ROUTE 128:
BOSTON'S ROAD TO SEGREGATION

A joint report of the Massachusetts Advisory Committee to the U.S. Commission on Civil Rights and the Massachusetts Commission Against Discrimination, prepared for the information and consideration of the Commission. This report will be considered by the Commission, and the Commission will make public its reaction. In the meantime, the findings and recommendations of this report should not be attributed to the U.S. Commission on Civil Rights, but only to its Massachusetts Advisory Committee and the Massachusetts Commission Against Discrimination.

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CHAPTER I

DEVELOPMENT OF SEGREGATION IN THE BOSTON AREA

Boston's Suburbs: 1970

More than a century ago the parts of the city now referred to as central areas, were places which Warner, in his classic study of urban development, called the "streetcar suburbs." These pockmarked areas with burnt-out abandoned buildings were once the residential goal of many inner-city families. They now contain much of the minority population in the Boston area.

Today the Boston area is one of the most compactly settled in the United States. The degree of population density within its relatively small land area makes it almost surprising that so much of the historic, rural character of communities, which are now essentially commuter towns, has been retained. Within a few minutes drive from downtown Boston, it is still possible to find wide fields and large orchards or pine woods. Suburban sprawl around the margins of Boston is not yet what it has become in many metropolitan areas. Both the compactness of the region and its long history of settlement make it difficult to define "suburban" in the Boston context in a way that would be comparable to other metropolitan areas of similar size.

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The popular understanding of the term "suburban" refers primarily to residential commuter towns or "bedroom communities." The technical definition of suburban, as used by the Bureau of the Census, refers to any community within the standard metropolitan statistical area outside the central city. Cities such as Cambridge, Somerville, and Chelsea are technically suburbs of Boston, but they are more densely populated than Boston, Chicago, or Philadelphia. 3

A number of the inner suburbs might well have become part of the city proper if the town of Brookline had voted to be annexed in 1873. The Brookline vote to remain separate and the period of economic recession after 1873 halted Boston's annexation of outlying areas. Separate political and administrative agencies now differentiate these communities from the city, but urban processes with respect to housing, industry, and transportation now align them with the center. Problems of urban blight, deteriorating housing stock, and overcrowding are as great in many of the inner suburban sections as in the city. And it is well to keep in mind the distinction between what technically is a suburb and what is a suburb in the popular sense.

The focus in this report is on the outer suburbs, particularly those where new housing and industrial parks have grown up since the construction of Route 128. In 1970, many of these towns have begun to lose their rural atmosphere; commercial and service industries have begun to sprout in the smaller centers; and large-scale shopping facilities at major intersections are now well established.

Many of these suburbs have recently come to accept the construction of townhouses or small-scale apartment houses, although substantial buildable land is still available. In contrast to the narrow clustered buildings at the old town centers are the institutional and commercial structures built over the past 20 years that are low-lying and sprawled over large areas. These communities have not remained entirely

devoid of industry, but they have managed to avoid other problems which plague the inner sections. A number have managed to avoid most of the large-scale, public investments which municipal services require. On the other hand, many have been continually forced to expand their school facilities.

In looking at these outer suburbs, the long history of Massachusetts settlement imposes an additional distinction. At a time when construction of highway facilities is not limited by geography, people often forget the restrictions which early transportation modes placed on suburban development. After the automobile became widely used, the population surge into the suburbs spilled over and around older and smaller industrial centers like Lynn, Waltham, and Quincy. These older towns combine the modern suburban residential patterns of the fringe area with pockets of urban blight. They were the textile and leather manufacturing centers of the 19th century. Population movement away from Boston has gone on for more than a century, and for much of the time transportation to the north was better than elsewhere. Thus, northern suburbs tend to have older housing stock and greater population density, while the focus of much new housing development is to the south and west of Boston.

With the exception of Cambridge, all of the suburban towns were about 98 percent white in 1970.4 The outer suburbs have fewer low-income families and more high-income families than the inner suburbs.5

A comparison of the housing characteristics between inner and outer suburbs and Boston shows that the housing stock is much better in the inner suburbs.6 The unusually high percentage of poorer housing found in the outer suburbs of the south

4. See Table I of the Appendix for data on Boston's inner and outer suburban population in 1970.


6. See Table II for comparative data on housing characteristics in Boston's suburbs.
sector may be due, in part, to sampling from older cities, such as Quincy and Braintree.

Between 1960 and 1970, white population loss occurred in some inner suburbs of all sectors except the south. Black population loss occurred in two of the north central inner suburbs and one of the north inner suburbs. Outer suburbs showed consistent white population gain and a small black population loss in seven areas. Compared to the scale of white population increases in most suburbs, black population increases were very small. In many communities, the entire change may be due to natural increases rather than immigration.

The proportional representation of blacks in all suburbs except Cambridge is extremely small. In at least 29 communities out of 88, black proportional representation has neither increased nor decreased since 1960.

Racial Segregation in the Boston Metropolitan Area

Using 1960 Census data, Teuber and Teuber in their classic study, Negros in Cities, found that for Boston's black population to achieve a pattern of residential distribution throughout the city similar to that of non-blacks, 83.9 percent would have to relocate. Using 1970 census data, relocation would involve 84.3 percent of the black population.

The 1970 Boston Area Survey underscored the restriction of blacks to limited areas within the city. Clearly, the results of continued deterioration of the housing stock within the more predominantly black districts and adjacent residential areas have resulted in population redistribution within the city.

7. See Table IV for data on population change between 1960 and 1970 in Boston's suburbs.

8. See Table III for towns which had no change or a decrease in their black population.

Housing losses in the Roxbury-South End Area have forced many blacks into Jamaica Plain, a section which has much deteriorating housing. Moderate income black families have moved into the North Dorchester area, where there is a larger supply of single-family units. There is little evidence to suggest that black isolation has significantly diminished within the city.  

What is true within the city is magnified many times when the comparison includes the suburbs. Historically, the black population was scattered throughout the cities and towns which now comprise the suburbs. Today only the city of Cambridge approximates the proportional representation of blacks in the metropolitan area as a whole. In fact, Cambridge, which had a black population of 6.8 percent in 1970, exceeded the ratio for the metropolitan area of Boston (4.6 percent in 1970) and was substantially higher in its black representation than any of the inner suburbs. However, Chelsea, Medford, and Newton have also had small, well-established black communities dating back at least to the turn of the century. In 1970, Chelsea was 98.3 percent white. With the exception of Cambridge, minority representation in the more industrial, older suburbs is minimal. In the younger suburbs of the Route 128 area and beyond, minorities are virtually nonexistent. School data indicate that within cities and towns which have appreciable numbers of blacks, their residential location is highly concentrated.


While Boston's suburbs vary in density, income levels, and the degree to which they contain industrial or commercial facilities, they have in common a racial homogeneity. A superficial glance at population for the suburban area can be misleading in that both the school and local censuses fail to distinguish between resident blacks, those who are located in an area as live-in domestics, or are part of the institutional or military population. The school census of 1960 for the town of Lincoln, for example, reported a student population of 7.4 percent black. This black student population, in fact, consisted of the children of servicemen at Bedford Air Force Base who attended separate schools from those of the nonmilitary Lincoln residents. Likewise, the Concord Reformatory exaggerated the black representation of Concord; the Fernald School and Metropolitan State Hospital exaggerated the black representation of Waltham—not in resident patients but in resident service personnel.15

Recent surveys indicated a marked increase of minority citizens in the suburbs. However, for the Boston area such trends cannot be interpreted as suggestive of less segregation. A relatively large percent increase in black population may simply reflect the fact that a town which had two black residents in 1950 had four in 1960. For suburbs such as Burlington, Sudbury, Needham, and Weston, increases must be understood in a context of total population growth for the same period ranging from 100 to 400 percent.16 When minority population increases in Boston's suburbs, it is more likely to be associated with deteriorating housing stock in the older suburbs and increased institutional or military population in the younger suburbs. There is little comfort to be found in the suburbanization of blacks under these circumstances. There is some evidence to suggest that black representation in the less dense suburbs may be decreasing rather than increasing.


15. Personnel Office Report to the Civil Rights Commission's staff by the Metropolitan State Hospital and the Fernald School.

Residential Segregation in Boston's History

In the early part of the 18th century, during the years of Boston's greatest involvement in the slave trade, blacks made up 2.1 percent of the total population of Massachusetts. In 1960 the black population of the Boston metropolitan area was 3 percent of the total population, less than a 1 percent increase over the proportional representation in 1715.

Both the small size of the black population and the long history of a free black population in Massachusetts would seem to indicate that residential segregation would differ from the patterns of Southern or Western metropolitan areas. Such differences in racial history counted for little. The new housing, jobs, schools, and amenities of suburban life which followed the completion of Route 128 were for whites only.

