of 2024 and will allow me time to dedicate myself to the writing of the book: to complete three chapters and then to revise the full manuscript of *Property Wrongs* from chapter drafts into a coherent work. It is a straightforward plan simply to give me time to write.

I began this research on redlining in 2013 with work digitizing the security maps of the Home Owners' Loan Corporation. These have been released through a collaborative digital project titled *Mapping Inequality: Redlining in New Deal America*. Since then I have also conducted extensive archival research in collections ranging from Chicago, IL, to Madison, WI, West Branch, IA, New York, NY, and Palo Alto, CA. In that time, I have also co-authored three pieces from this work--two journal articles and a book chapter.

At the time of this application, I have approximately 75,000 words written of a planned 100,000-word manuscript -- twelve chapters drafted out of a planned fifteen chapters. The vast majority of the research is completed, and by January 2024 I will have conducted or arranged for the few archival visits to fill in any research or narrative gaps that remain. In addition, I will have finalized a publishing agreement from among the interested presses in order to make the manuscript publication-ready as I complete it during the writing year.

January – May 2024 – writing of chapters 10 (including material on the revitalization of the NAACP and the beginning of a Black-led legal agenda), 14 (on four racial covenants cases that made their way through the courts), and 15 (on the cases before the Supreme Court).

June – November 2024 – revision of the whole manuscript to weave chapters together, ensure character continuity, pacing, scene integrity, context.

December 2024 – send manuscript to publisher.

Bibliography

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- Pearl Davies, *Real Estate in American History*. (Washington, DC: Public Affairs Press, 1958).
- David M.P. Freund, *Colored Property: State Policy and White Racial Politics in Suburban America*. (Chicago: University of Chicago Press, 2007).
- Paige Glotzer, *How the Suburbs were Segregated: Developers and the Business of Exclusionary Housing, 1890-1960*. (New York: Columbia University Press, 2020).
- Richard Rothstein, *The Color of Law: A Forgotten History of How Our Government Segregated America*. (New York: Livewright, 2017).
- Beryl Satter. *Family Properties: Race, Real Estate and the Exploitation of Black America*. (New York: Metropolitan Books, 2009).
- Keeanga-Yamahtta Taylor, *Race for Profit: How Banks and the Real Estate Industry Undermined Black Homeownership*. (Chapel Hill, NC: University of North Carolina Press, 2019).
- William Tuttle. *Race Riot: Chicago in the Red Summer of 1919*. 2nd ed. (Urbana: University of Illinois Press, 1996).
- Clement Vose. *Caucasians Only: The Supreme Court, the NAACP, and the Restrictive Covenant Cases*. (Berkeley, CA: University of California Press, 1967).
- Robert C. Weaver. *The Negro Ghetto*. (New York: Harcourt Brace, 1948).
- Marc Weiss. *The Rise of the Community Builders: The American Real Estate Industry and Urban Land Planning*. (New York: Columbia University Press, 1987).
- LaDale C. Winling, Todd M. Michney, "The Roots of Redlining: Academic, Governmental, and Professional Networks in the Making of the New Deal Lending Regime," *Journal of American History*, Volume 108, Issue 1, June 2021, Pages 42–69.

LaDale C. Winling

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EDUCATION

Ph.D., Architecture, University of Michigan (2010)
M.U.P., Urban Planning, University of Michigan (2007)
M.A., History, Western Michigan University (2004)
B.A., History, Western Michigan University (2002)

ACADEMIC APPOINTMENTS

Virginia Polytechnic Institute and State University (Virginia Tech) Department of History
Associate Professor, 2018 - present
Assistant Professor, 2011 - 2018

University of Virginia
Visiting Scholar, Scholars' Lab, 2019-2020
Visiting Scholar, Department of History, 2019-2020

Temple University Department of History
Visiting Assistant Professor, 2010 - 2011

Loyola University Chicago, Department of History
Instructor in Public History 2008 - 2009
Acting Director of Graduate Public History Program, Fall 2008

University of Michigan, Department of Urban Planning
Instructor, 2006 - 2008

PUBLICATIONS

Books

In Progress *Property Wrongs*, book project on 20th century battle over real estate and racial segregation.

2017 *Building the Ivory Tower: Universities and Metropolitan Development in the Twentieth Century* (Philadelphia: University of Pennsylvania Press, 2017)

- 2019 Urban History Association Kenneth T. Jackson Prize for Best Book in Urban History (North America), co-winner

Articles and Chapters (selected)

2021 “The Roots of Redlining: Academic, Governmental, and Professional Networks in the Making of the New Deal Lending Regime,” with Todd Michney, *Journal of American History*, 108:1 (June 2021), 42-69. <https://doi.org/10.1093/jahist/jaab066>

- 2022 SACRPH Catherine Bauer Wurster Prize for best article on planning history, winner

2020 “New Perspectives on New Deal Housing Policy: Explicating and Mapping HOLC Loans to African Americans” with Todd Michney, *Journal of Urban History* 46:1 (January 2020), 150-180. <https://doi.org/10.1177/0096144218819429>

- 2021 UHA Arnold Hirsch Prize for best article, honorable mention

2019 “Universities and Information Centers in U.S. Cities,” *Oxford Research Encyclopedia of American Urban History*, vol. 2 (2018), 340-353. <https://doi.org/10.1093/acrefore/9780199329175.013.283>

2018 “The Mapping State: Big Data Meets Social History in the Story of Redlining,” with N.D.B. Connolly, Robert Nelson, Richard Marciano. *Routledge Handbook of Spatial History*. (London: Routledge, 2018), 502-524.

2011 “Students and the Second Ghetto: Federal Legislation, Urban Politics and Campus Planning at the University of Chicago,” *Journal of Planning History* 10:1 (February 2011), 59-86.

2010 “The Gravity of Capital: Spatial and Economic Transformation in Muncie, Indiana, 1917-1940,” *After the Factory: Reinventing America's Industrial Small Cities*, James Connolly ed. (Lanham, MD: Lexington Books, 2010): 115-140.

Digital Publications

Contributions to [American Panorama](#) Digital Atlas of American History

- 2019 American Historical Association Roy Rosenzweig Digital History Prize, winner

2018 *Electing the House of Representatives, 1840-2016*. (<http://www.mappingcongress.com>)

2016 *Mapping Inequality: Redlining in New Deal America*. (<http://www.mappinginequality.us>)

29 November 2022



Editorial Department

Books Division

National Endowment for the Humanities
Division of Research Program
Funding Opportunity Number: 20221130-FZ

To Whom It May Concern,

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Very best,

[signed]

Timothy Mennel, Executive Editor
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January 2023

To the NEH Public Scholars Program

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Sincerely,



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DEPARTMENT OF HISTORY

January 20, 2023

Dear committee members,

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Sincerely,

David M. P. Freund
Associate Professor