

## HOW DIFFICULT WOULD IT REALLY HAVE BEEN FOR THE YOUNGERS TO BUY A HOME IN CLYBOURNE PARK?

From Jefferson Park Addition, Division No. 2 to the City of Seattle: "Building Restrictions"

From *Shelley v. Kraemer*

From *Family Properties* by Beryl Satter

### Vocabulary Warm-Up

#### Section A

1. I think an archive is a collection of historic papers and records. I think I would find an archive in a library or university; librarians, researchers, and people who keep the papers in good condition would work in an archive.
2. If I question the validity of the SAT, I am suggesting that its scores are not a legitimate piece of data to include in decisions about which students to admit into college. If you suggest something is not valid, I would expect you to oppose its use.
3. I think it meant that universities withdrew their money from companies who did business in South Africa and no longer invested in them. Divestment would have been politically effective because people would notice and if a lot of people and institutions divested, then it would hurt South Africa's economy, and people would demand that the South African government do something about it.
4. Such a covenant would sound attractive, especially given the problems our economy has had in recent years. I would not put much value in this kind of covenant, however, because politicians are not known for adhering to their promises.
5. I do not think cell phone use should be proscribed in schools, as long as they are being used for learning. I would proscribe the use of cell phones in libraries, churches, and other places that are supposed to be quiet or in crowded, enclosed space airplanes or trains, where using a cell phone would be bothersome to the people around the person using his or her cell phone.
6. These speculators are betting that the homebuyers are not going to be able to make all of their payments and that they will be able to take back the home and sell it again for a great profit. What they are doing is very unfair because they are overcharging homebuyers and forcing them to agree to very risky terms.

#### Section B

1. a
2. a
3. d
4. c
5. a
6. a
7. b
8. b

#### Section C

1. To be grossly overcharged is to be overcharged by a lot.
2. He is talking about a certain property and a certain period of time. Another word for said might be this.

3. A property title shows who owns the property and what exactly the property consists of (for example, the dimensions of the yard). A personal title refers to professional position or educational background.
4. Michigan was trying to block occupancy.
5. By framers, he means the people who worked together to produce (write, shape, and agree on) the amendment. The Fourteenth Amendment was framed by members of Congress.
6. We might think of domestic goods being local or of native origin (as opposed to exported goods). A domestic servant works in the home, so he or she certainly works locally.

#### Section D

1. A juvenile delinquent makes trouble and does not conform to social norms. A delinquent loan on an automobile means trouble for its owner. The owner is actually delinquent on his or her payments, which means he or she will likely lose the car when it is repossessed by the bank.
2. Students engage in lots of machinations. They use excuses about lost homework, computer problems, not knowing about assignments, and various personal troubles as ways to get out of doing their exams or homework. I never do that because I am an ideal student. Teachers who experience this behavior in their students might think about whether their homework and exams are reasonable, engaging, and fair.
3. I think the SATs and ACTs are one measure of academic ability but should not be used as the only measure of ability. I think they measure certain kinds of test-taking skills along with some academic skills. But there are many other important elements to academic success that cannot be measured by standardized tests. So, I think they are partially valid.
4. I am sometimes a loafer. When I am loafing about, I sometimes play computer games or watch television. Research suggests that some down time can actually be really valuable, so I think some loafing is okay.
5. Employers might look at the pictures I have posted and the kinds of comments I have made on Facebook and elsewhere. I think my history will hold up favorably under this scrutiny; I have been pretty careful about what I post.
6. I think it's okay to laud your children's accomplishments as long as you think about your audience. Talking about your own child's success around parents whose children have been less successful is thoughtless and might be cruel. I will try to be careful in praising my child's accomplishments.
7. The principal is a prominent person; everywhere he goes, people know who he is and listen to what he has to say. The imam in my neighborhood is also a prominent person; he is well respected by people from every religion. I think I would prefer relative anonymity to prominence. I don't think I would want people to know who I am or to be watching my behavior all the time. That seems hard.
8. My life is very different from my grandparents. They lived in cities and around a lot of family. My family is scattered everywhere and I live in the suburbs. I also live in a house, not in an apartment.
9. I think teachers are less likely to scrutinize their students because they have so many students (and students have a smaller number of teachers). That said, a teacher might notice that I am not terribly interested in fashion or trends since I wear relatively boring clothing. Perhaps that teacher might wonder whether I have less money than other students to spend on such things, but my wardrobe reflects my style and taste more than my finances.

