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Constructing Identities of Deservedness: Public Housing and Post-WWII Economic Planning Efforts†

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Abstract

Depending on its population, the approach and sustained support for public housing has varied over time. This Article discusses how policymakers' initial arguments rested upon constructed identities of deservedness. This Article argues that the perceived social identity of public housing residents was used as an impetus for political support and policy changes. Using a historical analysis of congressional testimony during the planning stages of post-World War II economic recovery, this Article explores the initial underpinnings of federal appropriations for the development of public housing. Political leaders and business elites feared what would become of public housing after returning veterans vacated. This Article argues that it was the general political consensuses on who was deserving as well as the role of the federal government in

†. This Article is an extension of some remarks delivered at the *Summit for Civil Rights* hosted by the University of Minnesota Law School and Georgetown Law School, July 30–31, 2020 by the lead Author. We received helpful comments and suggestions from Paul Jargowsky, Natasha Fletcher, Christopher Goodman, and Brandi Blessett on initial ideas surrounding our core argument. We would like to thank Belle Durkin for her excellent research assistance. We also benefitted from the editorial team of the Journal. Comments and suggestions are welcomed; please direct them to pdantzler@gsu.edu.

supplying housing that spurred policy changes to either support or deter long-term public housing for low-income households. As history shows us, the end result was a contested governmental housing response that contributed to contemporary forms of social and racial inequality.

Introduction

On September 30, 2020, President Donald J. Trump held a campaign rally in Minnesota at the Duluth International Airport.[1] With the upcoming 2020 presidential election being less than five weeks away, President Trump began to craft different narratives surrounding what the nation would be under the leadership of his Democratic opponent, former Vice President Joseph R. Biden, Jr. Amongst other tactics, Trump attempted to draw in more voters by bringing attention to the changing demographics of American suburbs.[2] During the rally, President Trump stated, "By the way, just so we can get this right, 30% of the people in the suburbs are low-income people. 30% of the people in the suburbs are minorities. So we're ruining this American dream for everybody."[3]

In his blaming of minorities for "ruining the suburbs,"[4] President Trump boasted about his administration's recent actions in undermining affordable housing requirements for suburban communities, based on a 2015 federal anti-segregation mandate known as "Affirmatively Furthering Fair Housing" (AFFH).[5]

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1. Maya Kling & Laura Barrón-López, *Trump Blames Low-Income People, Minorities for "Ruining" Suburbia*, POLITICO (Oct. 1, 2020), https://www.politico.com/news/2020/10/01/how-white-grievance-politics-informs-trumps-campaign-playbook-424590?fbclid=IwAR1EsK-wk9RjOve3Gh1CSyF8mhbjncImw7RYJUwXenORjEMNf8jDO_amt1o [perma.cc/SJ48-GENA].

2. Kriston Capps, *What Does Trump Think the "Suburban Lifestyle Dream" Means?*, BLOOMBERG: CITYLAB (July 30, 2020), https://www.bloomberg.com/news/articles/2020-07-30/-the-suburbs-are-not-what-trump-thinks-they-are?sref=QFCZ3YPm [perma.cc/7HNE-P5D8].

3. Donald Trump, President of the United States, Duluth, Minnesota Campaign Rally (Sept. 30, 2020), https://www.rev.com/blog/transcripts/donald-trump-duluth-minnesota-campaign-rally-transcript-september-30-night-after-first-debate [perma.cc/5CBC-JVCQ].

4. Donald Trump, President of the United States, Virtual Arizona Tele-Rally, at 22:42 (July 18, 2020), https://www.youtube.com/watch?v=9COL70_vKvo&feature=emb_logo (stating that Affirmatively Furthering Fair Housing is "ruining the suburbs" because it's "bringing down values of houses" and "bringing up crime").

5. Jeff Andrews, *How Ben Carson Tried to Destroy Fair and Affordable Housing*, CURBED (Aug. 27, 2020), https://www.curbed.com/2020/8/17/21372168/ben-carson-hud-housing-trump [perma.cc/Z8HN-YP33] (citing a Trump tweet saying the "AFFH rule was eliminating single-family zoning and causing an 'invasion' of 'low-

Alongside Department of Housing and Urban Development (HUD) Secretary Benjamin S. Carson, Sr., the Trump Administration has sought to reverse many of the recent gains made in making communities more equitable.[6] This rhetoric surrounding the suburbs was amplified over the last few months leading up to the 2020 presidential election.[7] However, the hyperbole surrounding affordable housing is just a contemporary example of historic debates surrounding the role of the government in addressing housing issues. President Trump's attempt to use the increasing number of low-income minorities as a cause of suburban decline, through the use of affordable housing, is reminiscent of past disputes of other federal housing programs, such as public housing.[8]

The history of public housing in the United States is characterized by growing tensions between political figures, business elites, and the opinion of the American public.[9] Stemming from efforts of organizations such as the National Public Housing Conference during the Depression era,[10] adequate and affordable

income people'"). On July 16, 2015, the U.S. Department of Housing & Urban Development (HUD), issued a new regulation to implement the affirmatively furthering fair housing requirements of the Fair Housing Act. The AFFH required local communities receiving HUD dollars to make concrete data and community member-driven plans to foster thriving communities. Affirmatively Furthering Fair Housing, 80 Fed. Reg. 42,272 (July 16, 2015) (codified at 24 C.F.R. pts. 5, 91, 92, 570, 574, 576, 903).

6. Andrews, *supra* note 5.

7. *See* Kriston Capps & Laura Bliss, *Diverse? Yes. But Are U.S. Suburbs Actually Integrated?*, BLOOMBERG: CITYLAB (Sept. 30, 2020), https://www.bloomberg.com/news/articles/2020-09-30/what-biden-and-trump-got-wrong-about-the-suburbs [perma.cc/E3VF-HRYA]; Jeff Andrews, *The Suburbs Aren't Getting Abolished, But Maybe They Should*, CURBED (Aug. 4, 2020), https://www.curbed.com/2020/8/4/21352657/trump-suburbs-housing-election-2020 [perma.cc/V7PD-VLFS].

8. *See* John Eligon, *Residents Feared Low-Income Housing Would Ruin Their Suburb. It Didn't*, N.Y. TIMES (Nov. 5, 2020), https://www.nytimes.com/2020/11/05/us/affordable-housing-suburbs.html [perma.cc/5EDN-F3V3] (discussing a Wisconsin community that faced a conservative political backlash from its constituents after approving the creation of low-income housing).

9. *See* MARGERY AUSTIN TURNER, SUSAN J. POPKIN & LYNETTE RAWLINGS, PUBLIC HOUSING AND THE LEGACY OF SEGREGATION (2009); *see also* EDWARD G. GOETZ, NEW DEAL RUINS: RACE, ECONOMIC JUSTICE, AND PUBLIC HOUSING POLICY (2013); LAWRENCE J. VALE, PURGING THE POOREST: PUBLIC HOUSING AND THE DESIGN POLITICS OF TWICE-CLEARED COMMUNITIES (2013); NICHOLAS DAGEN BLOOM, FRITZ UMBACH & LAWRENCE J. VALE, PUBLIC HOUSING MYTHS: PERCEPTION, REALITY, AND SOCIAL POLICY (2015).

10. The National Public Housing Conference was established in 1931 by Mary Kingsbury Simkhovitch, a social worker and housing reformer, as a non-partisan coalition of national housing leaders from both the public and private sectors. The organization is now known as the National Housing Conference and is based out of Washington, D.C. For more information, see https://nhc.org/ [perma.cc/MNK2-7775].

housing has long been an area of policy concern.[11] However, the debate concerning the role of the federal government and housing assistance shows how policy changes depending on the beneficiaries. Depending on the demographic group that benefits, the approach and sustained support for social welfare programs, like public housing, has varied.

This article discusses how policymakers constructed identities of deservedness for public housing tenants as an impetus for political support. Using a historical analysis of congressional testimony during the planning stages of the post-WWII recovery period, this article explores the initial underpinnings of federal appropriations for the development of public housing after the WWII era. Political leaders and business elites feared what would become of public housing after returning veterans vacated. This article argues that it was the general political consensus on *who* was deserving that spurred policy changes to either support or deter public housing.[12] Given the current housing affordability crisis in the United States,[13] we argue that while housing assistance has changed to include a number of government programs, debates surrounding housing assistance and the role of the federal government remain intact, largely undercutting efforts to curb housing insecurity.

The Article begins by discussing the role of the federal government in creating a national public housing program. In this section, we highlight some of the seminal work on the topic in an effort to distinguish the nuances of the historiography of public housing while also positioning this article within the broader

11. *See* Peter Marcuse, *Interpreting "Public Housing" History*, 12 J. ARCHITECTURAL & PLAN. RES. 240, 240–58 (1995).

12. *Id.* at 249–52. Marcuse argues that deciphering the nature of public housing history requires reckoning with different housing programs that get lumped into public housing. These programs include a reformer's program, a war program, a middle-class and veterans' program, a redevelopment program, a poverty program, a null program, and a decentralized program. Given the purview of this article and the timing of our analysis, we would fall under the "middle-class and veterans program." However, as we attempt to highlight in this article, the overall approach of the policy was not as decisive and episodic as Marcuse suggests.

13. Generally, households are considered to be "cost burdened" if they are spending more than 30 percent of their income on housing costs. Harvard University's Joint Center for Housing Studies released a 2020 State of the Nation's Housing report that showed that 30.2 percent of all households are considered cost burdened. More than 18 million households are paying more than half of their income on housing and are considered severely cost-burdened. For more information, see https://www.habitat.org/costofhome/2019-state-nations-housing-report-lack-affordable-housing#:~:text=When%20you%20spend%20more%20than,renters%20and%2017.3%20million%20homeowners [perma.cc/25XG-3R3A].

literature. The Article then outlines our theoretical framework. We employ Schneider and Ingram's thesis on the social construction of target populations to test our hypotheses against the data.[14] We then discuss how discourses surrounding the future of public housing after the WWII recovery period exemplified a bifurcated government response to providing subsidized housing. This Article reflects how historical and contemporary debates around housing assistance are predicated on the contentious role of the federal government in solving social issues and the perceived beneficiaries of these efforts.

