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C. E. HUMPHREY
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Chicago Housing Authority

May 15, 1969

Honorable Richard B. Austin
United States District Judge
United States Courthouse
219 South Dearborn Street
Chicago, Illinois

Re: Gautreaux v. CHA, 66 C 1459

Dear Judge Austin:

Enclosed is a copy of a letter from Commissioner Richard Wade to the Chairman of the Chicago Housing Authority commenting upon some of the basic questions involved in the formulation of a final order. Mr. Wade is a Professor of History at the University of Chicago and a new appointee to the Board of Commissioners of CHA.

We believe he states perhaps better than we have in our memorandum filed with you on May 12, 1969 CHA's concern over the ACLU proposal to characterize as non-white any census tract having a 30 per cent or more non-white population.

Very truly yours,

A handwritten signature in cursive script that reads "Kathryn - M. Kula".

Kathryn M. Kula
General Counsel

KMK:pg

Enclosure

THE UNIVERSITY OF CHICAGO

CHICAGO • ILLINOIS 60637

DEPARTMENT OF HISTORY

1126 EAST 59TH STREET

May 14, 1969



Mr. Charles Swibel
Chairman, Board of Commissioners
Chicago Housing Authority
312 West Randolph Street
Chicago, Illinois

Dear Mr. Seibel:

I have finished reading the briefs of the ACLU and the CHA regarding future public housing policy in Chicago. I think that the broad purpose of Judge Austin's guidelines will be helpful in producing some new and creative policies by the CHA. I confess to being distressed by the excessive interest on both sides to attack or defend past practices. The central issue is what we will do from here.

I very much support the purpose of the court's order. It seems to me, however, that two aspects of the ACLU proposal may produce precisely the opposite consequences that their suit and the court seek. The definition of black and white areas seems to me to be an open invitation to block-busting on a grand scale. By defining every area that is 30% black as being totally black it will simply accelerate the activity of sharp real estate operators who will now go door to door in white neighborhoods and say that the court itself has declared their community to be black and they had best sell as soon as possible. It will undermine the morale of community organizations which are trying to stabilize racial balances at the edge of the ghetto and where the ratio is already near the "tipping point." Moreover, by insisting that wholly white areas which are adjacent to the 30% areas are also in effect black because of their proximity to mixed areas, it will only lead to panic and accelerate the process of ghettoization.

Public policy from the President on down for the past decade has insisted that the breaking up of the ghetto is the central

① neighborhood
definition
② suburban
credit

It is "good" to
be in black areas
because only 25%
can go there. - CHA's
50% line would
really lead to "panic"
because in neighborhood
which already have
large % of blacks -
e.g., 35% -
could still build
lots of public
housing.

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domestic issue of our time. This proposal threatens to institutionalize the ghetto by putting judicial sanction behind the worst public and private practices in urban society. The ACLU proposal seeks to fix a rigid definition which would severely limit future possibilities and the creative use of public housing in community stability. For example, it would not be possible to place any integrated public housing in South Shore which would sustain racial balance and community morale.

Not so - 2/10/69
permitted by CHA
Lease under

If this policy had been adopted ten years ago, there would have been no public housing in Hyde Park or in the few other neighborhoods where community sentiment was favorable. Intellectually, the ACLU argument is based upon social science research which has established a "tipping point" theory that as soon as the area becomes 25% black it "tips" to wholly black. That theory is essentially accurate when it speaks of past experience. Yet we know full well that there are no ineluctable laws of history or neighborhood change which account for all the facts on a given problem. It was widely believed by social-scientists 20 years ago that any neighborhood that began to decline even without racial change was destined to endure a cycle of disintegration and decay before natural forces could bring about revival. Yet the Hyde Park experience demonstrates that public policy can intervene in these natural processes and make possible a quite different outcome. Also, historians know that tipping points are not everywhere the same or even within particular areas necessarily the same.

55.
terrible
place for
public
housing

The ACLU proposal further limits the number of public housing units that can be built in the suburbs to 25%. Though this might seem generous by present practices, it is particularly confining because it restricts those areas where there is the largest amount of open or inexpensive sites. Any new public housing policy ought to be designed to bring low income families near jobs which are increasingly available outside the city limits. In short, the proposal limits public housing to the least receptive neighborhoods in the metropolitan area and furthers the growth of what the Kerner Report referred to as "two societies."

H.P. experience
includes elimination
of low-income DUs
- + special case
anyway because
V7C

Another consequence of this formula would be the limitation on further public housing sites in slum areas. While we would all

not true -
25% available
- and only 18
units proposed
in H.P. anyway

2

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agree on the general principle involved, we also ought to recognize that this restricts communities seeking local control over their neighborhoods from using public housing as part of their total attack on the ghetto. These neighborhood organizations are already desperately short of funds; they would now have to rely entirely on the private sector, which has been notably reluctant to invest in low and moderate income housing. no

My own view of the most effective way of implementing the objectives of the court's rulings and avoiding the unhappy consequences of the formula would be for the court to require the CHA to bring before it all of its site selections and programs for judicial review. The court could accept, reject or recommend on each basis whether the purpose of the guidelines was being followed. This would have the advantage of continuous review and also of avoiding rigidity in CHA policy and programs.

*good
we agree -
HUD. sent*

The court could greatly assist in the problem of low cost housing by extending its guidelines to cover the entire metropolitan area and the Cook County Housing Authority and the State Housing Board. For the problem is not unique to the city or even to the county, but constitutes the most formidable challenge to metropolitan society.

ditto

In that regard, the court ought also consider extending the principles of the guidelines to publicly assisted as well as publicly constructed housing. For housing policy is only partially made by public housing authorities and is more fundamentally affected by a variety of policies made by other agencies and private decisions.

The court has a unique and historical opportunity at this moment to influence the future shape of the American metropolis and to strengthen those programs which seek to disperse the ghetto and to open housing to people of all races and incomes throughout the metropolitan area.

Sincerely,

Richard C. Wade
RICHARD C. WADE