### Section E

1. a
2. b
3. d
4. a
5. b

### Check for Understanding

1. a
2. b
3. d,e,f
4. c
5. a
6. a
7. c
8. c
9. b
10. d

### Writing and Discussion

Section A: Should you have a right to make restrictions about your neighbors and neighborhood?

1. The exception makes clear that non-Caucasians could live in the community if they were working there (as domestic servants), but they could not live there as renters or owners. This exception makes clear that there must have been plenty of non-Caucasians in the community, just living as workers, not as equals among the whites.
2. The covenant indicates that houses needed to be at least 25 feet away from the street margin. Whatever the street margin was exactly, this probably means that that houses needed to be set back at some distance from the street. This would have meant the lots would be larger (and thus more expensive). This kind of restriction would have increased the cost of the newly developed properties and, together with the explicit requirement that properties have values over \$4,000, would have kept lower income people out of the neighborhood. In this sense, the covenant works in terms of race and class to ensure that the neighborhood is made up of white people of some means.
3. Here, students can reflect on all the different kinds of restrictions that might exist in their communities. Should a builder be able to tear down a house and put up a small apartment building on that lot? Why or why not? Hopefully, they can reflect on the fact that restrictions today may help to maintain the character of a neighborhood, but they also continue the practice of keeping the neighborhood the same in terms of the income level of inhabitants. Is that kind of practice more acceptable than explicit racial restrictions? Students can grapple with this complex issue.

Section B: What's so important about property rights?

1. Before *Shelley v. Kraemer*, African-American families could be restricted from owning or living in homes based on racially restrictive covenants. Moreover, the Missouri courts had ruled that any violation of this rule could subject the violator to the loss of the title: an African-American family who purchased a home that was covered by a restrictive covenant could have their property seized. The Supreme Court ruled that enforcement of these covenants was a violation of the 14<sup>th</sup> Amendment because all citizens, regardless of race, should have the right to purchase and enjoy property, without discrimination. The decision, then, presumably allowed these families to keep their homes and allowed other families to purchase homes that had been protected by covenants.
2. Justice Vinson notes that property rights are a basic civil right. Home ownership is central to the American dream, and property ownership is also a significant way for families to accumulate wealth. When African-American families were denied this right, it was just as devastating as not being allowed to attend white schools or not being allowed to work in certain industries.
3. Discrimination at lunch counters and in buses was very visible and public. But property rights were far more veiled and private. It was hard for people to see African-American families trying and being denied the right to purchase homes. Perhaps this is one reason why this kind of discrimination persisted as long as it did. But certainly restrictive covenants were tremendously damaging in creating segregated neighborhoods, in penning African-American families into limited areas, and in limiting acquisition of wealth for African Americans through home ownership.
4. Table B-1: How the Fourteenth Amendment applies in *Shelley v. Kraemer*