The recent large immigration of blacks to the city of Boston obscures the fact that while 13 percent of the city's white population were redistributed into the suburbs from 1950 to 1960, almost none of the older black community (over 23,000 in 1940), appeared in the growth areas along Route 128. While it can be argued that the time scale is too short to allow blacks to approximate the white population movement into the suburbs, apparently even a century's residence in the Boston area has not been sufficient for blacks to migrate to 128's suburbs.

The almost total absence of black participation in the suburban development of the past 20 years would be disturbing had the total number of blacks in the region remained small. However, the black population was rapidly increasing. The


19. Ibid.
period from 1960 to 1965 saw an immigration of blacks to Boston representative of perhaps one of the largest internal population shifts in the Nation. In Boston, the influx occurred at a time when urban renewal did not refer to establishing a new housing supply but to rebuilding Boston into the commercial center it was prior to the mid-19th century. Housing renewal for the urban work force was accomplished by relocation to the suburbs. Industry followed its managerial and technical staff into the suburbs and led much of its white work force out of the city. New companies were moving to suburban locations even before the exodus of the white labor force although at that time there was a greater emphasis on highskill employment and service jobs within the city. The city of Boston became more independent of its resident work force and more dependent on its commuters. Such shifts in job-home locations met neither the needs nor the skills of the new black residents.


Decentralization of population and industry was not a trend which arose de novo in the 1950's, nor was the decline of urban neighborhoods a phenomenon new to Boston. New production techniques required many plants to seek more space, and shifts in the residential location of the work force had been facilitated by the postwar availability of the automobile. Construction of the high-speed circumferential highway, which opened the gateway to suburban land, permitted problems of space to be solved by relocation rather than a reconstruction of the city.

The new black population did not find itself in socially neutral territory. The early history of the Boston area shows that local communities had long practiced the "warning out" of black families who had established residence, where community representatives or selectmen would confront black families whom the town believed would become public dependents and warn them to move out of town.24 It was in Boston in 1849 where the "separate but equal" doctrine of school segregation was first enunciated, when the Massachusetts Supreme Court refused to order the Boston public schools to accept a black child in an all-white school. Boston itself was not a major stopping point on the underground railway, and groups of black families would leave Boston for Canada in search of a better life.25

After the Civil War, when the city's black population increased for a brief period, blacks continued to encounter bitter resentment from the immigrant population competing in the job market. In 1880, 17 years after the abolition of slavery in the Commonwealth, 240 blacks were deported from Boston on the basis of a statute expelling all Negroes not residents in the State.26 By the 1960's, State-ordered deportation of unwanted blacks had long ended, but then the trend turned to the public removal of their housing.27

24. The town of Lincoln, for example, began "warning out" black families 10 years after its incorporation as a town. See Town Records of Lincoln, Mass., 1757-1762.


27. Ibid., p. 102.
The exchange of race prejudice in one part of the country for race prejudice in another part occurred ironically at the height of the civil rights movement in Boston. Problems of employment, housing, and education in the black community were not unknown to the residents of the suburbs. Yet the suburban white population saw prejudice and discriminatory practices as matters extrinsic to their communities. The absence of racial minorities in the 128 belt was interpreted as something completely fortuitous. A suburban home, it was thought, was the just reward for many years of individual effort. Many suburbanites forgot that Federal assistance facilitated their move from city to suburb. They failed to comprehend that the changing patterns of metropolitan development, which they themselves were influencing, excluded the same routes for blacks.

Residential Segregation and the Federal Government

In 1959, 1961, and 1963, the United States Commission on Civil Rights issued reports on housing which noted that black Americans continued to have unequal access to existing housing resources and that the plight of racial minorities was exacerbated by the general and critical shortage of low-income housing.28

These reports clearly documented the role of government, particularly at the Federal level, in denying equal opportunity in housing to substantial numbers of American citizens on the ground of race. The massive influence of the Federal Government over the housing industry in the form of direct funding to localities, Federal Housing Administration and Veterans Administration mortgage insurance, Federal National Mortgage Association mortgage purchases, the chartering and insurance of private financial institutions and in highway expenditures, in the 1950's and 1960's was not directed toward supplying equal housing opportunities to all the region's citizens. The cities

28. Not only was housing in low-income neighborhoods taken for renewal, but highway construction also cut into the minority housing supply. According to a fact sheet prepared by the Greater Boston Committee for the Transportation Crisis, over 500 blacks would have lost housing if plans for the inner belt had been implemented.
and towns along the 128 perimeter are most deeply indebted to the Federal Government for their suburban quality; they are also indebted to it for the preservation of their all-white character.

The Housing Act of 1949, with its goal of "a decent home and a suitable living environment for every American family," was passed at a time when Route 128 was well on the way toward completion. It was not until 1957, when the U.S. Commission on Civil Rights was established, and not until 1958, when housing and industrial development in the 128 area was burgeoning, that public attention was focused on the exclusion of minority groups from housing assistance.

In 1962, President John F. Kennedy issued Executive Order No. 11063, emphasizing a national policy of equal opportunity in housing; in 1963, the U.S. Commission on Civil Rights reported that this policy had yet to be implemented. In 1968, reports by the National Advisory Commission on Civil Disorders and the National Commission on Urban Problems both documented the fact that national policy had not been translated into meaningful action; in fact, America was quickly becoming two nations—one white, and the other black. In 1969, the report of the Urban Coalition and Urban America, Inc., stated, "The physical distance between places where blacks and whites lived did not diminish during the past year and threatens to increase with population growth. These reports were just a few emanating from government and private sources which attempted to focus public attention on the critical nature of unequal housing opportunities.

What must be kept in mind in reviewing this brief chronology is that the time span of 20 years covered a period of accelerated and almost uninterrupted growth in Boston's suburbs. However, virtually none of the new housing stock in Boston's suburbs was made available to minority citizens despite evidence of discrimination in housing. The competitive advantage of white citizens in gaining access to the new suburban housing and amenities was not moderated. The trend toward segregated housing not only continued, but continued on an unprecedented scale for this region.

Federal assistance in financing single-family home ownership, exclusionary local policies of large-lot zoning, and restrictions on multi-family dwellings changed rural towns into suburban white enclaves. Federal assistance in the form
of loans and tax benefits stimulated the demand for suburban housing and reinforced the aspirations of large segments of the population. At the same time, large-lot zoning and other restrictions raised housing costs, wasted buildable land, and increased the gap between minority urban income and the price of suburban residence. The shifting economic base of the region was encouraged by Federal and State expansion of highway facilities. The resulting loss of jobs in the city limited minority income gains and increased the social tensions within the urban core.

There is little to be gained by speculating on what might have been had the suburbs of the 128 belt provided open housing in the early 1950's. It is clear that one of the major flaws in planning and implementing the Federal fair housing policy was in underestimating the vast persistence of discrimination. The Federal Housing Authority and other Federal agencies had neither the inclination nor the capacity to deal effectively with discriminatory housing practices. Suburban residents may argue that discrimination in the suburbs has ceased, but scant evidence exists to support this argument.

The development of suburban communities has resulted in patterns of life inappropriate to minority needs. Federal and State financial props have permitted many suburban communities to develop policies toward municipal and social services which exclude minority groups.

In the 1970's, the gap between housing costs and minority incomes continues to widen. Employment and educational opportunities which minorities badly need continue to move farther from their residential base. The magnitude and complexity of the problems caused by the absence of open housing continue to increase. Just when the general housing shortage requires major innovative change, the metropolitan area has run out of room to maneuver. The sluggish national economy has sharply curtailed housing production and hurt employment in the suburbs. All these factors have serious repercussions on the minority population in the city and on its potential mobility in the years ahead.
CHAPTER V

THE SUBURBAN RESPONSE TO GROWTH
AND
TO THE NEED FOR LOW-COST HOUSING

Introduction

The result of Boston's suburban development has been increased racial isolation. Racially exclusive housing patterns have become the accepted norm in Boston's suburban rings. The white segment of society exerts monopolistic control over virtually all buildable land, with little or no consideration of minority rights or needs. Suburban industry has, for the most part, failed to confront the consequences of locating in racially segregated towns. This failure has allowed patterns of exclusion to become well entrenched in suburban employment. A dual system of transportation, one for the poor and the minorities and one for the white middle- and upper-income classes, further complicates urban-suburban relationships and perpetuates suburban exclusion.

Differential access to suburban opportunities has become so systematized with respect to the racial minorities that it now jeopardizes the prospects for racial equality throughout the region. It may be that the decade of the 1960's marked the beginning of an endless detour to achieving equal opportunity for all. And it may be that the housing crisis in the Boston area, instead of being just one more obstacle to full minority participation, will in the process of its eventual resolution bring about an indefinite postponement of racial equality.
Suburban resistance to minority inclusion has evolved from overt to covert discriminatory acts. Many suburbanites do not see racial discrimination as a factor in denying minority participation in their communities. It is helpful to review the recent history of local civil rights and fair housing groups to gain some insight into the transformation of suburban resistance.