I. Political Basis for a National Housing Program

Housing has always served as one of the largest policy areas of social concern. For those on the lower end of the socioeconomic ladder, it has largely served as a catalyst between many different stakeholders including political figures, business elites, and community activists alike.[15] However, policy changes within housing assistance programs have only garnered support when they have been brought to the forefront of the political arena. In 1935, Langdon Post, the Tenement House Commissioner of New York City and Chairman of the New York Housing Authority said, "The people of the United States will not get low-cost housing on any scale commensurate with the needs until the housing question is made a major political issue."[16] Until the mid-1930s, low-cost, federally subsidized housing was not a nationally sponsored initiative. Post told the Tamiment Economic and Social Institute, "The most important thing is to make housing a major political issue . . . . This must be applied both locally and nationally."[17] Post's outlook on the state of affordable and adequate housing for needy families serves as a prelude to the state of housing conditions in the United States during the Great Depression.

In 1937, the Wagner-Steagall Act (also known as the Housing Act of 1937) supplied low-income, federally subsidized housing to

14. *See* ANNE LARASON SCHNEIDER & HELEN M. INGRAM, POLICY DESIGN FOR DEMOCRACY (1997).

15. *See generally* TURNER ET AL., *supra* note 9; GOETZ, *supra* note 9; VALE, *supra* note 9; BLOOM ET AL., *supra* note 9.

16. Joseph Shaplen, *Post Urges Public to Demand Housing: Low-Cost Dwellings Must Be a Major Political Issue, He Says at Social Conference*, N.Y. TIMES, June 29, 1935, at 6 (citing Langdon Post, statement before Tamiment Econ. & Soc. Inst.).

17. *Id.*

needy families.[18] It was intended to expand a much smaller New Deal initiative that financed the development of low-income housing as part of a broader effort to support public works.[19] This national housing program received much opposition during its formation from private business owners and policymakers alike.[20] Nonetheless, President Roosevelt signed the bill into law in 1937 as the United States Housing Act, one of the major pieces of legislation during the New Deal era.[21] Different political interests largely pushed this piece of legislation. For instance, conservatives thought it would provide a jumpstart to the economy through massive construction contracts to private companies.[22] Alternatively, liberals in most urban areas thought it would provide housing options for their most vulnerable populations through direct federal aid.[23]

According to Gail Radford's vivid account of the federal government's entry into "directly aided housing," "[t]he purposes of the bill were defined in terms of slum clearance, providing housing for the poor, and promoting industrial recovery."[24] The establishment of the federal government as a permanent actor in real estate development for low-income families challenged the private interests struggling to rebound from the Depression era.

This contention over public housing also clouded the federal support of the commercial sector as well as middle- and upper-income families.[25] Prior to the passage of the Wagner-Steagall Act, the federal government responded to the needs of the commercial sector, as well as families of middle- and upper-income, through multiple means. The federal government passed legislation like the Federal Home Loan Bank Act, and created the Home Owners Loan Corporation as well as the Federal Housing Administration.[26] These institutions would offset the impact of massive foreclosure rates by

18. Wagner–Steagall Act (United States Housing Act of 1937), Pub. L. No. 75-412, 50 Stat. 888. *See* ALEX F. SCHWARTZ, HOUSING POLICY IN THE UNITED STATES 125–26 (2nd ed., 2010).

19. SCHWARTZ, *supra* note 18, at 125.

20. *See* Gail Radford, *The Federal Government and Housing During the Great Depression*, *in* FROM TENEMENTS TO THE TAYLOR HOMES: IN SEARCH OF AN URBAN HOUSING POLICY IN TWENTIETH-CENTURY AMERICA 102–20 (Bauman et al. eds., 2000).

21. SCHWARTZ, *supra* note 18, at 125.

22. Radford, *supra* note 20, at 106–07.

23. *Id.*

24. *Id.* at 108.

25. KENNETH T. JACKSON, CRABGRASS FRONTIER: THE SUBURBANIZATION OF THE UNITED STATES 192–96 (1987).

26. *See generally* SCHWARTZ, *supra* note 18.

guaranteeing homeownership as a federally sponsored standard.[27] A combination of financial support was now available to some homeowners who would have reduced mortgage payments and extended terms. This solidified homeownership as an impetus for housing construction and job growth.[28] As a result, middle- and upper-income families could pursue homeownership and lessen their financial burden by buying a home. Also, the commercial sector got the stimulus it needed to engage in massive homebuilding throughout the country.[29] It was the ability of community organizations, business leaders, and elected officials to make housing a national political issue that ultimately changed the scope of how the federal government acted.[30]

However, the same could not be said about those who fell under extreme economic hardships, largely consisting of a growing demographic of African Americans, or Black people, within the United States. Friedman discusses this transition from when the nation engaged in massive slum clearance and created the high-rise superstructures of public housing.[31] This was commonplace then, but more of a mirage today in modern housing policy.[32] Friedman discusses this transition, saying:

> Perhaps a radical fringe of housing reformers looked on public housing as something more fundamentally "public"; but the core of support lay in an old and conservative tradition.[33]

If this general analysis is correct, what would happen to public housing if a rising standard of living released the submerged middle class from dependence on government shelter? Public housing would be inherited by the permanent poor. The empty rooms would pass to those who had at first been disdained—the unemployed, "problem" families, those from broken homes. The program could

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27. *See* JACKSON, *supra* note 25, at 205.

28. *See* Michael S. Carliner, *Development of Federal Homeownership "Policy"*, 9 HOUS. POL'Y DEBATE 299 (1998).

29. *See* JACKSON, *supra* note .

30. *See generally, e.g.*, RHONDA Y. WILLIAMS, THE POLITICS OF PUBLIC HOUSING: BLACK WOMEN'S STRUGGLES AGAINST URBAN INEQUALITY (2004).

31. Lawrence M. Friedman, *Public Housing and the Poor: An Overview*, 54 CALIF. L. REV. 642, 642–43 (1966).

32. *See* GOETZ, *supra* note 9; VALE, *supra* note 9 (describing the changing physical development of public housing sites).

33. Friedman, *supra* note 31, at 649.

adapt only with difficulty to its new conditions, because it had been originally designed for a different clientele.[34]

This "submerged middle-class" consisted of those Americans who suffered greatly following the Depression era; however, they "had enjoyed prosperity in the twenties. They retained their middle-class culture and their outlook, their articulateness, their habit of expressing their desires at the polls."[35] They were middle-class, White American families who were accustomed to the collective perceptions of the American Dream. This population descended into poverty because of no fault of their own, but due to an unjust economic system which forced them into a temporary state of deprivation.[36] While this group received sympathetic justifications for their economic position, other groups, such as those thought of as the "problem poor," were not afforded the same opportunity. The "problem poor" consisted of lower-income Black families, who were stigmatized by some policymakers and decision-makers as having an alternative form of culture and outlook on American life.[37] Black families were argued to lack the articulateness of the "submerged middle-class,"[38] and said to be accustomed to a chronic state of poverty due to their own faults and values.[39] And while relief efforts targeting White families were often treated with empathy, Black families were strategically excluded from receiving any type of equitable policy responses.[40]

This Article discusses the proposed shift of public housing immediately after WWII, during a period when a large portion of public housing developments was to be inhabited by returning veterans. Through the veterans' flight to the suburbs, public housing became the home of the urban or "problem poor." The political response towards returning White veterans was quite different from Black families living in deprivation. This was due to White veterans' social identity as deserving of benefits because of their direct military service, as well as the common practice of racial discrimination and the exclusion of Black people from different economic resources during this pre-Civil Rights Era. We maintain that the sustained state of individuals living in the "urban crisis"—the effects of larger economic structural changes as well as local

34. Friedman, *supra* note 31, at 649.
35. *Id.* at 645–46.
36. *Id.* at 652.
37. *Id.*
38. *Id.* at 649.
39. *Id.*
40. *See* GOETZ, *supra* note 9, at 112.

political and social challenges[41]—perpetuates a lasting stereotype of Black people deemed by both politicians and policymakers as socially undeserving and, as a result, lacking the need for subsequent policy responses.

II. Federal Housing Policy and Racial Exclusion

The history of urban housing policy is vast and provides insights into the political and social barriers to equitable, affordable housing in the United States. Whether it is the operation of the dual housing market, racial discrimination, exclusionary zoning, massive social housing experiments, or disruptive planning techniques, the field of housing policy is rich.[42] It describes a development not just of housing issues, but one of social, economic, and political matters as well. In the case of public housing, we argue that policies were based on the racial and social identity of the residents. This determination of *who* was deserving of housing was largely based on two primary categories of reasoning: 1) individuals became poor by forces outside of their control and 2) individuals were steadily working to escape deprivation.[43] The social construction of target populations—the construction of the social identity of the urban poor as a deviant and dependent group versus returning veterans as an advantaged group—led to different political agendas and subsequent policy designs for solving the post-war housing crisis.

Housing policy is but one scenario in which this can be analyzed.[44] Nevertheless, it lends itself for theoretical interpretation given the rich history throughout American society as well as the strong effect it has had on shaping urban America. And while researchers have tried to analyze different facets of

41. *See generally* THOMAS J. SUGRUE, THE ORIGINS OF THE URBAN CRISIS: RACE AND INEQUALITY IN POSTWAR DETROIT (1996) (discussing the concept of the "urban crisis" signaling a state within industrial cities of deep racialized poverty through the 1950s and 1960s).

42. *See* JESSICA TROUNSTINE, SEGREGATION BY DESIGN: LOCAL POLITICS AND INEQUALITY IN AMERICAN CITIES (2018); KEEANGA-YAMAHTTA TAYLOR, RACE FOR PROFIT: HOW BANKS AND THE REAL ESTATE INDUSTRY UNDERMINED BLACK HOMEOWNERSHIP (2019) (detailing recent academic work on the legacy of discriminatory housing policies).

43. Friedman, *supra* note 31, at 649.

44. *See* CORIE S. SHDAIMAH, JOE SOSS & RICHARD C. FORDING, DISCIPLINING THE POOR: NEOLIBERAL PATERNALISM AND THE PERSISTENT POWER OF RACE (2011) (discussing the role of race and the transformation of poverty governance); *see also* SCHNEIDER & INGRAM, *supra* note 14 (discussing how public policy can go beyond constructionist approaches). Other topics that can be used to elucidate this dynamic lie in the criminal justice or education systems.

urban housing policy, the complexity of the matter has forced many to concentrate on certain periods of time rather than investigating the historical roots of public housing in order to explain its current state.