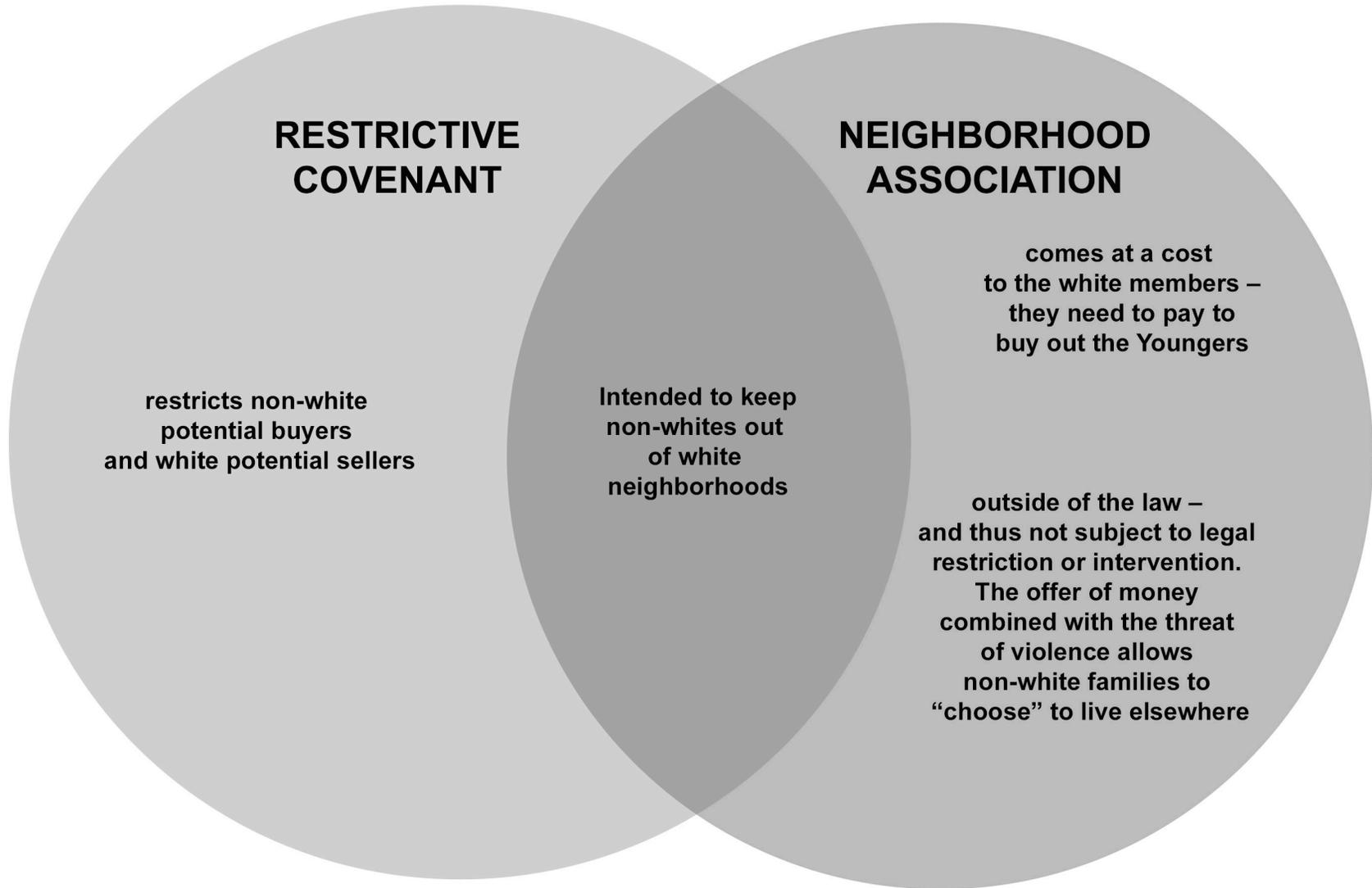
<b>Fourteenth Amendment</b>	<b>What it means</b>	<b>How it applies in <i>Shelley v. Kraemer</i></b>
"All citizens of the United States shall have the same right, in every State and Territory, as is enjoyed by white citizens thereof to inherit, purchase, lease, sell, hold, and convey real and personal property."	All citizens in the U.S., regardless of race, can buy, sell, etc. property.	Restrictive covenants had limited the rights of non-whites to buy, sell, or inhabit certain properties.
"that all persons, whether colored or white, shall stand equal before the laws of the States, and, in regard to the colored race, for whose protection the amendment was primarily designed, that no discrimination shall be made against them by law because of their color."	The law should apply to all people the same way, and laws should not be allowed to treat some people different from others.	No one should be able to create laws or rules that treat whites differently than other races.

5. The principles in the 14<sup>th</sup> Amendment establish a society in which all are treated equally in the face of the law. Being able to own a home and choose to live where one wants to live are central to a real democracy because where you live determines what resources you have access to, like schools, hospitals, or jobs. Even today, certain neighborhoods keep people out based on the fact that housing prices are so high. Hopefully students can reflect on how restrictive covenants could produce a world where certain groups of people are both excluded and subjected to substandard housing and neighborhoods.