Local Fair Housing Efforts

Local groups concerned with racial inequities formed in a number of suburban communities during the 1950's. By the late 1950's, many had joined together in a rather loosely structured federation. At first, attention was directed to the dramatic events taking place in the South, and some groups acted merely to channel funds to areas of need outside the State. Many northern whites were leaving the region to join forces with southern blacks; at the same time, many more southern blacks were coming into the Boston area and being denied suburban housing. By the end of the 1950's, local civil rights groups were beginning to appreciate the disparities at home and engaging in activities to make local citizens more aware of racial problems and to place social pressure on those who discriminated in housing sales or rentals. By the early 1960's, the League of Women Voters had committees in almost every suburban community studying and discussing problems of equal opportunity. Attention was primarily devoted to actions at the Federal and State levels and reached its peak with the passage of the Racial Imbalance Law by the Massachusetts General Court.

While many groups sponsored open housing drives and often provided "testers" to assist in the enforcement of State antidiscrimination laws, the close cooperation between urban and suburban groups which led to the passage of the Racial Imbalance Law did not apply to housing legislation. The critical need for housing absorbed the energies of groups within the city in the early part of the 1960's, but it was an academic and extrinsic issue for most suburban organizations.

By the mid-1960's, however, it was clear that the absence of any low-income housing supply and a disappearance of middle-income housing constituted a major barrier to the achievement of open housing. There could be no "fair" housing if there was no housing, and the responsibility of increasing
the local supply of low- and moderate-income housing would have to be undertaken by civil rights groups because no one else was interested. It was at this point that the attention of civil rights groups focused on local communities and local governments. However, many of these groups lost much of their cohesion and largely dissolved. The outpouring of concern after Martin Luther King's death was, for many suburbanites, the last flicker of a wavering interest.

League of Women Voters study committees in the suburbs had large memberships in the years when discussions centered on equal opportunity in employment. The membership diminished when discussions centered on local zoning and housing policies. Most fair housing committees lost their memberships entirely or reconstituted themselves as moderate-income housing committees. The residue of those organizations, however, provided a base in the suburbs of laymen and churchmen unusually well informed in the field of housing. In fact, a number of citizens' groups which confronted housing and land use issues through their devotion to resolution of civil rights problems, often usurped the roles of professionals in the fields to devote new attention to their situation. This is not to say that they were successful. Their failure was neither a result of incompetence nor an inability to effectively communicate the problem to their community or local government. This failure is interpreted in different ways by different groups, but their testimony is instructive.

Local Efforts to Develop Low-Income Housing

Reverend Sam Larson, a representative of Interfaith Housing Corporation, told the Advisory Committee and the MCAD that his group had spent years in organizing and educating the public to low-income housing concerns. The efforts have resulted in a few low-income housing units being constructed and met by a great deal of community resistance, Reverend Larsen said. He commented:

Roughly 2 1/2 years ago, I organized the Newton Foundation for Community Development in Newton. ...[That] is...under so much fire and criticism....Chances are they will not succeed in being able to build housing there under small scattered sites....
In Natick and Waltham and countless other communities where Interfaith has been working, the community was not even interested in studying the questions of economic and racial integration, much less doing anything about it... In other communities, such as Lexington, they appointed commissions years ago, and for 3 years they have been studying the question of [economic] integration...

Another witness, Reverend Norman Faramelli, said that even when a successful education campaign had been carried out, the project would be killed by the thorny question of site selection:

We have seen in Waltham and in many other places, a reduction of low- and moderate-income housing stock over the last 3 years. Low- and moderate-income housing is being removed for parking lots, for business units as well as for luxury apartments.

Reverend Faramelli said:

We made a [successful] politicizing...and educational campaign and...we [converted] the ultimate aldermen and city councillors. The aldermen in Newton were highly enthusiastic... Waltham city councillors a year ago voted 15 to 0 in favor of low- and moderate-income housing...[Where] we see the erosion of the support of the aldermen and many others [is] because we have to put the housing somewhere, and it happens to be on specific sites. All at once that negative reaction that we had in the beginning repeats itself, but this time it is not a conceptual negative reaction against poor people...[Instead, the reactions are:] We are careful and fearful of housing densities; we don't want to overcrowd our schools; why build housing here?; our green spaces are almost gone.

Another witness, Mrs. James Jones, testified that the race of some of the potential housing occupants was seldom an open issue; in fact, many persons bent over backwards to prove that they were not bigoted. She said:
Why people oppose these housing programs is extremely, complicated, but the one factor... hits me the hardest as a neighbor and associate of a lot of people who oppose it. They tried very...hard not to be bigoted in their responses. They are not against blacks; they are not against the poor. They are against the density, and the traffic, and the children. And I don't know whether to believe them or not....

They don't connect a problem that exists for other people a few miles away in the city with them to the extent they can tolerate any inconvenience at all; an overcrowded classroom for their child...a tax rise of a buck or two on a thousand. It's just too much to ask....

Another witness, Reverend Edward Blackman, saw race prejudice as a clear obstacle to the development of moderate-income housing in the suburbs:

One of the frustrating things about trying to get low- and moderate-income housing in suburban communities...is that...the race issue becomes the focus of opposition....All the images that people throw up are somehow of the large poor black family on welfare, with 700 kids running around filling up schools...[and], most of the housing, if it is built in suburban communities, will not realistically serve black people for low- and moderate-income housing....The almost self-destructive pattern that the society is in is the willingness of people to act against what they see as a threat from black people and to deny housing...to people who are [already] involved in their own community....

Mrs. Harvey Beit, told the Advisory Committee and MCAD that changing the attitudes of suburban whites was essential but that she did not know how this goal could be achieved:

Over the past several years I have operated on the theory that a major portion of our energies should be directed toward attitude change of whites to blacks, of old to young, of middle class to lower income. Much to my dismay, nothing has
happened. We have more underdeveloped, 
exploited areas and people in our midst 
than ever before. Attitude change is some-
where over the rainbow, and I'm not willing 
to expend total energy in behalf of that 
illusory goal.

The testimony quoted above represents that of individuals 
and groups who repeatedly demonstrated commitment to providing 
decent housing for all Americans. It represents 10 years of 
work throughout Boston's suburbs to arouse similar commitment 
by others. Interfaith Housing Corporation held 193 meetings 
and spent more than $19,000 to bring about some degree of com-
munity support for the construction of 250 low- and moderate-
income housing units in Stoughton.

Interfaith attributes the eventual fruition of the project, 
not to this effort but to Interfaith's eventual assistance to 
the town in obtaining Federal funds for improving the local 
water supply. Interfaith's experiences in promoting low- and 
moderate-income housing have been repeated by nonprofit groups 
in other communities, as documented in Interfaith's report, 
The Suburban Noose. 87

Equal opportunity in housing in Boston's suburbs has not 
failed because of lack of commitment. Indeed, it has failed 
because the majority of white suburban residents are committed 
to goals incompatible with racial equality. Whether residents 
object to site locations for moderate-income housing because 
they do not want to live next to black families on welfare 
with "700 kids" or because they object to potential traffic 
congestion is irrelevant. Without community support the project 
does not get built and black and low-income families continue 
to suffer from its absence. Community leaders and public 
officials, if they support a plan at all, often "discover" 
water, drainage, traffic problems if there is vocal 
opposition.

There is a double standard operating in the communities. 
While new housing is generally approved by town boards, any 
housing which might potentially be occupied by blacks must 
observe the community approval of the community. The concept of community 
control, often stressed as a major need within the inner city, 
has been realized in the suburbs with respect to housing for

87. Interfaith Housing Corporation, The Suburban Noose 
(Boston, 1969).
low- and moderate-income families.

Throughout the suburbs, town committees and town boards will spend more time investigating one moderate-income housing proposal than they devote to planning the development of the town as a whole. A private developer, however, is allowed considerable latitude to develop luxury housing.

One of the reasons low- and moderate-income housing groups in suburban towns have so consistently failed is that they operate differently from private, profit-oriented developers, who are willing to comply with the double standard. The actions of local housing groups are largely determined by the costs of land production which require appeal for zoning changes to accommodate higher densities.

Private developers have sought relief from the court's which few local, moderate-income housing committees would readily use. Local housing committees lack funds to acquire land to do thorough planning or carry on a protracted court case.

In the process of working toward moderate-income housing and thereby challenging the suburban status quo, local groups which retain their internal cohesiveness are often labeled do-gooders. On the other hand, groups which reach out for support tend to be informally co-opted by the local power structure so that those most interested in providing racially inclusive housing are gradually replaced by those who are interested in providing housing "suitable" for the town. In

Needham, for example, the original voluntary moderate-income housing committee was so severely weakened by the appointment of a second moderate-income housing committee that it has now become virtually inactive.