For example, Arnold Hirsch discusses the creation of institutional arrangements in post-war Chicago during 1940–1960 to create and maintain the "second ghetto."[45] According to Hirsch, the development of housing policy and urban renewal strategies in post-war Chicago served as tools of racial and economic exclusion during the intensifying state of the urban crisis.[46] His selection of Chicago demonstrates how local development plans and concepts were adopted into federal legislation as a national renewal effort.[47] Hirsch says, "[s]ignificant redevelopment and renewal legislation had been placed on the books, on both local and national levels, and a massive public housing program, explicitly designed to maintain the prevailing pattern of segregation, was well under way."[48] His analysis dramatically accounts for a combination of forces that produced the second ghetto. These forces included the formation of institutional arrangements by local business and political groups who were threatened by the perceived economic despair carried by Black people and the resistance of this group facilitated by government support and public funds.[49] And while his book depicts a vivid account of racial tension and the response of White, inner-city ethnic groups to combat racial and economic integration, it does not explain different alternatives of addressing housing concerns during a period of economic growth, particularly for public housing.

Other researchers have argued that, due to the chronic state of racial tension and economic decline, urban housing policy during the post-war era failed to provide the needed safety net which could allow residents of color to leap out of urban poverty into mainstream, middle-class America. Roger Biles describes this response by the federal government saying, "[p]olicymakers in Washington opted for slum clearance with the passage of major housing bills in 1949 (urban redevelopment) and 1954 (urban renewal), while the provision of low-income housing assumed

45. *See generally* ARNOLD R. HIRSCH, MAKING THE SECOND GHETTO: RACE AND HOUSING IN CHICAGO, 1940–1960 (1983).

46. *Id.* at xiii.

47. *Id.* at xiv.

48. *Id.* at xiii–xiv.

49. *Id.* at xiii.

secondary importance."[50] The relief efforts for low-income individuals living in high numbers in public housing took second stage to the redevelopment efforts of the post-war era. The implications here posed a greater risk to Black communities during this time period.

Although Harry S. Truman signed the Housing Act of 1949 into legislation, his attempt to establish "a decent home and a suitable living environment for every American family" primarily focused on new construction and demolition.[51] The Housing Act of 1954 amended this law in order to promote rehabilitation of existing housing stock rather than demolition and new construction.[52] The housing stock after WWII was very limited.[53] Although many legislative measures provided a stimulus for the massive, national engagement into new home construction, the Housing Act of 1954 mitigated this process. The Housing Act of 1954 provided a legislative precedent for future responses to housing policy, policies that would be aimed not only at new construction but also at rehabilitating and renovating the existing housing stock. While there are similar overlaps between such responses, conflicting poverty alleviation strategies provide a theoretical starting point of this analysis.[54]

Place-based strategies were the dominant policy approach, and not the market-based alternatives that took its place in the late 1980s.[55] Prior urban research presented cultural explanations for the subordination of low-income African American (and Latino/a) families. This research included the *Moynihan Report* written by sociologist and, later, U.S. Senator Daniel P. Moynihan in 1965

50. Roger Biles, *Public Housing and the Postwar Urban Renaissance, 1949–1973*, *in* FROM TENEMENTS TO THE TAYLOR HOMES, *supra* note 20, at 143.

51. Harry S. Truman, Statement by the President Upon Signing the Housing Act of 1949 (July 15, 1994) (transcript available at THE AMERICAN PRESIDENCY PROJECT, https://www.presidency.ucsb.edu/documents/statement-the-president-upon-signing-the-housing-act-1949 [perma.cc/MS8P-G2NS]).

52. *HUD Historical Background*, U.S. DEP'T OF HOUS. & URBAN DEV., OFF., OF POL'Y DEV. & RSCH. (2016), https://www.huduser.gov/hud_timeline/ [perma.cc/R6TT-SSN5].

53. *See* Deirdre A. Oakley & James C. Fraser, *U.S. Public-Housing Transformations and the Housing Publics Lost in Transition*, 15 CITY & COMMUNITY 349 (2016) (discussing how the transition from public housing as a viable option as predicated on a strong shift to private-public partnerships and mixed-income communities).

54. *See* GOETZ, *supra* note 9, at 111–12 (analyzing in detail the different approaches of housing the poor based on a shift from placed-based, or community development practices, to people-based, or opportunity neighborhoods/market-based solutions).

55. *Id.*

about the dependency and potential problem of the American Negro[56] and the depictions of Oscar Lewis's "culture of poverty" in which there was no way to change the aberrant behavior of poor individuals.[57] It wasn't until the work of William J. Wilson's book, *The Truly Disadvantaged*, in which causal explanations encompassed not only structural arguments but also theories of aberrant cultural behavior to the persistence of urban poverty.[58]

As a result of this dichotomy, large economic and political challenges, such as the incline and decline of the national economy due to deindustrialization, and adaptive individual characteristics, such as welfare dependency and the rise of female-headed households, created a system in which poverty persists.[59] According to Wilson, systemic, persistent poverty could be overcome with the implementation of equitable public policy aimed at increasing the opportunities for low-income individuals.[60] And while these conclusions were, and continue to be, widely argued among urban researchers,[61] their overall implications were seen through different policy initiatives and social experiments.

Nonetheless, the "underclass," a group typically associated with minority communities concentrated in urban areas, was consistently regarded as a less-deserving, poor segment of the population.[62] This description parallels the analysis of the "problem poor" described by Friedmann[63] and the "underclass" thesis, allowing one to provide a more appropriate theoretical basis. Paul E. Peterson discusses the poverty paradox and categorizes the "underclass" thesis as "lowly, passive, and submissive, yet at the

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56. Daniel P. Moynihan, Off. of Pol'y Plan. & Rsch., *The Negro Family: A Case for National Action*, U.S. DEP'T OF LAB. (1965), https://web.stanford.edu/~mrosenfe/Moynihan's%20The%20Negro%20Family.pdf [perma.cc/L438-Y5X4].

57. OSCAR LEWIS, LA VIDA: A PUERTO RICAN FAMILY IN THE CULTURE OF POVERTY–SAN JUAN AND NEW YORK xlii (1966) (exploring how the responses by scholars and advocates demonstrate that, while Moynihan called for policy interventions, those suggestions were largely ignored).

58. WILLIAM J. WILSON, THE TRULY DISADVANTAGED: THE INNER CITY, THE UNDERCLASS, AND PUBLIC POLICY (2d ed. 2012).

59. *See id.*

60. *See id.* at 118.

61. *See* Patrick Sharkey & Jacob W. Faber, *Where, When, Why, and for Whom Do Residential Contexts Matter? Moving Away from the Dichotomous Understanding of Neighborhood Effects*, 40 ANN. REV. SOCIO. 559, 560 (2014) (arguing that "[t]he focus on the term neighborhood, and all of the connotations it carries along with it, has distracted attention from the larger question of how different dimensions of the residential context, which operate at multiple geographic and social scales, become salient in the lives of individuals and families.").

62. Erol R. Ricketts & Isabel V. Sawhill, *Defining and Measuring the Underclass*, 7 J. POL'Y ANALYSIS & MGMT. 316 (1988).

63. *See* Friedman, *supra* note 31, at 652.

same time the disreputable, dangerous, disruptive, dark, evil, and even hellish. And apart from these personal attributes, it suggests subjection, subordination, and deprivation."[64] Peterson's critique identifies a culmination of operationalizations of the "underclass" in the field of urban poverty to explain the discursive nature of low-income, minority groups during and after the WWII era.[65] The "underclass" thesis suggests urban minorities were poor due to their inability to acculturate into American society.[66] They behaved in a manner that was not in line with mainstream American thought.[67] Thus, the characterization of the urban poor as being poor through their own vices led to different policy outcomes. As a result, their plight with urban poverty was perpetuated beyond the structural forces that shaped urban America after WWII.

Douglas Massey and Nancy Denton discuss poverty as a collection of many "social ills."[68] In their discussion of the creation of underclass communities, Massey and Denton wrote, "[p]overty, of course, is not a neutral social factor. Associated with it are a variety of other social ills such as family instability, welfare dependency, crime, housing abandonment, and low educational achievement."[69] Massey and Denton's discernment of the underclass further pinpoints how structural forces can heighten the effects of urban poverty: "[t]o the extent that these factors are associated with poverty, any structural process that concentrates poverty will concentrate them as well."[70] Massey and Denton's analysis not only built upon the structural and cultural arguments of William Wilson,[71] but also offered segregation as a causal explanation for the persistence of urban poverty due to social isolation.[72] This institutionalization of segregation not only restricted the choices of Black people to move to neighborhoods of opportunity, it fortified their isolation through different legal measures.

On the other hand, appropriate policy initiatives aimed at some of the most vulnerable segments of the population living in

64. Paul E. Peterson, *The Urban Underclass and the Poverty Paradox*, 106 POL. SCI. Q. 617, 617 (1991).

65. *Id.* at 618.

66. *See id.* at 623.

67. *See id.* at 632–33.

68. DOUGLAS MASSEY & NANCY A. DENTON, AMERICAN APARTHEID: SEGREGATION AND THE MAKING OF THE UNDERCLASS 130 (1993).

69. *Id.*

70. *Id.*

71. *See* WILSON, *supra* note 58, at 118.