Section C: How did white people restrict who could live in their neighborhood?

3. The purpose of the Jefferson Park covenant was to keep people like the Youngers from buying property or moving into Jefferson Park. It seems as if a covenant like this does not exist in the world of *Raisin*. If it had, the Youngers could have bought the property and then been forced to give it up once the covenant was revealed. *Shelley v. Kraemer* was decided in 1948, and *Raisin* is set “between World War II and the present.” World War II was between 1939 and 1945. So such a covenant might have been legal during the time of the play, although such covenants were illegal at the time of Hansberry’s writing of the play.

3. Figure C-1: Comparison between the restrictive covenant and the neighborhood association's approach



3. I think the Clybourne Park neighborhood association probably wishes it had a restrictive covenant, so the white people in the neighborhood wouldn't be in this situation. But the advantage of their approach is that the courts can do nothing to prevent their extra-legal coercion.
3. Students should write about the legal and extra-legal means by which non-white families were excluded from buying and living in homes in white neighborhoods. Hopefully, they will note that the neighborhood association approach is quite pernicious, in that it uses coercion to enforce white exclusivity and it bypasses the decision of *Shelley v. Kraemer* and other legal attempts to desegregate housing. Students who are interested in the perspective of white families may be intrigued by "All the Way Home," a video we reference in our Media Links for this unit, about the potential impact on white families. Clearly, for this kind of coercion to work, in terms of covenants or associations, full white participation had to be ensured, and that clearly had negative impacts as well.

D. Can personal/family history be history?

1. Table D-1: What Satter learns about her father

<b>What Satter learns</b>	<b>What her findings suggest</b>
"Most remembered him instantly, as if his death had occurred a week rather than over three decades earlier. Each person I called gave me contact information for several others."	Satter's father was well-known and widely remembered, and people were eager to talk about him. They might have thought he deserved to be remembered and recognized for the work he had done.
"I scoured archives and manuscript collections, examining the papers of civic organizations he'd belonged to and those he'd opposed."	Her father was actively engaged in and took sides in debates about civic life in Chicago.
"my father had represented scores of African Americans who had been grossly overcharged for the houses they had bought"	Her father thought contract-selling was unfair and worked with many families to try to combat this kind of exploitation.
"My father investigated the property records. He discovered that the white real estate agent, Jay Goran, who had sold the cottage to the Boltons in the fall of 1955, had himself purchased the building only the week before—for \$4,300."	Her father knew how to access information to help his clients, and he identified some unscrupulous individuals.

2. Satter discovers that her father's prominence was due to his efforts in seeking redress for African Americans who had been exploited by contract sellers. Her relatives may have refused to praise his activism because they did not support him making waves on behalf of African Americans; they might have also known or been acquainted with people involved in contract selling. She is implying that much of white society didn't care that much that

African Americans were being cheated and might have resented anyone who tried to change the status quo.

3. Students should analyze how Satter goes back and forth between talking about her father and relating historical details about contract selling. They might note that the frequency with which she starts sentences with “my father” suggests that she is proud of him. They must then determine whether those sentiments create any kind of bias in the historical information she presents.

Section E: Did the Youngers “aim too high” when they decided to go ahead with the house in Clybourne Park?

1. Students should use Satter to discuss how it is unlikely the Younger family will be able to obtain a regular mortgage, so the “notes” referenced may be the terms of a contract sale. Perhaps had Walter not lost some of the money, Mama would have used all the insurance money to buy the house in full in cash. Notice that the figures in Satter’s piece suggest that it would have been possible to buy a home in Chicago at around this time for less than \$10,000.
2. Students should probably worry about the Youngers’ prospects for long-term success. None of them have stable, secure, high-skilled jobs, so any one of them could be laid off. It seems likely that they could easily miss a payment and lose the house.
3. Students should write about the ways in which redlining and contract selling would have posed a threat to Mama’s dreams. Perhaps the Youngers might have fallen prey to exploitation and lost their home. But students may want to defend Mama’s right to dream big.