According to Sumner Fanger:

We were told at a public meeting by a public official that 'you will never get anything done in this community because of your image.'...
As a result of the public image of a group of people who formed the Needham Community Development Foundation, Inc., town officials promoted another organization to produce low- and moderate-income housing....

The Anti-Snob Zoning Act, Chapter 774 of the Massachusetts
General Laws

Chapter 774, the "Anti-Snob Zoning Act," was designed to facilitate the procedure for obtaining zoning changes by establishing a zoning appeals board at the State level. Its use was limited to nonprofit or limited dividend corporations and provided that towns which have 1 1/2 percent or more of the land area devoted to low- and moderate-income housing may refuse further low- or moderate-income housing development. The bill's sponsors readily indicated that its intent was to act as a catalyst to housing development rather than provide an adequate housing program. The bill was passed without suburban support and went into effect in November 1969. Approximately six months later, the Department of Community Affairs established the appeals board. But at the time of the Boston open meeting, no housing had been produced or started. Testimony at the Boston open meeting indicated that housing producers were reluctant to tie up funds in a test of the law. Few appeals have gone to the board, and of those, several were withdrawn due to the costs incurred by the delay in housing production. The effect of the law, as interpreted by its supporters, is to serve notice on suburban towns that they must allow some degree of income heterogeneity in order to be considered responsible members of the metropolitan community. The effect of the law is, in fact, to stimulate suburban communities with new strategies for circumventing racial

inclusion. One of the best strategies is to build public housing for the elderly only, and this is being done throughout the metropolitan area.

Although the Anti-Snob Zoning Law has received widespread publicity, it actually represents an ineffective approach to the exclusionary character of suburban zoning and is chiefly of interest for the near-hysteria of response it provoked in suburban town boards. It has failed to facilitate the development of racially inclusive housing. Instead, it gives the towns time to plan further barriers.

Chapter 774 has operated to postpone a direct court test of Massachusetts zoning enabling act. Bernard Frieden has pointed out in his article "Toward Equality of Urban Opportunity" that when State laws have operated to curtail freedom of movement, the Federal courts have ruled them unconstitutional. Paul Davidoff and Neil Gold, nationally recognized experts in planning and law, presented an argument at the open meeting that the Massachusetts zoning enabling act operates, as do those of many other States, to abridge the rights of the poor and the racial minorities. Exclusionary zoning is actively being fought in the courts elsewhere.

The behavior of State agencies raises two questions. By taking a tiptoe approach to suburban zoning, is the Department of Community Affairs encouraging the further elaboration of racially exclusive practices by local governments? And will such tactics as housing for the elderly eventually operate as effective substitutes for current exclusionary devices in the event the current zoning enabling statute is successfully challenged? The longer the State postpones decisive action in the field of zoning, the more likely the answer to both questions will be yes.

Local Government and Resistances to Low- and Moderate-Income Housing

The folly of depending on local suburban governments to voluntarily initiate an increase in a housing supply which

might be occupied by minorities was repeatedly underscored during the joint meeting of the Massachusetts Advisory Committee and the Massachusetts Commission Against Discrimination (MCAD) in June 1970. Town officials representing boards of selectmen, planning boards, finance committees, industrial commissions, and housing authorities were interviewed. Of the more than 25 public officials interviewed, not one was actively promoting equal opportunity in housing or employment in his town; not one was using his leadership role to inform the community of the changing relationships in the metropolitan area. The testimony of the chairman of the board of selectmen of a suburban town is illustrative:

As far as low- and middle-income housing is concerned, we have done absolutely nothing as a town. We do have private groups in our town that are interested in this subject, and I assume that, if they thought the town needed it or it was our moral obligation, they would have brought an article forward to take care of that....

In response to a question concerning planning for increased opportunities of minorities in the town, the same official replied:

Well, if you take planning in the broad sense of the word, I suppose it should... but, as far as I know, the independent group that is associated with the churches, and they're called the civil rights committee, I believe, are the group in our town that is undertaking that sort of thinking.... [It] seemed to the rest of us, who have quite a lot of work to do anyway, that we were very happy to let someone else do the thinking on this subject.

Most of the interviewed officials expressed similar views. They relied on someone else's thinking on that subject. Some officials expressed opinions in conflict with even the principle of equal opportunity. The chairman of the board of selectmen of another town who, in addition, was a vice president of a suburban bank, was asked:
Should a minority group person have the opportunity to live in your town if he wants to?

The local official and bank officer replied:

I see no objection to that...if he can afford to pay what the landlord wants. I see no objection to it.

The same official was asked:

Would your bank be concerned about what effect [a black's] purchase might have in the neighborhood, where your bank might also be holding a mortgage?

The official replied:

Well, yes. I think the directors of the bank would owe their thoughts to the present members of the community....I can think of several locations in town...that the answer would have to be yes because some of those houses are $60,000 to $80,000, [or] $90,000....[They] would be concerned with maybe a possible reevaluation of the property that's already there.

I have made [property value] studies [of blacks moving into areas] and I have found where it made a big difference....A case down in Pennsylvania...was my personal study because my daughter and my son-in-law wanted to know what they should do about their property.

In still another town, where apparently there is no objection to a minority group member who can pay the rent, the chairman of the housing authority testified that the town had one housing project for the elderly containing 44 apartments with a waiting list of 125. He noted:

[In] checking over some of our applications... some of these are people who are being rejected from their present quarters because the housing has been sold. Now older people would not put
those people out, but the new owners want
to improve their apartments and charge higher
rents....Perhaps we can have rental assistance....
but our plans to date on that have been so
nebulous that I don't think I want to say too
much at this time.

A planning board member of the same town estimated that 89
percent of the town's land area is zoned for single-family use.
Yet some 300 to 560 new immigrants from the Azores and the
Madeira Islands were known by housing authorities to be living
in overcrowded conditions in the center of town. In explaining
the opposition to low-income housing in the town, the planning
board representative stated:

I think primarily the reasons given will be
the low effect on the town as a whole, so far
as public services are concerned....In the
past 6 years, a great influx of moderate- to
upper-income people...has drained our services
tremendously and we're in the throes of spending
tremendous amounts of money for schools and
other...facilities for the town.

The town official expressed the viewpoint of a low-income
community which is, in effect, swamped by metropolitan growth,
ambivalent on race, unprepared for the housing needs of its
own people, and desperately trying to make up for the inade-
quacies of its past planning. The chairman of the board of
selectmen of a neighboring town presented the views of a
high-income community:

I think that individual towns are perfectly
able of handling their own problems in
the area of housing. To set up laws on this
is contrary to all my beliefs.

In response to a question of whether Federal and State
laws and programs were needed to handle their housing problems,
the official said, "None," nor did he feel that his town
needed Federal or State programming funds. However, when
asked if his town had any grants for highway, water, or sewer
development, he replied:

We have a Federal grant in connection with a
new sewerage disposal plan [even though]...we
don't need it....It is available and we applied
for it.
This town, with no low- or moderate-income housing, at the time of the hearing was to be the site for a new 20-acre shopping development. Will minority group citizens have an opportunity to live and work in this town? The answer is no. Housing is in the $30,000-and-up price range, and the only public housing available is for the elderly. Yet those public officials responsible for the shape of the town's growth feel the situation is well in hand:

Our policy toward growth in population is that we favor individual growth for the purpose of getting more taxes....Policies to increase industry...have been to zone certain areas of the town industrially and to encourage the State and Federal Government to build roads in our area...to make transportation to the rest of the world easy for industry....

Not all local officials felt the situation was well in hand with respect to population growth. The majority of those interviewed spoke of controlled growth and the need to slow development to a level the town could respond to. One town, for example, with only 10 percent of its land zoned for non-residential use, is finding it difficult to keep up with recent expansion. A representative from another town expressed a similar problem:

I think the official policy of the town...is restricted population growth. I don't think it was the intention a decade ago, when this type of zoning was [adopted]....The lot size was increased [in an] attempt to keep certain types of economic or ethnic or other groups out of town, I think it was [the intention] to slow growth down so that town services could keep up with it.

Not one of the communities represented felt it could afford to create opportunities for minorities. One community representative said:

I don't think that [our town] would go out on its own to do something all by itself to have this happen. It would be, presumably, rather

costly.... [There are] things that, at the moment, are beyond our immediate solution or control, that stand as a barrier to doing something about it. [Such as] the lack of sewerage.

At the Boston open meeting, Paul Davidoff expressed the paradox inherent in the zoning for "controlled growth" philosophy:

The old law, if you examine municipal corporate law, was mandamus. [It] was appropriate to require [that] towns provide services. The government existed to serve the people, and in the past 10 years, facing tremendous suburban growth, we have had a perversion of that to which point people now serve governments.... [They] are often permitted to come in if they can pay their own way and do not overtax services.