72. *See* MASSEY & DENTON, *supra* note 68, at 131.

public housing could have greatly changed patterns of segregation by providing greater upward mobility to residents. Instead, budgets were cut once veterans moved out, and the "submerged middle-class" found other housing options, leaving the poorest of the poor in public housing to fend for themselves.[73] Instead of spurring policy changes, middle class flight from public housing provided policymakers with a vignette for arguing that those remaining in public housing were poor due to their own control, and that if not forced, they would never escape deprivation on their own. The underclass would continue to become dependent on public housing as an ultimate solution for their housing needs. Thus, during the 1990s, housing policy took a new course of action: poverty deconcentration.[74] The goal was to relocate individuals to better neighborhoods since poor neighborhoods were deemed to be the obstacle limiting their life changes.[75]

The Gautreaux program was one of the first actions taken by the federal government to establish housing opportunities for low-income individuals outside of their poverty-stricken communities. In 1976, the Supreme Court decided *Hill v. Gautreaux*, a case in which Black public housing tenants and applicants brought separate class actions against the Chicago Housing Authority (CHA) and the Department of Housing and Urban Development (HUD) claiming that CHA had purposefully selected family public housing sites in Chicago to further segregate African Americans from White neighborhoods.[76] The plaintiffs argued that these actions were in direct violation of federal law and the Fourteenth Amendment.[77] Moreover, plaintiffs in the companion suit alleged that HUD was dually responsible for the discrimination because it provided financial assistance and other support to the CHA program.[78] Black people were located primarily in Black, low-income, urban areas and had virtually no chance of living in White, middle-income, suburban areas.[79] The Supreme Court ruled in favor of the plaintiffs and called for remedial action to ensure the non-discriminatory practice of providing housing options in White suburbs.[80] As a result, the CHA subsequently launched the

73. *See* Friedman, *supra* note 31, at 649.

74. *See generally* Jeff Crump, *Deconcentration by Demolition: Public Housing, Poverty, and Urban Policy*, 20 ENV'T & PLAN. D: SOC'Y & SPACE 581 (2002).

75. *See id.*

76. Hills v. Gautreaux, 425 U.S. 284, 286 (1976).

77. *Id.*

78. *Id.* at 286–87.

79. *Id.* at 288.

80. *Id.* at 306.

Gautreaux Program, which allowed public housing residents (and applicants) to apply for Section 8 vouchers, through which the government largely subsidized their rent in the private market.[81] Recipients could then theoretically choose to live in other parts of Chicago and most of its White suburbs.[82] Although redlining and restrictive covenants were still common practices, analyzing the mobility patterns of poor, minority groups allowed researchers to determine how "choice" played a role in life chances.

Subsequent research showed that between 1976 and 1998, approximately 7,000 families participated in the Gautreaux Program.[83] However, many families were excluded from this selection as well. James Rosenbaum, Stefanie DeLuca, and Tammy Tuck discuss this exclusion saying:

> By necessity, the program excluded people who seemed unlikely to handle program demands. It eliminated about one-third of applicants because their families were too large for apartments or because they had poor rent payment records, which would likely lead to eviction.[84]

The exclusion of families with the above-described characteristics from a program which offered them a "choice" to live in a White, suburban community directly identifies the perceived "problem poor." Indeed, it suggests the underclass operates at a heightened sense of deprivation. By relocating some residents from areas with concentrated poverty into White suburbs, there may have been higher costs associated with those left behind. Johnson, Ladd, and Ludwig wrote, "any reduction in the concentration of poverty could in principle impose offsetting costs on those poor families who were left behind in central city areas . . . ."[85] Again, the premise here is that certain members of the population, even within the poorest segment, are more deserving than others. Moreover, those most in need did not *deserve* the relief needed to increase their

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81. *See* JAMES E. ROSENBAUM & STEFANIE A. DELUCA, BROOKINGS INST., IS HOUSING MOBILITY THE KEY TO WELFARE REFORM? LESSONS FROM CHICAGO'S GATREAUX PROGRAM 2 (2000).

82. *Id.*

83. *Id.*

84. James E. Rosenbaum, Stefanie A. DeLuca & Tammy Tuck, *New Capabilities in New Places: Low-Income Black Families in Suburbia*, *in* THE GEOGRAPHY OF OPPORTUNITY: RACE AND HOUSING CHOICE IN METROPOLITAN AMERICA 150–75, 156 (de Souza Briggs ed., 2005).

85. *See* Michael P. Johnson, Helen F. Ladd & Jens Ludwig, *The Benefits and Costs of Residential Mobility Programmes for the Poor*, 17 HOUS. STUD. 125, 126 (2002).

life chances because they could not handle it. They were excluded from an opportunity to acculturate into mainstream suburban America due to social (family structure) and economic (rental payment records) indicators, characteristics which initially placed them into public housing. Due to the inequitable implementation of the Gautreaux Program, researchers turned to study the differences in outcomes for the individuals who were able to relocate versus those who were left behind.

Several studies concluded that the Gautreaux Program resulted in numerous ancillary benefits, such as increases in employment opportunities, education, and social integration.[86] Because of the beneficial effects of the Gautreaux Program, HUD, in consultation with policy experts and academics, designed and implemented the Moving-to-Opportunity (MTO) program in 1993.[87] Largely based on the Gautreaux Program, MTO would test several theories around neighborhood effects. Xavier de Souza Briggs, Susan Popkin, and John Goering discuss the process by which MTO was designed and implemented:

> HUD staff decided on a formal experimental structure in which families in public or assisted housing who volunteered to participate in MTO would be randomly assigned to: the "experimental" group, which would receive Gautreaux like relocation assistance and a "restricted" housing voucher that could be used to lease up only in a low-poverty neighborhood; a comparison group, which would receive a "regular" voucher with no special assistance or location restrictions; and a control group that would continue to receive assistance in the form of a public housing unit.[88]

MTO represented one of the largest social experiments to date, placing a total population of 4,608 families into randomized housing assignments in five of the largest housing authorities in the

86. *See* ROSENBAUM & DELUCA, *supra* note 81, at 2; *accord* JOHN M. GOERING & JUDITH D. FEINS, CHOOSING A BETTER LIFE?: EVALUATING THE MOVING TO OPPORTUNITY SOCIAL EXPERIMENT (2003); *accord* Ruby Mendenhall, Stefanie DeLuca & Greg Duncan, *Neighborhood Resources, Racial Segregation, and Economic Mobility: Results from the Gautreaux Program*, 35 SOC. SCI. RSCH. 892 (2006); *accord* Susan J. Popkin, James E. Rosenbaum & Patricia M. Meaden, *Labor Market Experiences of Low-Income Black Women in Middle-Class Suburbs: Evidence from a Survey of Gautreaux Program Participants*, 12 J. POL'Y ANALYSIS & MGMT. 556 (1993).

87. *See* XAVIER DE SOUZA BRIGGS, SUSAN J. POPKIN & JOHN GOERING, MOVING TO OPPORTUNITY: THE STORY OF AN AMERICAN EXPERIMENT TO FIGHT GHETTO POVERTY 47–51 (2010).

88. *Id.* at 52.

country.[89] The purpose of the program was to test how neighborhoods impact individual outcomes.[90] However, contrary to anticipated benefits, the results of MTO have been mixed. Jens Ludwig et al. found that MTO improved physical and mental health among adults, had no detectable effect on economic outcomes, youth schooling or physical health, and has mixed results by gender on other youth outcomes, with girls doing better on some measures and boys doing worse.[91] More recently, in the case of children, Raj Chetty found that "moving to a lower-poverty neighborhood when young (before age 13) increases college attendance and earnings and reduces single parenthood rates."[92] They also found that moving has slightly negative impacts, perhaps from the possible disruptions it causes.[93] However, while much attention has been focused on the impact of neighborhood conditions on individual outcomes, less attention has been given to the underlining issue that public policy structures these disadvantages and exacerbates marginalization. As such, popular discourse surrounding the life chances of poor people reflects a legacy of blaming communities for their own fate. Poor people were thought, by their own virtue, to never fully assimilate into mainstream America because of their residential locations, predominantly in urban areas with high levels of poverty and segregation. Given the history of housing policy and poverty alleviation strategies, the question thus becomes *why don't housing programs work for low-income communities of color?* Moreover, *to what extent are the social identities of target populations realized in the development and implementation of housing policy?*

In order to tease out the impacts of such considerations, we turn back to the post-WWII era for a deeper understanding of how public housing residents were perceived during the planning stages. Analysis of the post-WWII era is useful in determining the context

89. *See Moving to Opportunity (MTO)*, HUD USER OFF. OF POL'Y DEV. AND RES., https://www.huduser.gov/portal/datasets/mto.html [perma.cc/KS2M-9SDF]; *see generally HUD Historical Background*, U.S. DEP'T HOUS. & URB. DEV.: OFF. OF POL'Y DEV. & RSCH. (2016), https://www.huduser.gov/hud_timeline [perma.cc/U6VE-Z5SY] (displaying timeline of important housing policies in the twentieth and twenty-first centuries).

90. *See Moving to Opportunity (MTO)*, *supra* note 89.

91. *See* Jens Ludwig, Greg J. Duncan, Lisa A. Gennetian, Lawrence F. Katz, Ronald C. Kessler, Jeffery R. Kling & Lisa Sanbonmatsu, *Long-Term Neighborhood Effects on Low-Income Families: Evidence from Moving to Opportunity*, 103 AM. ECON. REV. 226, 227 (2013).

92. Raj Chetty, *The Effects of Exposure to Better Neighborhoods on Children: New Evidence from the Moving to Opportunity Experiment*, 106 AM. ECON. REV. 855, 855 (2016).

93. *Id.*

surrounding the growing stigmatization of the population being aided and subsequent policy approaches. Similar to Theda Skocpol's thesis concerning the U.S. and its transformation of the welfare state,[94] we maintain that veterans (particularly White veterans) and rural, farming communities were seen as more deserving than Black, low-income urban communities. As a result, policies aimed at the veterans and farmers were focused more on individuals (or market-based approaches) through direct aid. On the other hand, the urban poor were not seen as deserving, and as a result, policies aimed at this particular population focused more on neighborhood redevelopment (or placed-based approaches) through disruptive, neighborhood revitalization efforts. Given the intersection of their racial and social identity, strategies to address the housing crisis undoubtedly results in further marginalization and diverse forms of inequality.

III. The Social Construction of Deservedness Among Target Populations

As previously pointed out, policymakers' framing and social construction of target beneficiary populations had a profound impact on the development of public housing policy, which will be explicated in subsequent sections of this Article. However, prior to illustrating how target populations were socially constructed by housing policy agents in the post-WWII era, it is important to understand the role that constructing visions of target populations played in the development and implementation of public policy more generally.