One of the topics foremost in the minds of town officials is open space. One official said:

I think there's a place for a town with the kind of open space that towns like Westwood and Dover and Wayland and Westwood have. We are willing to see the town accommodate any or all of the residential developments described, but we would wish... safeguards that are going to preserve what we think is unique about our town in terms of its natural beauty and open space.

When a town has substantial open space, it is not uncommon that it considers its open space unique and worthy of preservation. Not all towns believe that the preservation of open space and the creation of a low- or moderate-income housing supply are incompatible. However, the efforts of planning boards consistently deal with the former in concrete ways and deal with the latter theoretically or not at all.

While the dwindling supply of open space is a matter of common concern, the degree to which the dwindling supply of housing is recognized as a serious problem varies from community to community. When the lack of low-income housing is acknowledged, often town officials rely upon housing authorities to assess and respond to these local housing needs. Housing authorities, however, often fail to meet this responsibility. Although the Department of Community Affairs is readily
accessible by telephone, most housing authority members lack knowledge about current housing problems, current population trends, or available housing programs. For example, consider the testimony of the chairman of one housing authority. The Advisory Committee asked:

Are [you] trying to say that the only thing you have looked into is the [housing for the] elderly; you haven't looked into anything else yet?

The housing authority chairman replied:

Well, we met with the board of selectmen; we met with the town planning board.

Question:

How many units would you say...are needed of low-income and moderate-income [housing]?

Answer:

At the moment, I don't think I could tell you.

Question:

Has it been taken up at the only authority meeting to date--the concept of building family units for nonveterans?

Answer:

Not unless it comes under your zoning laws....

Question:

What I am asking is whether or not you and your fellow members of the authority have ever considered this?

Answer:

I think that mention of these things comes up at times.
Question:

Have there been any attempts by the town to participate in leased housing as opposed to construction of family units?

Answer:

I don't know anything about that.

Question:

Has there been any survey of the availability of rental units in the town to determine whether or not a leased housing program could be successfully initiated?

Answer:

I don't believe there has been any discussion about that.

Few housing authorities are the models of vacuity that this town has established, but equally few are models of efficient administration. Another housing authority chairman testified that although his town had been awarded $100,000 for rent subsidy in August 1969, it could find no way between August 1969 and June 1970 to administer the program. By June 1970 a pilot program for rental assistance to one potential elderly tenant was in the process of being established. Testimony on behalf of the Department of Community Affairs by Deputy Commissioner MacDonald Barr, on the other hand, indicated that this town's failure to submit a rent schedule was all that was holding up the program.

The picture which emerges from lengthy discussions with the public officials of Boston's suburbs is one of conscientious public officials lacking or reinforcing irresponsible public policy. Most town boards are encountering a widening gap between their abilities to plan and administer and the demands population growth has placed on local government.

From a broad perspective, suburban attempts to resist growth, to avoid the need for municipal services by failing to create them, to insulate themselves from social problems by including only certain groups, have all failed. Despite large-lot zoning, towns have grown faster than the capacity
to plan. Despite the absence of some municipal services, the desire and need for other services has raised tax rates, and despite the exclusion of certain people, social problems have multiplied.

The behavior of local town officials seems unrealistic. Their indifference to the problems of minorities and their failure to recognize and/or to educate the town to its responsibilities encourage racially exclusive housing policies. The parochial interests which consume the attention of planning boards and finance committees at the expense of concern for the region as a whole are regrettable but not unexpected.

There can be no doubt that suburban governments have avoided responsibilities every step of the way. They have avoided the responsibilities which they could have handled. They have tolerated mediocrity when excellence was needed. Most seriously, they have used public funds to implement local policies which are in direct conflict with national and State goals. But throughout, they have been supported by the State and Federal Governments.

Role of State and Federal Governments

Suburban resistance to minority inclusion has been effective because the structure of suburban governments predisposed local officials to respond to unreasoning fears and selfish interests within the community. It has been effective because State Government has abdicated its responsibility and has taken a passive stance on housing and race issues. William White of the Massachusetts Housing Finance Agency described the situation with regard to housing:

I think the need for housing has been established... Everybody in the State at some point or other with any responsibility has established there is a need for housing. And I don't think we can do this [assist local communities] by saying an individual community...doesn't really know what they need. If they don't know what they need, it just points out to me they are irresponsible and they shouldn't have the responsibility of supposedly housing families that need to be housed.
State and Federal officials have consistently operated under the delusion that local officials will voluntarily subject themselves to community outrage by proposing to implement low- and moderate-income housing programs. It would be unrealistic to expect local officials to voluntarily test community attitudes on race by proposing that the town adopt an outreach program. MacDonald Barr, deputy commissioner, Department of Consumer Affairs, has expressed the view of the department: "The more belligerently it's done [getting local communities to accept low- and moderate-income housing], the more resistance you are going to meet."

Suburban resistance to low- and moderate-income housing to which State and Federal agencies take such a timid and evasive approach is, in large part, a product of their own making. The tools by which suburban committees erect barriers to exclude the poor and the minorities and the means by which suburban communities can minimize the economic impact of maintaining irresponsible growth policies are all handed down from State and Federal sources which do not extract responsible commitments to housing or to racial inclusion. Westborough gets the funds to facilitate commercial development and a sewage treatment plant. Marlborough gets planning grants and renewal assistance, not to provide low-income housing, but to stimulate its commercial district. Towns like Dover and Lincoln are encouraged to take large acreages off the market entirely for conservation purposes with no minimal program for enlarging the housing supply. What is the incentive for residents to voluntarily take on low- and moderate-income housing when they can maintain the illusion of a 19th century farming village at minimal cost to the town? Why should a town concern itself with the increased housing pressures created by its new industrial park when its municipal needs have been met by Federal and State grants? And throughout the suburbs, where suburban governments are inadequately coping with growth, why should any community voluntarily divest itself of any aspect of autonomy when it is constantly bailed out by Federal and State assistance?

The Department of Community Affairs has referred to the Anti-Snob Zoning Act as a "strong weapon and limited threat." Within a very few years most suburban communities will have been rescued from the threat by the Department of Community Affairs itself, by having received assistance to create just
enough housing for the local elderly. As long as the suburbs are supported in their pursuit of limited self-interest, they can have no incentive to respond to the needs of the region. As long as the State abjures its interest in suburban housing and land use, suburban communities will adapt their policies to meet only changing needs within the town boundaries. And as long as the State avoids its responsibility for a concerted attack on systematic racial exclusion, suburban communities will continue to avoid the responsibility to develop inclusionary programs and practices.
CHAPTER VI

SUBURBAN ATTITUDES TOWARD OPEN HOUSING

Introduction

As the population of suburban towns becomes more economically and racially homogeneous, there will be less diversity in viewpoints or goals. Local governments primarily serve problem-solving functions, and debate in a town meeting is more likely to center on means rather than on ends. Some political scientists have described the suburban population as dealing with consensual politics rather than with the politics of conflict. The fact that the goals of various interest groups often must be resolved at the State level, one step removed from the suburban constituency, tends to shelter suburban citizens from the incompatibility of their goals and values with those of others.92 The absence of conflict among suburban citizens has led to elaborate devices to avoid a clash

92. See, for example, Edgar Litt, The Political Culture of Massachusetts (Cambridge: MIT Press, 1965), especially Chapter 4, "The Quest for Concensus." For further information on Massachusetts politics, see, for example, J. Joseph Hutchmacher, Massachusetts People and Politics, 1919-1933 (Cambridge: Harvard University Press, 1959).
of opinions at town meetings. This can be seen in resolving potentially controversial issues at extended neighborhood meetings.

In dealing with the State or Federal Government, suburban town officials often selectively respond to those programs which would be approved by their constituency. And where Federal or State programs are incompatible with community preferences, the programs are ignored or modified to conform to the implementation of the law or the desires of the official’s constituency.

Town officials in the suburbs are, in fact, more similar to agents of special interest groups than to elective officers at other levels of government. Suburban town officials lead less than they represent. They tend to minimize differences rather than to resolve them. The nature of the suburban constituency places heavy constraints on the degree to which local officials can respond to needs which are not strictly local. In the absence of strong support for housing programs or equal opportunity programs within the community, local officials have in the past allowed the voices of fear and racial hostility to dominate.

It is not the bigots, however, who constitute the primary obstructive force against racial inclusion. It is the indifference of average citizens. Thus, housing authority chairmen are unlikely to take surveys or to investigate State and Federal programs which they have no reason to believe are strongly desired by the town. Selectmen and planning boards have little incentive to propose zoning changes other than those which will produce increased tax revenues. These internal relationships within each suburban town are factors behind an inertia which has been greatly underestimated by State and Federal agencies. This may sound like a vicious circle in which no suburban community can be expected to change its racially exclusive policies without the presence of a minority population and cannot gain a minority population without first changing its policies. However, the circle can be broken by decisive action at the State and Federal level.