Audie Klotz and Cecilia M. Lynch maintain that how policy actors construct notions of deservedness among target populations results in how knowledge about social groups, and the policies that benefit them, are reinforced and disseminated throughout society.[95]

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94. For example, in Theda Skocpol's book, PROTECTING SOLDIERS AND MOTHERS, she argues that the United States led efforts related to social spending in the world in terms of its elderly, disabled, and dependent citizenship. Changes were due to the political reform of the Progressive era. Because of party politics and generational changes in representation, the U.S. became a *maternalistic* welfare state. THEDA SKOCPOL, PROTECTING SOLDIERS AND MOTHERS 311–524 (1992). We argue that this same notion was evident in the U.S. during the post-WWII period as a time of extreme racial tension domestically and its involvement in the world system more broadly. *See, e.g.*, Prentiss A. Dantzler & Aja D. Reynolds, *Making Our Way Home*, 26 J. WORLD-SYSTEMS RSCH. 155 (2020) (for a more recent, brief attempt to elucidate the role of housing policy in contributing to the subjugation of Black people through the commodification of Black bodies and spaces).

95. *See* AUDIE KLOTZ & CECELIA M. LYNCH, STRATEGIES FOR RESEARCH IN

These social constructions of target populations are typically in competition with one another, since there is commonly more than one, with each construction conveying either alternative or buttressing stories and myths about a particular population.[96] These competing constructions of populations are interpreted by other policymakers, social groups and the public to explain why a particular population is advantaged or disadvantaged, whether a group's disadvantage stems from individual characteristics or the surrounding social system, and whether or not they should be deserving of public assistance.[97] Because the constructions are competing and typically promulgated by various news media outlets, elected officials, policymakers, and program benefit gatekeepers, these constructions of target populations are used to justify which social groups are deserving or not of assistance and resources.[98] According to Mohamad G. Alkadry and Brandi Blessett, even those administering programs and distributing resources to target populations can, intentionally and unintentionally, engage in the social construction of target populations, either through their management and administrative actions, inclusiveness in the policy development process, or their own messages to the public.[99]

CONSTRUCTIVIST INTERNATIONAL RELATIONS (2014); *see also* Anne Larson Schneider & Helen M. Ingram, *Social Construction of Target Populations: Implications for Politics and Policy*, 87 AM. POL. SCI. REV. 334 (1993) (arguing that the construction of target populations influence policy choices and become embedded in policy as messages that are then absorbed by the population).

96. *See* Schneider & Ingram, *supra* note 95, at 335.

97. *See* THOMAS A. BIRKLAND, AFTER DISASTER: AGENDA SETTING, PUBLIC POLICY, AND FOCUSING EVENTS 131–50 (1997); *see, e.g.*, SCHNEIDER & INGRAM, *supra* note 95, at 335 ("Social constructions are often conflicting and subject to contention. Policy directed at persons whose income falls below the official poverty level identifies a specific set of persons. The social constructions could portray them as disadvantaged people whose poverty is not their fault or as lazy persons who are benefitting from other peoples' hard work.").

98. *See* Anne Schneider & Mara Sidney, *What Is Next for Policy Design and Social Construction Theory?*, 37 POL'Y STUD. J. 103, 105 (2009); *see also* Brandi Blessett, *Disenfranchisement: Historical Underpinnings and Contemporary Manifestations*, PUB. ADMIN. Q. 3–50 (2015) [hereinafter Blessett, *Disenfranchisement*] (using social construction and critical race theory to analyze policies designed to impose a specific effect on target populations, finding a rise in disenfranchisement policies designed to target minority groups).

99. *See* Mohamad G. Alkadry & Brandi Blessett, *Aloofness or Dirty Hands? Administrative Culpability in the Making of the Second Ghetto*, 32 ADMIN. THEORY & PRAXIS 532, 533 (2010) (arguing "public administrators in the second part of the twentieth century acted to further the interests of an economic elite at the expense of power-deprived and poor African-American communities"); *see also* Brandi Blessett, Tia Sherèe Gaynor & Mohamad G. Alkadry, *Counternarratives as Critical Perspectives in Public Administration Curricula*, 38 ADMIN. THEORY & PRAXIS 267, 271 (2016) (arguing that public administrators can engage, intentionally or

Moreover, Gaynor argues that many of these social constructions are based on perspectives and myths harbored by the socially powerful and often serve as the dominant narratives that shape society's social construction of reality.[100] As such, the potential effect of the social construction of deservedness reaches wider than the public housing policy that is discussed in this Article,[101] but also to political engagement and inclusion,[102] community development,[103] social support benefits[104] and, with increasing importance, disaster recovery resources.[105]

Specifically, Schneider and Ingram argue that the social construction of target populations specifically refers to:

> (1) the recognition of the shared characteristics that distinguish a target population as socially meaningful, and

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unintentionally, in social construction of minority groups that can further marginalization).

100. *See* Tia Sherèe Gaynor, *Vampires Suck: Parallel Narratives in the Marginalization of the Other*, 36 ADMIN. THEORY & PRAXIS 348, 350 (2014).

101. *See* Mara S. Sidney, *Contested Images of Race and Place: The Politics of Housing Discrimination*, *in* DESERVING AND ENTITLED: SOCIAL CONSTRUCTIONS AND PUBLIC POLICY 111–37 (2012) (examining the impact of social constructions on the legislative processes that resulted in the Fair Housing Act of 1968 and the Community Reinvestment Act of 1977).

102. *See* Blessett, *Disenfranchisement*, *supra* note 98, at 5 (highlighting the "increasing efforts by state legislatures around the country to marginalize those deemed as 'the other' through the enactment of disenfranchisement legislation").

103. *See* ASHLEY E. NICKELS & JASON D. RIVERA, COMMUNITY DEVELOPMENT AND PUBLIC ADMINISTRATION THEORY: PROMOTING DEMOCRATIC PRINCIPLES TO IMPROVE COMMUNITIES iii (2018) (illustrating how "public administrators and public managers can engage in community development planning and implementation that results in more equitable and sustainable long-term outcomes").

104. *See, e.g.*, Suzanne Mettler & Joe Soss, *The Consequences of Public Policy for Democratic Citizenship: Bridging Policy Studies and Mass Politics*, PERSPECTIVES ON POLITICS 55, 61 (2004) (explaining that "any policy that sets forth eligibility criteria for benefits or rights, or establishes guidelines for citizen participation, implies that certain individuals are fully included within the polity and others are not, at least not to the same degree"); *accord* Joe Soss & Sanford F. Schram, *A Public Transformed? Welfare Reform as Policy Feedback*, AM. POL. SCI. REV. 111 (2007); *accord* Richard C. Fording, Joe Soss & Sanford F. Schram, *Devolution, Discretion, and the Effect of Local Political Values on TANF Sanctioning*, 81 SOC. SERV. REV. 285 (2007).

105. *See, e.g.*, M. Justin Davis & T. Nathaniel French, *Blaming Victims and Survivors: An Analysis of Post-Katrina Print News Coverage*, 73 S. COMMC'N J. 243 (2008) (using a social constructionist perspective, the study analyzed the power of news media to shape cultural understanding of the people involved in Katrina, and found that post-Katrina news coverage shifted the blame to the victims and survivors and that these understandings of victims and survivors ultimately impacted the disaster relief responses); *accord* Claire Connolly Knox, *Language-Based Theories and Methods in Emergency and Disaster Management*, *in* DISASTER AND EMERGENCY MANAGEMENT METHODS: SOCIAL SCIENCE APPROACHES IN APPLICATION (Jason D. Rivera ed., Routledge ed.) (forthcoming July 2021).

> (2) the attribution of specific, valence-orientated values, symbols, and images to the characteristics. Social constructions are stereotypes about particular groups of people that have been created by politics, culture, socialization, history, the media, literature, religion, and the like.[106]

In this way, when politicians or other policy actors attempt to provide benefits to a particular population, they try to describe the group in positive ways that make them seem *deserving*. Whereas, when politicians and policy actors attempt to restrict, limit, or take away policy and program rewards (or even develop punitive policies) the same actors try to disseminate a vision of the target population in negative ways. In this way, when policy actors want to characterize a particular social group as undeserving of benefits, they actively strive to shift any prevailing positive images of the population to negative depictions. Typically, through the political and policy process, contestation and escalation of these images occurs,[107] as competing actors and policy advocates attempt to construct a more convincing and lasting image of the target population. Finally, as time and politics change, the social construction of the target population has the potential to change. Change can occur once politically powerful social groups are replaced with new ones, and/or as the interests of those constructing the image of target populations change.[108]

Extant literature concerned with the historiography of housing policy does not fully explain the effects of the stigmatization of the urban poor during the post-WWII recovery phase. Therefore, this Article provides a needed corrective in the understanding of divergent policy approaches based on the perceptions of the target population. By performing a historical

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106. Schneider & Ingram, *supra* note 95, at 335.

107. *See* Anne Larson Schneider & Mara Sidney, *What Is Next for Policy Design and Social Construction Theory?*, 37 POL'Y STUD. J. 103, 106 (2009) ("Policy processes often involve contestation over these images as actors seek to justify distribution of benefits or burdens to these groups."); *see also* Blessett, *Disenfranchisement*, *supra* note 98, at 9 (explaining that "power [has been] concentrated in the hands of Whites, which has empowered them with the authority and resources to create policies, influence the economic and political decisions that govern the country, and shape the images of people and places as worthy and deserving or dependent and deviant").

108. MICHAEL JAVEN FORTNER, BLACK SILENT MAJORITY: THE ROCKEFELLER DRUG LAWS AND THE POLITICS OF PUNISHMENT 15 (2015) (describing the role of working- and middle-class African Americans in shaping crime policy after the Civil Rights Movement and arguing that "middle-class African Americans sought to curtail behaviors among the poor that would perpetuate stereotypes and undercut middle-class claims of equality").

analysis using congressional testimony during the height of post-WWII housing debate, we test our hypothesis surrounding the social construction of target populations as a way to uncover the root disdain for public housing.