Suburban Attitudes and Change

Breaking the circle of suburban exclusion is not a matter of changing racial attitudes, nor is increasing the supply of low-
and moderate-income housing a matter of changing social attitudes. Suburban attitudes are, however, indicative of the response to change in employment and housing policies. The initiative for change will, of necessity, have to come from the State and Federal Government, but merely initiating change will not be enough. Both in the planning and the administration of housing and employment programs, it is essential that racially hostile attitudes be recognized.

In this context, it is useful to review the manner in which suburban public officials and others interviewed by the MCAD interpret the absence of minorities. This provides a key to how they can be expected to behave in the future and the manner in which they are likely to absorb change.

It would be a herculean task to catalogue all the justifications and rationalizations used by Boston's suburbs for minority exclusion. Some communities, particularly those which are coming into the Boston area as a result of new highway facilities, are most likely to deny the existence of racial disparities. For example, in response to the question, "Should there be opportunities for minority citizens to work and live in your town?" One suburban official replied, "I don't think there's any personnel board in any of the units of factories in the town that insist on your living in our town."

Suburban communities nearer to Boston seem to have more difficulty in formulating an answer. One official said, "This presents a problem for me to answer [since] the residential nature of the community is such that the opportunity for employment within our town is quite low, compared to what it would be in an industrial or more commercialized town."

**Suburban Attitudes and Social Class**

The response of another town official to the question of minority inclusion is of special interest because it reveals an interpretation of racial exclusion which is gaining increasing acceptance:

I think...there is no question in my mind that my kids are deprived of their education because all the kids they go to school with come from similar backgrounds--a fantastically narrow economic range....[But] I feel...that in our town, the restriction is an economic one.
I'm not saying once economic barriers are down [that] there won't be other problems....

Anyone who has $60,000 for a house can come to our town and buy one. But unfortunately, this is not doing much for low-income families. Obviously, if a black family is low-income, we don't do much for them, but it's because [the family] doesn't have the money and for no other reason.

In communities which recognize the exclusionary impact of land use and housing policies, there is also a tendency to interpret suburban resistance to low-cost housing in purely economic terms, or, occasionally, in terms of social class antagonism. This is perhaps one of the most sophisticated means of denying or minimizing racial problems and offers an oversimplification of housing or employment issues.

Almost 25 percent of Boston's black population had incomes of more than $10,000 in 1970. Within upper-income classes, blacks are still markedly underrepresented in Boston's suburbs. The 1970 census data for housing shows that far more low-income housing is available in the suburbs than in the city of Boston. Granting that those reporting housing value and contract rents for the suburbs may underestimate the actual market value, there is still enough lower-income housing available outside the central city so that the absence of minorities cannot be blamed on the shortage of housing.

While Boston's suburban residents may be prejudiced against the poor, it is the minority poor which suffers from discrimination. State and local governments, instead of challenging the middle class residents in suburbia on how well off they are, perpetuate the illusion that they [middle-income residents] are abused by welfare chislers, which in the minds of many are the minority poor. The government has proffered the hope that increasing public services can somehow be met without additional sacrifices.

The belief that the private system can generate sufficient housing to assure a decent home for every American without inconveniencing the suburban residents persists. Suburban residents insist that the private system, which has been unsuccessful in meeting the housing needs of the past, will
miraculously provide an alternative to their tax contributions in the future. Bernard Frieden has pointed out that in Massachusetts "even if housing conditions were to improve at the 1960-65 rate (via the private market), it would take until sometime in the 1990's to replace all substandard units." Thus, housing programs must look to suburbs where there is money and land for resources.

Suburban Attitudes and the Black Community

One of the most frequent rationalizations for the absence of minorities in the suburbs is that little need be done in the suburbs because blacks prefer to live in the city "with their own kind."

To place the burden on the black community has certain distinct advantages: it means that suburban policies in housing need not change because they are not discriminatory. And it means that if they do change, no effort need be made to include blacks because "they don't want to live here anyway."

In the event low- and moderate-income housing should be increased in suburban towns the concept of self-exclusion will provide a curtain to hide the rigid maintenance of discriminatory practices. The separatist movement of the late 1960's has provided support to this concept. A number of minority group spokes persons continue to stress the irrelevance of the suburbs to minority needs and goals. However, evidence suggests that many minority families would prefer to live in a suburban environment and would move to the suburbs if there were an opportunity to do so.

The Boston Urban Foundation survey of the black community in 1967 indicated about 30 percent of those surveyed were interested in finding residence in the suburbs. The Boston Survey report in 1969 also reported that 37 percent of Boston's blacks would be looking for housing in the suburbs if they had to move.


These studies indicate that many blacks do want to move out of the city and into the suburbs. The proportionate number of blacks who wish to move, regardless of location, is almost proportionate to those within the total Boston population who wish to move—one-third. Only 28 percent of those blacks who wish to move would limit their house-hunting to the immediate neighborhood, and only 39 percent would limit their house-hunting to the black district and adjacent neighborhoods. In fact, 27 percent would prefer to look for housing only in the suburbs. Thus, factors other than voluntary segregation account for the absence of minorities in most of the towns around Boston.

The 1964 study by the Research Center of the Florence Heller School at Brandeis University, which surveyed the response to urban renewal of some 250 middle-income black families in the Washington Park section of Roxbury, has been used by white suburbanites to support the argument of self-exclusion. This study found that a small proportion of the black families interviewed moved into suburban housing and that the majority of families who moved failed to seek housing beyond the margins of the black district. Rather than reinforcing the theory of deliberate self-exclusion, however, the study clearly pointed out the obstacles to black inclusion in the suburbs and the need for outreach on the part of suburban communities. The study suggested that few black families wish to be pioneers or to take aggressive action to acquire housing in areas where they have no reason to believe they will be accepted. In addition, many were afraid of the treatment their children would receive in predominantly white schools.

97. Ibid., p. 89.
The Washington Park study also showed that organized private efforts to bring urban blacks into suburban housing were found to be unsuccessful. Listings of suburban housing with Fair Housing, Incorporated, a non-profit organization with offices in Roxbury, resulted in few purchases by blacks. Other organizations had also been unsuccessful.

These failures would appear to support the theory of self-exclusion, but few of those involved in such efforts recognized the shortcomings of the real estate listings. In the case of Fair Housing, Inc., the suburban houses listed were expensive, and there were few suburban rentals available. Thus, the failure of minority citizens to clutch at the few opportunities proffered from the suburbs cannot be interpreted as self-exclusion.
CHAPTER VII

THE ROLE OF STATE AGENCIES

Introduction

Minority interests have not been adequately protected as the metropolitan area has grown. Highway planners, for example, often ignore the needs of inner-city residents. Government agencies, other than those involved in transportation planning, have often operated to disenfranchise minority citizens from a voice in the development of the region as a whole.99

Suburban resistance to minority inclusion has been tacitly supported at both the State and Federal levels. Those agencies which had no direct mandate to enforce antidiscrimination laws, often behaved as if discrimination was not, and never had been, a factor in American life. Those agencies which are specifically authorized to protect minority rights have had to operate under severe budgetary and manpower constraints. Metropolitan growth and suburban development have outrun the capacity of the

99. The descriptions of the structure and operation of the State agencies and departments included in this chapter, are based upon the League of Women Voters of Massachusetts' publication, Massachusetts Government (Revised, 1970).
various agencies to develop and implement meaningful programs. We will focus on the State agencies in this section because the programs and agencies at the Federal level have been well documented in a number of reports.

Metropolitan Area Planning Council

The State Metropolitan Area Planning Council (MAPC) was formally established in 1964 with a membership of 42 towns to provide a vehicle for long-range coordinated planning within the region. Shortly thereafter, its membership was expanded to cover 100 cities and towns, each of which has representation on the council. Although 31 members of the council are appointed by the Governor, the suburbs have veto power over any controversial proposal.

In August 1970, legislation was passed which placed the MAPC solely under the control of its member towns. The result has been a one-way street through which the MAPC has provided research and technical services to suburban towns without any power to demand that such services are put to use for the benefit of the region as a whole. Testimony from town officials repeatedly emphasized that the MAPC was the one agency to which towns might look for better coordination of jobs and housing. On the other hand, testimony from experts in housing and planning, including William White of the Massachusetts Housing Finance Agency, repeatedly emphasized that the MAPC with its present structure was powerless to deal with any but the blandest of issues.

The MAPC does have the ability to act as a vehicle for educating suburban towns to the direct and indirect consequences of their land use and housing practices, but to date, little emphasis has been placed on the need to consider inter-community problems from the standpoint of minorities.