IV. Congressional Debates on Temporary Housing Efforts

On January 17, 1945, there was a series of hearings held before the Special Committee on Post-War Economic Policy and Planning on recovery efforts.[109] These hearings were held pursuant to a resolution made by the 78th Congress in order to determine post-WWII assistance to veterans, specifically in terms of housing.[110] The timing of these hearings places them at the nexus of the core argument of this Article and provides a critical lens into the planning process of housing solutions for returning veterans and rural farmers versus the urban poor. Although these hearings do not specifically discuss the racial dynamics at play, their results fundamentally contribute to racial inequality through bifurcated policy responses. The hearings contained a myriad of public officials and private stakeholders including administrators from the Veterans Administration (VA), the Department of Agriculture (DOA), the Mortgage Bankers Association of America (MBAA), the American Planning and Civic Association (APCA), as well as the National Housing Agency (NHA).[111] Given the plethora of stakeholders here, it helps to elucidate how different actors framed the housing crisis and policy responses for their respective groups.

The opening statement was made by the Administrator of Veterans' Affairs and of Retraining and Reemployment Administration under the Office of War Mobilization, General Frank T. Hines:

> I have, of course, a great interest in this housing program, not only from the standpoint of the effect that it has upon the veteran who desires to build or buy a home, but it has a bearing upon the reemployment of the veteran, and also has a great bearing upon the citizenship of our country.[112]

109. *See Post-War Economic Policy and Planning: Hearings Before the Subcomm. on Hous. and Urban Redevelopment of the Special Comm. on Post-War Econ. Pol'y and Plan.*, 79th Cong. 1761–74 (1945) [hereinafter *Post-War Economic Policy and Planning: Hearings*].

110. *Id.* at 1761.

111. *Id.* at 1759.

112. *Id.* at 1761.

General Hines' construction of the housing problem provides useful insight into the perceived importance that housing places on an individual's sense of civility. Housing is not just important from a residential stance, but it also has a "bearing upon the reemployment of the veteran," as well as the validation of citizenship.[113] Due to an extreme concentration on homeownership since the days of President Herbert Hoover, housing was made a political issue, and as such, homes took part in legitimizing an individual's national identity.[114] However, temporary housing was necessary in order for veterans to reclaim their status into middle-class America. This issue of civility is particularly interesting given its connection with housing. As an indication of decorum and respect, the reintegration of the veteran into American society lies in their ability to ascertain decent living accommodations. Beyond the realm of housing, veterans were the focus of other key legislation that had a bearing on their reentry into civil society.

In his testimony before the Subcommittee on Housing and Urban Redevelopment of the Special Committee on Post-War Economic Policy and Planning, General Hines identified the Servicemen's Readjustment Act of 1944, commonly known as the G.I. Bill of Rights, a law which provided aid to returning veterans for their reentry into civilian life.[115] Senator Robert A. Taft of Ohio, Chairman of the Subcommittee, acknowledged the post-war housing problem as well, stating: "Our main interest is to see how that is going to fit in with the whole post-war housing problem . . . calling perhaps for the construction of 1,260,000 homes a year for 10 years."[116] This shortage would undoubtedly require a long-term strategic plan for housing for returning veterans, as well as support from the federal government.

General Hines identified the course of the G.I. Bill, saying in testimony that the bill "gives the Veterans' Administration an interest in the post-war housing problems. This is so, although the act is veterans', and not a housing act."[117] General Hines depicted the housing problem as one of great interests to the VA.[118] Because

113. *Id.*

114. *See* Janet Hutchinson, *Shaping Housing and Enhancing Consumption: Hoover's Interwar Housing Policy*, *in* FROM TENEMENTS TO THE TAYLOR HOMES, *supra* note 20, at 81–82 (arguing that "during the 1920s Hoover's efforts made ownership of a single-family home . . . a primary goal of American housing policy").

115. *Post-War Economic Policy and Planning: Hearings*, *supra* note 109, at 1761–62, 1764.

116. *Id.* at 1761.

117. *Id.* at 1761–62.

118. *Id.*

of the threat of many veterans not receiving the support they needed to reenter into civil life, the VA's goal was to make this topic a political issue.[119] The construction of the housing problem in America during the post-WWII era describes a state in which the VA took interest in a divergent field of domestic affairs in order to appease the population it sought to aid.[120] This action pinpoints a critical juncture in the study of housing policy given the conditions surrounding the return of veterans to the homeland. The overall impact of the G.I. Bill was largely to benefit the segment of the population seen as deserving.[121] The legislation did not focus on one particular resource that was lacking; rather it encompassed a variety of programs devoted to improving veterans' reentry into civil society.[122] General Hines supported this proposition in his testimony, saying:

> I would further urge that Congress if it gives consideration, as it doubtless will, to the question of post-war housing, consider the housing problem as a whole and not as one pertaining particularly to veterans. I believe it is a correct conclusion that veterans will benefit more by sound economy and by sound general programs conceived in the interest of all than they possibly could by special differentiations based upon their status as veterans. In this respect I think the Congress acted wisely in making the Veterans' Readjustment Act of 1944 a veteran's act and not an education or housing act.[123]

Not only did General Hines' testimony identify the need for post-war housing as a whole, but he also directed attention to the nation's housing problem. He expressed confidence that the federal government would act, but he was not sure in what fashion.[124] His remarks reflected an urgency that federal action seeking to aid veterans not only identify veterans as the sole beneficiaries of population-specific policies; rather, General Hines' viewed veterans as being more likely to benefit from economic and social policies that were generalized.

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119. *Cf. id.* at 1765 (statement of Gen. Hines) (criticizing the legislature's "complete lack of understanding . . . of the desires and characteristics of veterans").

120. *Id.*

121. *See* SUZANNE METTLER, SOLDIERS TO CITIZENS: THE G.I. BILL AND THE MAKING OF THE GREATEST GENERATION 6 (2005) (describing the benefits veterans received as a result of the G.I. Bill of Rights).

122. *Id.* at 9 (identifying the G.I.'s education and training programs as having a significant impact on civic participation).

123. *Post-War Economic Policy and Planning: Hearings*, *supra* note 109, at 1772.

124. *See id.* (recognizing that Congress would give due consideration to the broader need for post-war housing).

Because of the inequitable distribution of policy outcomes, the negative effects of post-war housing could have been mitigated if housing was transformed into low-income housing to lessen the burden of substandard housing conditions existing at this time for an even more marginalized group of people, particularly segregated Black communities. This transformation would have necessitated sustained financial support in terms of maintenance and operation. However, that was not the primary goal of the federal government, nor was it in the interest of several stakeholders of this congressional hearing.

The Secretary of Agriculture, Claude R. Wickard (accompanied by Raymond C. Smith), provided another account of how the housing crisis was felt by people outside of cities.[125] In his opening statement, Wickard noted, "About two-thirds of the Nation's farm families are ill-housed. Nearly half the inadequate houses are beyond repair. Slums usually are associated with cities, yet the average level of farm housing is far below that of the city dwellings."[126] For Wickard, the state of housing for farm families set it apart from urban housing. In his statement, Wickard went on to ask, "Why have gains in farm housing fallen short of urban gains? One reason, undoubtedly, has been the high visibility of urban slums. Even the casual passer-by can't help noticing them."[127] Wickard continued to note that the housing problem in rural spaces is an often-neglected area of support, as families in this space suffer from low-density, substandard housing, and low incomes.[128] Moreover, Wickard emphasized that the NHA and the DOA both agree "on the principle that rural and urban people are equally entitled to help from the National Government in improving housing standards."[129]

However, Wickard also believed that improvement of rural housing should be done by private enterprise, even though he stated that the federal government has the ultimate responsibility of helping all families achieve adequate housing.[130] Moreover, Wickard tied in notions of self-sufficiency, saying: "I believe both agencies agree that long-range housing projects ultimately must be

125. *Id.* at 1887. Raymond C. Smith was the Chief Program Analyst of the Bureau of Agricultural Economics and Chairman of the Department of Agriculture's Inter-Bureau Committee on Post-War Programs.

126. *Id.*

127. *Id.* at 1888.

128. *See id.* at 1890–92.

129. *Id.* at 1892.

130. *Id.*

able to stand on their own financial feet—that the use of subsidies, when necessary, should be temporary, and should be used constructively so as to remove the need of further subsidies as soon as possible."[131] Wickard, like Hines, tied the nature of the housing problem to a specific population. In this case, rural farm families are the suggested target for federal intervention.[132] While Wickard does note that the housing crisis is perverse for urban and rural residents, his recommendations reveal the need for targeted approaches, with rural families and areas being a more deserving group given the historical neglect and that housing conditions were tied to employment opportunities realized on the farms they hold.[133] Farmers function within a broader discussion of land ownership, which typically ties one's social status to particular places.[134] Ownership realized through land attainment increases the political power of this social group, which heightens political responses given the construction of their identities as socially deserving.[135] Yet, Black communities suffered from segregationist policies that restricted their control of land and further defined their identities as socially undeserving of federal attention.

V. Temporary Housing Versus Permanent Relief

The presence of post-war housing would become a political issue. If the federal government was to commit to providing temporary housing relief for returning veterans and rural families, as well as other special programs, then what was to become of that "temporary" relief? Housing advocates were able to hold onto the stock of temporary housing, yet they were unable to maintain adequate funding for operations and maintenance once the population inhabiting it was replaced with one of less political significance.[136] The testimony given hereafter further highlights the contention of keeping the war housing stock temporary.

In terms of facilitating provisional relief to returning veterans, participants of the hearings, such as General Hines and others representing the MBAA, including L.E. Mahan, President of MBAA,

131. *Id.*

132. *Id.*

133. *Id.* at 1888.

134. For a discussion of Black subjectivity, racial exploitation, and housing policy, see Dantzler & Reynolds, *supra* note 94.

135. *See id.* at 156 ("The commodification of property relates to the global production of power relationships between those who own and those who do not.").

136. *See* GOETZ, *supra* note 9, at 31–33 (discussing the lack of funding for maintenance and capital improvements).

believed that the stock should be demolished after the veteran population moved out.[137] In 1945, testimony from Mr. Mahan clearly emphasized this point: "We recommend that the program for disposition of real estate, including war housing, be centralized in one agency and that careful consideration be given to an orderly liquidation of all real property."[138] The MBAA's position was that the operation and maintenance of war housing should not be maintained or operated by the federal government, and it was up to other institutions to provide housing to their own respective groups.[139] According to the MBAA, it was not the role of the federal government in maintaining and operating national programs that would benefit others if they weren't adhering to their original purpose.[140] Mr. Mahan further discusses this stance in his testimony: "In preparing this report we adhere to the general principle that private enterprise and local communities should be responsible for the development of housing needs of the people. The Federal Government, however, has a clear responsibility to help private enterprise and local communities to do the job."[141] The discussion here identifies a theoretically interesting paradox in the understanding of federal involvement in the national housing crisis. Mr. Mahan's responses placed the responsibility of providing adequate and affordable housing in the hands of local communities and private industry and not under the direction of the federal government.[142] Furthermore, the MBAA expressed an opinion opposed to the establishment of traditional public housing under federal oversight: "Our association wishes to go on record as opposing public housing wherein the Federal Government becomes the direct owner or operator of housing property. The social and political implications of public ownership are well known to the student of political economy."[143]

However, the MBAA's testimony here lacks the understanding of housing issues as they existed in 1945, specifically between Whites and Blacks in urban America, being heavily concentrated in areas that were production zones of war industry. For example,

137. *See Post-War Economic Policy and Planning: Hearings*, *supra* note 109, at 1852 (statement of L.E. Mahan).

138. *Id.* at 1852.

139. *See id.* at 1852–54 (statement of L.E. Mahan) (recommending that properties be demolished and the federal government serve in a limited capacity to address the acute shortage of housing).

140. *Id.* at 1854.

141. *Id.*

142. *Id.*

143. *Id.* at 1852.

Hirsch's account of the housing situation in Chicago, IL, illustrates the influence of national action in fortifying racial color lines as well as an effort "to make the novel federal presence in urban America as unobtrusive as possible."[144] Perhaps this was in response to the changing neighborhood racial composition that was taking place during and after the war. Such analysis goes beyond the scope of this Article, yet previous work has analyzed the changing state of America, as well as the fortification of racial boundaries that existed during this era.[145]

Nevertheless, further observation of the testimony depicts not only a call for temporary war housing for returning veterans, but also a disbelief in temporary housing for the poor altogether.[146] This stance is never more evident than in the discussion between Senator Taft and Mr. Mahan, President of the MBAA, as Senator Taft questioned Mr. Mahan whether he opposed the future sale of temporary war housing to local city government or public housing authorities.[147] Mr. Mahan stated, "That is our [MBAA] opinion, and I think that is also the opinion of the Hancock-Baruch report."[148] However, the designation of temporary versus permanent housing is clouded in its understanding as identified in the Hancock-Baruch *Report on War and Post-War Adjustment Policies*.[149] In his response to Mahan, Senator Taft says, "I do not think the[] [Hancock-Baruch report] distinguish[es] very much between what may be called permanent war housing and the war housing everybody agrees ought to be gotten rid of somehow."[150]

During 1943, Bernard M. Baruch and John M. Hancock of the Office of War Mobilization[151] launched a study of the entire

144. HIRSCH, *supra* note 45, at 14.

145. *See* RICHARD ROTHSTEIN, THE COLOR OF LAW: A FORGOTTEN HISTORY OF HOW OUR GOVERNMENT SEGREGATED AMERICA (2017) (providing recent discussions on segregation and the legacy of redlining across the U.S.); *see also* JESSICA TROUNSTINE, SEGREGATION BY DESIGN: LOCAL POLITICS AND INEQUALITY IN AMERICAN CITIES (2018) (same).

146. *See Post-War Economic Policy and Planning: Hearings*, *supra* note 109, at 1852.

147. *Id.* at 1863.

148. *Id.*

149. BERNARD M. BARUCH & JOHN M. HANCOCK, REPORT ON WAR AND POST-WAR ADJUSTMENT POLICIES (1944).

150. *See Post-War Economic Policy and Planning: Hearings*, *supra* note 109, at 1863.

151. BARUCH & HANCOCK, *supra* note 149, at 3. The Office of War Mobilization was an independent agency of the U.S. Government formed on May 27, 1943. *See* Exec. Order No. 9347, 8 Fed. Reg. 7183 (May 27, 1943). President Roosevelt established this agency by Executive Order 9347 to coordinate all governmental agencies into the WWII efforts. *Id.*

demobilization question of surplus supplies.[152] They saw war housing as surplus, which could later be liquidated to offset economic demands.[153] On February 15, 1944, their nationally known *Report on War and Post-War Adjustment Policies*, discussed actions to facilitate the post-war adjustment policies to "prepare for peace in a time of war."[154] This report identified the three main categories of tasks for demobilization efforts: contract termination, surplus property disposal, and ensuring jobs and housing were sufficiently available for returning veterans.[155] The disposition of war housing raised many concerns about the dilution of temporary housing and its identity as war housing or public housing.[156]

Despite Mr. Mahan's discontent with public housing, he points out confusion with the nature of war housing altogether. The construction of the housing problem is muffled by the misunderstanding of the difference between temporary versus permanent war housing.[157] Both indicate different responses by the federal government as well as differing levels (short- versus long-term) of commitment. This confusion is expanded by Mahan's response to the disposal of war housing to local communities:

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152. *See generally* BARUCH & HANCOCK, *supra* note 149, at 1–3. Bernard M. Baruch was an American financier and political consultant. John M. Hancock was an American engineer and Wall Street banker. During WWII, Baruch and Hancock were appointed to consultatory positions in the Office of War Mobilization by President Roosevelt. *Bernard M. Baruch*, HARVARD BUS. SCH., https://www.hbs.edu/leadership/20th-century-leaders/Pages/details.aspx?profile=bernard_m_baruch [perma.cc/429G-7P2J]; *John M. Hancock Papers, 1903–1956*, UNIV. N. DAKOTA: DEP'T OF SPECIAL COLLECTIONS DIGITAL FINDING AIDS, https://apps.library.und.edu/archon/?p=collections/controlcard&id=536, [perma.cc/3ZVD-EWDN].

153. *See generally* BARUCH & HANCOCK, *supra* note 149, at 23 (delegating war housing to the National Housing Agency while specifying that the "Surplus Administrator may similarly use any other Government agency for disposal of any special type of properties").

154. *Id.* at 1. The full report was focused on how best to demobilize soldiers and civilians after WWII. It also discussed how to return the government's workforce to peacetime leadership. Its purpose was to minimize the economic disturbance, individual hardship, and suffering following the War.

155. *See* Clifton E. Mack, *Disposition of Federally Owned Surpluses*, 10 LAW & CONTEMP. PROBS. 633, 638 (1944) (discussing the intended disposition of federal surpluses). In times of war, production levels are high for materials, as there is no defined level of necessary supplies when there is no certainty over the war's end. *Id.* at 633. As Mack notes, "the presence of a surplus of supplies indicates the availability of enough supplies." *Id.*

156. *See, e.g.*, *Post-War Economic Policy and Planning: Hearings*, *supra* note 109, at 1863 (statement of L.E. Mahan) (expressing concern that dispositions of war housing be made on a case-by-case basis so as not to destroy public housing where it would benefit the community).

157. *Post-War Economic Policy and Planning: Hearings*, *supra* note 109, at 1871–72.

> I do think every situation must be studied. It is very difficult to lay down any general rule. There may be situations where it might be highly advantageous to dispose of it for public housing in a certain community to supply a housing need. It would be ridiculous to destroy housing units where they are needed in a community.[158]

This notion of disposal goes beyond need in this instance. Mahan identifies the housing shortage as a community-based issue when it was a national issue requiring federal attention. Further evidence to support this claim is observed in the testimony of MBAA as they discuss the nature of the permanent federal administrative organizations of the housing agencies:

> We believe that such Government agencies as are created in a time of emergency should be liquidated as soon as that emergency has passed, and that in our established system of government, agencies created to meet special emergencies should not be perpetuated when those emergencies have ceased; otherwise, there is a likelihood that our whole economy might be distorted by Government interference in normal business pursuits.[159]

The comments made here by MBAA display two different points: 1) the federal government should only act in times of emergency and once that emergency is thwarted, the federal government should no longer be involved, and 2) the long-term support of public housing is not due to an emergency and as said before, local communities and private enterprise can and will solve the problem with help from the federal government.

This is a particularly interesting argument in terms of the position of the representatives of MBAA and the timing of these events in the aftermath of the Great Depression. The problems of returning veterans and rural families are depicted as an emergency requiring immediate and committed aid from the federal government. Support from the federal government should be multi-faceted while offering several avenues of relief. On the other hand, the national housing problem is not categorized as an emergency requiring immediate and committed aid from the federal government. Nor should the federal government address the problem of the need for low-income, affordable housing through long-term interventions. Local communities and private enterprise

158. *Id.* at 1863.
159. *Id.* at 1852.

have the ability to solve these issues. The federal government should be in the business of supporting these agents in order to provide relief for those in need. However, other witnesses did not fully agree with this sentiment.

In his opening statements, prior to his election as President, representing the APCA, General Ulysses S. Grant III noted that the control over post-war housing should be taken out of the hands of the federal government and relegated to local communities.[160] Grant stated:

> [T]he various permanent housing units erected under various agencies can probably make their best contribution to post-war housing if they are turned over to such local housing authorities as desire to acquire them and use them for permanent low-rent housing. The Government should retire from the ownership and management of projects built to command high rentals. But the sooner the diverse ownership and operation of housing within the Federal Government is either consolidated or turned back to local communities, the better. We favor the local community whenever it is able and willing to take over.[161]

Grant's position here is quite complicated given his pro-business viewpoints during this hearing.[162] He notes how the government should be facilitating the growth of housing construction while also applauding the efforts made by the government in establishing the Federal Housing Administration, the Federal Home Loan Bank Administration, and the Home Owners' Loan Corporation.[163] And given his planning background, Grant's suggestions tie housing development into initiatives driven by local planning commissions. However, Grant also notes that the blight in cities is extreme and that any federal involvement should be centered on positioning states to subsidize cities in a coordinated urban development strategy.[164] Such efforts would reposition the APCA under the purview of the NHA and allow local municipalities to engage in redevelopment efforts such as slum clearance.[165] While Grant does not discuss the actual people living in these

160. *Id.* at 1901. General Grant appeared in lieu of Frederic Adrian Delano, President of the American Planning and Civic Association, and uncle to President Roosevelt. *Id.*

161. *Id.* at 1902.

162. *See id.* ("The Government's activities in the field of housing should be such as to foster the revival of the home-building industry.").

163. *Id.*

164. *Id.* at 1903–04.