100. For information on Federal agencies and programs, see the series of reports of the U.S. Commission on Civil Rights on the Federal civil rights enforcement effort.
Department of Commerce and Development

The Department of Commerce and Development, created in 1959, has no regulatory functions but provides technical and research services, and acts as a public relations agent for the State. Until recently, the Department of Commerce and Development has shown little interest in the problems of minorities. It has, in effect, operated to facilitate the decentralization of industry and to assist suburban towns in the pursuit of tax resources without any significant effort to coordinate housing production and the location of jobs. It has confronted industry with the obvious consequences of locating in segregated areas. It has placed greater emphasis on coordinating industrial location with physical resources rather than with human resources. Finally, it has waited for the underfunded and understaffed Massachusetts Commission Against Discrimination (MCAD) to respond to major changes in the location of job opportunities after the fact.

The Department of Commerce and Development, under its present leadership, has the potential to be a positive force against discrimination. But it retains a legacy of timidity on racial issues and a tendency to avoid present-day problems by looking toward such far-off possibilities as the creation of "new towns" to resolve racial problems. 101

As public relations agent for the State, the department has an obligation to inform prospective employers that equal opportunity in employment is a matter of high priority in the Commonwealth. Efforts by the MCAD to involve the department in promoting equal opportunity among prospective employers have resulted in little action.

Department of Community Affairs

The Department of Community Affairs (DCA) is one of the younger State agencies. It was created in 1968 to assist in community development and antipoverty efforts. Its division of community development administers all State-aided housing programs and three major urban renewal programs, provides technical and planning assistance, assists in relocating those displaced by public action, and provides community training for town officials and employees.

Since its creation, the Department of Community Affairs' faint-hearted approach to suburban housing and planning has only contributed to the maintenance of segregated housing patterns. As noted earlier, the $37.5 million authorized for DCA's scattered-site public housing program has never been used. Housing and renewal programs have been offered to the suburbs cafeteria-style, and the menu with respect to housing has been largely unappetizing. The limits on rental assistance are far below the market rents in suburban towns, and the funding for local administration and clerical staff is inadequate.

While the Department of Community Affairs has recognized the deficiencies of many of its housing programs and has initiated corrective legislation, it has limited itself to only those avenues which make housing more palatable to the suburbs. It has conspicuously failed to take an aggressive approach to segregated housing in the suburbs and has failed to make use of its own resources to make metropolitan development compatible with equal opportunity.

The Massachusetts Department of Community Affairs continues to procrastinate on legislative proposals to eliminate major constraints on low- and moderate-income housing developments and covers its inaction with fragmentary proposals which will effect no major change.

**Housing Finance Agency**

The Massachusetts Housing Finance Agency (MHFA), originally included in the Department of Commerce and Development, was created in 1966 and is now part of the Department of Community Affairs, although it is not subject to departmental control.

MHFA is authorized to float bonds to finance privately constructed housing for low- and moderate-income families. Its bonding capacity has been increased by the legislature in spite of the reluctance of MHFA staff to take on responsibilities beyond that agency's current capacity.

Under the enabling legislation for the agency, MHFA is required to insure that a minimum of 25 percent of the units in any of its projects are for low-income citizens. MHFA also requires that tenant selection be nondiscriminatory. With the
exception of a few "turnkey" projects and projects in areas with a heavy low-income concentration, however, MHFA has accepted 25 percent low-income occupancy as a maximum.

MHFA loans are also tied to the existence of a demonstrable housing loss to any community. This means that MHFA assistance for private development of low- and moderate-income housing in the most exclusionary communities is close to impossible. MHFA has been reluctant to involve itself in local controversy over such problems as zoning; the agency is also ambivalent with respect to its own goals, i.e., how much an income mix it should support. Communities such as Lincoln and Dover, which have almost no low-income residents and no minority representation, are in the best position to prevent an assault on the status quo; however, communities like Cambridge, which already have a large share of the poor and the minorities, have less leverage.

Both the Department of Community Affairs and the Massachusetts Housing Finance Agency have often viewed the creation of any low- and moderate-income housing within the suburbs as good. However, it can and does happen that increasing the supply can also perpetuate exclusionary practices. It is a widespread assumption that simply increasing the number of housing units available within the metropolitan area can indirectly benefit minority citizens by the filter-down process. This process is thought to make the less expensive, used housing available as middle-income groups move into new housing. This theory fits the Protestant ethic, which suggests that people should work their way up to new housing. In fact, one aspect of suburban resistance to low-income housing is the objection to "just giving a man a new house." The filter-down housing process may or may not improve the housing choices available to low-income whites; there is no evidence to suggest that such a process works for blacks. Ernest Erber, a member of the National Committee Against Discrimination in Housing, noted that the areas in which used housing become available at prices blacks can afford are the areas which have already started on a marked decline and which have separated from the locus of commercial and industrial activity.

102. "Turnkey" is a process by which local public housing authorities agree to purchase a completed project from a private developer.
Suburban communities sometimes interpret the need to increase the low- and moderate-income housing supply as "taking the pressure off the city." Defining the situation in these terms means that any sort of increase in density fulfills the suburban community's obligations to the metropolitan area. The "pressure" on the city, however, is more complex than the shortage of adequate housing. The processes which tip neighborhoods toward decline are related to the economic development of the region, the loss of residential support services, such as insurance and adequate fire and police protection, changes in transportation modes, etc. In this context, increasing the housing supply without other changes in suburban land use policies and regard for minority inclusion, can do more harm than good.

Massachusetts Commission Against Discrimination

The Massachusetts Commission Against Discrimination (MCAD) was created in 1946 under the name of Massachusetts Fair Employment Practices Commission, the third such agency to be created in the Nation. Until the early 1950's, the Commission only had jurisdiction over discrimination in employment. In 1950, the Commission was renamed, and its responsibilities were enlarged to include discrimination in housing. While the past 20 years have seen substantial antidiscrimination legislation passed in the Commonwealth, the impact of this legislation has been disproportionate.

The MCAD has emphasized a systematic approach to discrimination in employment and housing. In August 1970 the MCAD held a public hearing on new proposed rules and regulations dealing with institutionalized discriminatory factors. As a result of these hearings, the rental housing reporting rule was adopted by the MCAD. Such rules and regulations may diminish the large number of individually filed complaints, which in 1970 totaled approximately 1,000. By statute, the MCAD has been forcibly entrapped in an endless morass of individual complaints, which it often has been unable to resolve swiftly enough to be of significant help to complainants and which have deflected its attention from dealing with matters affecting the entire minority community.

Executive Order No. 74 of 1970 now requires the Commonwealth to insure nondiscrimination in its employment and program activities. Affirmative action programs for all agencies and authorities within the Commonwealth are required, and such programs are subject to the review of the MCAD.
Summary

It has been the function of most of the State agencies described above to collaborate with, rather than confront, exclusionary practices and policies within the suburbs. Most of them have relied upon economic growth to create the optimal conditions for the resolution of metropolitan problems. While the potential offered by further metropolitan development is important to consider, it would not compensate for the detrimental effects of past injustices to racial minorities. State agencies must deal with discrimination regardless of the economic climate in the region; decisions of all State agencies should be made with an awareness of how such decisions perpetuate exclusionary practices.

Legislative changes, new programs, and new funds will be needed to create an adequate supply of housing and to coordinate development within the metropolitan area. But these changes will be of little value if they are brought about by compromising minority rights for suburban self-interest. There is much that State agencies can accomplish by taking a firm stand on racial inclusion without additional legislation or funding. The best way to place future housing programs in jeopardy is to equivocate on this issue. The questions are not whether minority citizens should live in the suburbs or be dispersed or whether court-ordered integration is a viable alternative. The questions are whether minority citizens can live in suburbs or whether the suburbs are going to perpetuate discriminatory practices with the tacit consent of State Government. The Commonwealth must commit itself to the elimination of discriminatory practices, and this fact should be clearly apparent in the decisions of each agency.
CHAPTER VII

FINDINGS AND RECOMMENDATIONS

The need to end suburban land use and housing development policies which result in the exclusion of minority citizens, and the need to develop and implement an explicit, comprehensive housing policy of the Commonwealth are urgent. Fragmented, uncoordinated housing programs within the Commonwealth, particularly within the Boston metropolitan area, have not decreased residential segregation and have had a minimal effect on improving the quality of the housing available to minorities.

Some degree of local control on land use and housing is desirable, but when local governments obstruct the achievement of national goals in housing and equal opportunity, when they waste the environmental resources of the region and indirectly waste its human resources, they must cede their authority to other levels of government.

The development of a comprehensive housing policy, the reorganization of State agencies, and the creation of new State bodies, require care and deliberation, but care should not constitute delay. The Commonwealth has exceptional resources in housing and planning expertise, which have not been utilized. Most of the necessary research has been done. A number of excellent housing programs have been proposed, and policy recommendations are readily accessible from many sources. There can be no substitute for action. The need is desperate.

1. It is necessary for the Commonwealth to develop a comprehensive housing policy that addresses the needs of all citizens, regardless of race or socioeconomic status. This policy should incorporate strategies to reduce residential segregation and improve the quality of housing available to minorities.

2. In the Greater Boston area, suburban developments have had a significant impact on housing segregation. It is crucial for local governments to work collaboratively with the Commonwealth to ensure equitable housing opportunities.

3. Suburban development must be planned in a way that respects the ecological and human resources of the region. This requires a balance between local control and state oversight, ensuring that policies are both effective and equitable.
Findings:

1. Federal and State Fair Housing Laws Have Failed. There is no indication that residential segregation in the Boston metropolitan area has declined in recent years. The processes which exclude black and Spanish speaking background citizens from suburban areas and from the white residential periphery of the city seem to be operating as effectively as before, largely untouched by the Federal Fair Housing Act of 1968 and 20 years of the Massachusetts fair housing law.

Twenty-one years after Congress established "a decent home and a suitable living environment for every American family" as a national goal in the National Housing Act of 1949, the Boston area continues to confine its racial minorities in sections of the most appalling decay. Exclusionary zoning laws, the failure of low- and moderate-income housing programs, increased land costs, and inadequate public transportation have perpetuated racial segregation.

2. Inner-City Minority Groups Continue to Suffer Deprivation. The scarcity of low-income family housing within the city and the exclusionary impact of suburban large-lot zoning, restrictions of multifamily housing and other related factors have burdened the black housing market. The majority of blacks pay proportionately more for poorer quality housing than do whites. Those areas of Boston where blacks and Spanish speaking background citizens have been heavily concentrated included the largest proportion of deteriorating and dilapidated housing in the city in 1970, just as it did in 1960.

3. Suburban Public Officials Often Act to Bar Equal Opportunity. In suburban areas, public officials with narrow outlook and parochial interests control access to housing so as to exclude most black and Spanish speaking families from their communities. These officials include planning board members, selectmen, and members of housing authorities. Their loyalties are limited to the local community, and they make no effort to respond to the needs of the region. In their efforts to maximize local tax revenues and minimize municipal services, they often act in opposition to the best interests of the region as a whole.
4. Suburban Citizens Must Share the Guilt. Suburban public officials, for the most part, reflect the attitudes and prejudices of their constituencies. In an effort to maintain the status quo and preserve the "character" of their communities, local residents of suburban areas have sought to restrict the housing supply and exclude outsiders from the economic, environmental, educational, and social benefits related to land use.

5. The New England Town Structure Is A Further Obstacle To Equal Opportunity. The small size of primary governmental units in the Boston suburban band severely inhibits the development of policies to deal with the problems of the region. The narrow perspective of most local officials, the competition for economic resources, and the lack of responsibility for meeting the broad spectrum of community needs are all magnified by the multiplicity of small, independent towns. Suburban towns compete for Federal and State funds to create housing for their local elderly but fail to create low- and moderate-income family housing for fear that it would result in an influx of "outsiders." Land is zoned for industry, but when industry is lured into neighboring towns, the vacated space is not used for housing, even though the need for housing clearly exists.

These small primary units of government are today incapable of meeting such needs as waste disposal, water supply, and recreation and education for their own constituents. They are constantly being bailed out with Federal and State assistance. Yet they are in a reactionary sense well equipped to resist modifications in the housing and land use policies which would make them more responsive to the general public interest of the region.

6. State Housing Programs Vacillate On Race. Lacking a coherent housing policy which incorporates the principles of equal opportunity, the Commonwealth has developed a series of weak and fragmented housing programs which depend more on the permission of local governments for their execution than on the needs of citizens. Any initiative in housing must presently originate at the local level so that only the narrowest interests are served. Sanctions against exclusionary policies and practices of town boards are nonexistent. Local housing authorities are not adequately monitored. Generally, local officials are not actively guided or educated in the use of available housing programs.
Social and racial divisions in the metropolitan area are made more acute by the reluctance of State agencies to challenge residential segregation in the land-rich, high-income suburbs. The State has failed to develop comprehensive, racially-inclusive housing programs to deal with the rapidly deteriorating situation before a point-of-no-return is reached. The costs of creating equal opportunity in Boston's suburban housing will soon be a fiscal impossibility for the State.

7. The Federal Government Funds Exclusion. The Federal Government, using the tax money of all citizens, provided the financial support which made suburbia possible for some citizens. Without the tremendous input of Federal grants, loans, and guarantees over the last two decades, the "good life" in the suburbs would have been impossible for all except the wealthy and nearly wealthy. At the time of maximum Federal funding and rapid suburban growth, the Federal Government failed to intervene to prevent acts of overt discrimination from depriving minority citizens of suburban opportunities. Today, with overt discrimination outlawed, the Federal Government exhibits the same indifference while suburban housing and land use policies continue to effectively bar minority citizens. While Federal law now provides for privately enforced sanctions against overt discrimination, the Federal Government and the State have failed to provide sanctions against systematic exclusion by suburban communities. Current Federal policies as practiced in the suburbs assist upper income groups at the expense of lower income groups and minorities. Housing subsidy and development programs are ill-adapted to suburban conditions and are unnecessarily dependent on local initiative.

Recommendations:

1. Publicly-Funded Support of Exclusionary Policies and Practices in Suburban Towns Should End Immediately. Suburban towns have enjoyed the benefits of Federal and State subsidies without making these benefits available to minority and low-income citizens. Henceforth, Federal and State subsidies, such as, but not limited to, urban renewal, improvement of municipal services, and the acquisition of open-space for suburban towns, should be made contingent upon demonstrable efforts on the part of the town to: (1) develop policies with respect to housing and land use which will consider the needs of all income groups and (2) establish affirmative action programs to provide housing and employment opportunities for minorities, and (3) implement outreach programs to attract minority homeseekers.
2. **Local Controls on Housing Development Should Be Reformed Immediately.** Unreasonable large-lot zoning, restrictions on multi-family development, height requirements, mobile home use, and any other unnecessary local constraints on the production of low- and moderate-income housing should be outlawed by statute. A uniform building code for the State should be established. Arbitrary constraints on housing development must be removed in order to permit towns to become inclusionary with respect to the income and race of potential residents.

3. **A New State Planning Body With Adequate Enforcement Powers Should be Created.** Orderly and sound development of metropolitan areas requires a more effective State agency. The new agency should be authorized and empowered to, among other things: (1) plan the development of metropolitan growth in a comprehensive and integrated way consistent with national equal opportunity goals; (2) coordinate industrial and commercial development with the development of adequate housing for all income and racial groups; (3) anticipate population trends and develop an early warning system for trends toward racial isolation; (4) plan the necessary local amenities to contribute towards a racially integrated society; (5) override local zoning ordinances in the interest of sound regional development; (6) facilitate the creation of land banks for future housing and recreational needs; (7) relate transportation systems to the needs of the region; and (8) enjoin communities and public and quasi-public agencies from taking action with respect to land use which would be detrimental to the region or inconsistent with sound regional development.

4. **Land Should be Controlled for Orderly Development.** A land transaction board, organized along regional lines, should be established as a unit of the State planning body to approve the sale of all large tracts of land over a certain minimal acreage. The board would develop guidelines for acreage, density, and use. All land transactions should fall within these guidelines. Land transaction boards would be required to keep records so that regional trends in land use could be readily obtainable.

5. **The Commonwealth Should Create One or More Metropolitan Development Corporations With Broad Power to Acquire Land and Build Low- and Moderate-Income Housing in Both City and Suburbs, Free of Local Restrictions.** Such a corporation should act as the major vehicle for executing a coherent State housing policy. It should go beyond providing replacement or relocation of housing and attempt to realize the goals of a decent home and a suitable living environment for all Commonwealth citizens. The corporation should have the power to purchase land or take it by condemnation, to use a combination
of State and Federal housing programs, to issue notes and bonds, and to utilize other sources of public financing. It should construct housing and assist communities and limited-profit corporations in the construction of housing in accordance with an overall State housing plan. It should create subsidiary corporations and sell and lease projects to other public corporations. Its projects should be subject to special tax abatements on real property and be free of all local land use controls. It should work closely with the bodies recommended herein.

6. Regional Housing Authorities Should be Created. These authorities should be empowered to build family, veteran, and elderly housing. Emphasis should be placed on small, economically mixed, scattered sites throughout metropolitan areas. Units should be planned with the proper balance between the need for family and elderly housing and should be made available to all without the imposition of a residence requirement.

With respect to tenant selection, regional housing authorities should be required to establish affirmative action programs, which have specific goals for each project for minority inclusion. Tenants should be adequately represented on all regional housing authorities. All proposed projects should be subject to the approval of the State planning body and should be consistent with a comprehensive plan for the metropolitan area. Authorities should also administer greatly expanded rental assistance programs on a regional basis.

7. A State Housing Financial Assistance Program Should be Created. A program similar to FHA and VA mortgage guarantee programs should be established to assist low-income families to purchase housing. The program could make long term, low-interest loans available and provide mortgage insurance for low-income families. It would provide broader limits on mortgage size and term than do existing Federal programs. It would work with current home-financing programs but would not be limited to them.