165. *Id.* at 1903–06.

neighborhoods, he does highlight a significant change in the delegation of resources and local control to redevelop urban areas, even including efforts such as slum clearance in the pre-Civil Rights Era.[166] As such, Grant's proposed measures would have disproportionally impacted low-income communities of color who occupied urban spaces.[167] Part of this stance could have been Grant thinking of his own future political career and expanding the purview of the government. However, housing advocates reframed the nature of the problem and focused attention not on urban development strategies but on targeted aid to families.

Dr. Caroline F. Ware, a prominent member of the American Association of University Women and a professor at American University, provided testimony beginning with a joint statement on housing representing several organizations at this hearing.[168] In her statement, Ware furthers the idea that any approaches to housing policy must be made for all people since it is not only just a veterans' issue, but also an American family issue. In her statement, Ware said:

> It is a matter of common knowledge that household rent and household operation take, on the average, 29 percent of the family budget, a larger item than anything except food; that enough decent dwellings do not now exist to house the American people properly, even if all families had enough money to rent decent homes, and that a large proportion of American families could not afford a decent home even if houses were available at rents which represent adequate standards under sufficient present conditions of private construction.[169]

Ware addresses this concern for veterans and depicted a broader picture of housing for American families. The issue was not rooted in a need for housing just for returning veterans. It fell into other economic and social concerns. These concerns are rooted in the position of many American families—that even if enough housing existed, they could not afford to buy these places.

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166. *Id.* at 1904.

167. *See supra* note 10, and accompanying text.

168. Ms. Ware's joint statement on housing reflected the opinion of the American Association of University Women, American Home Economics Association, Consumers Union, General Federation of Women's Clubs, League of Women Shoppers, Inc., National Board, Young Woman's Christian Association, National Council of Jewish Women, National Council of Negro Women, and the National Women's Trade Union League. *Post-War Economic Policy and Planning: Hearings*, *supra* note 109, at 1909.

169. *Id.* at 1909–10.

In addition, changes in economic status of American families should not automatically displace them out of affordable housing options. Ware stated:

> Furthermore, families whose incomes fall in the "no man's land" between the top of the income brackets for which public housing has been built and the bottom of the private housing bracket should not be overlooked, but must be provided for in one way or another. Measures should be sufficiently flexible, too, to apply to families whose incomes change, so that, for example, families would not have to go house-hunting and children be separated from their playmates and forced to change schools because of an increase in the family income.[170]

Ware's statements rely on an idea rooted in changing the economic and social landscape of American life. Ware further identifies the purpose of the federal government—to provide assistance to all of its individuals. Yet, as Ware stated, it requires the full backing of the federal government.[171] This is exemplified in her discussion with Senator Taft when asked how long it would take to achieve this goal, Ware replied, "[i]f we do it, really do the whole job of good houses in good neighborhoods for all the people in 10 years, I think, Senator, we should be proud."[172]

The levels of concern of both witnesses pinpoints a strong difference of opinion in regard to the degree of federal involvement in solving the housing shortage. While representatives of the MBAA and the APCA agree on the housing issue, the MBAA feels that the solution is present within local communities and private enterprises and not federal government. Yet, Ware, as a representative of several civic and community-based organizations, notes how housing was a national issue requiring full backing of all members including the federal government in supplying adequate housing to fill the needs of American families.[173] Her characterization of the housing crisis as an issue for all American families broadens the scope of suggested policy solutions. However, in crafting the argument as such, Ware draws attention away from housing policy as a racialized process, to one purely focused on class dynamics. History has shown that subsequent housing construction boomed in the 1940s through the mid-1960s, yet part of this growth

170. *Id.* at 1910.
171. *Id.*
172. *Id.* at 1914.
173. *Id.* at 1910.

further segregated Black communities from White spaces.[174] Yet, as we have argued in this Article, the design and implementation of public housing policy was fraught with constructivist arguments of deservedness depending on the targeted groups even in its earlier years of development.

VI. Contemporary Constructions of Deservedness Within Housing Policy

While this Article looks at the construction of deservedness during the post-WWII economic recovery and planning era, similar discussions have been carried forth in current times. For example, on June 7, 2017, HUD Secretary Ben Carson submitted written testimony before the Senate Appropriations Committee Subcommittee on Transportation, Housing and Urban Development, and Related Agencies.[175] In his statement, Carson said, "I want our efforts to assist those in need and to support a path to self-sufficiency. At the same time, we are keenly focused on efficiency throughout the agency with the mindset of doing more with less."[176] President Trump's 2018 budget request included a 15 percent decrease from the 2017 enacted level, with approximately 80 percent of HUD's budget authority dedicated to rental assistance.[177] In his remarks, Carson suggested that it's time to look at rental assistance through a series of questions including "[d]oes it help or hurt?"[178] Budget cuts and a consistent framing of government assistance as being tied to dependency have been reflected in annual proposals that link HUD funds to programs that promote self-sufficiency and the value of work.

Figure 1 illustrates the allocation of funds across the 2019 and 2020 enacted budgets in addition to the 2021 President's proposed budget.[179] Funds for several federal housing programs including Native American Programs, the Public Housing Capital Fund, the

174. *See supra* note 10 and accompanying text.

175. *Review of the FY2018 Budget for the U.S. Department of Housing & Urban Development: Hearing Before the S. Appropriations Comm. Subcomm. on Transp., Hous. & Urb. Dev., & Related Agencies*, 115th Cong. (2017) (statement of Ben Carson, Secretary of Housing and Urban Development), https://archives.hud.gov/testimony/2017/SOHUDtestimonyFY18Budget.pdf [perma.cc/555G-JVX7] [hereinafter *Review of the FY2018 Budget*].

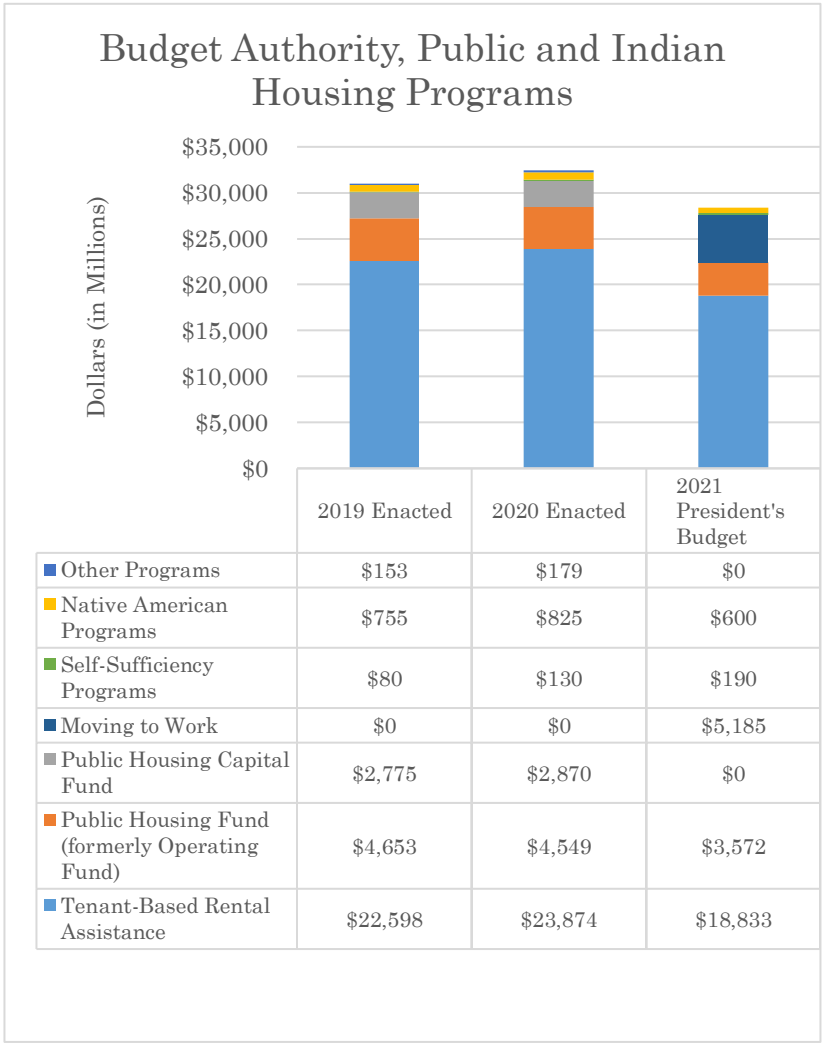
176. *Id.* at 1.

177. *Id.*

178. *Id.* at 2.

179. U.S. DEP'T OF HOUS. & URB. DEV., FISCAL YEAR 2021 BUDGET IN BRIEF 10 (2020), https://www.hud.gov/sites/dfiles/CFO/documents/BudgetinBrief_2020-02_06_Online.pdf [perma.cc/FFF6-4YLV].

Public Housing Fund (formerly Operating Fund), and Tenant-Based Rental Assistance have proposed decreases while Self-Sufficiency Programs and the Moving to Work Demonstration Program have proposed increases.



	2019 Enacted	2020 Enacted	2021 President's Budget
Other Programs	$153	$179	$0
Native American Programs	$755	$825	$600
Self-Sufficiency Programs	$80	$130	$190
Moving to Work	$0	$0	$5,185
Public Housing Capital Fund	$2,775	$2,870	$0
Public Housing Fund (formerly Operating Fund)	$4,653	$4,549	$3,572
Tenant-Based Rental Assistance	$22,598	$23,874	$18,833

Figure 1. HUD Enacted and Proposed Budgets for Public and Indian Housing Programs, 2019 – 2021.

While Congress has routinely provided higher levels of funding than President Trump's budget requests, the proposals reflect a legacy of conceptualizing public assistance as a cause of

dependency. While Carson argues that these proposed cuts allow the department to do more through efficiency measures which reallocate funds to other priorities,[180] these cuts have been reflected by the increasing numbers of households needing assistance, with relatively similar levels of federal funding for these programs since 2007.[181] Moreover, these measures do little to nothing to address the affordable housing crisis that plagues urban and rural spaces across the country.[182]

As the ongoing pandemic exacerbates the affordable housing crisis, many advocates have called for housing assistance as a way to stabilize households and communities.[183] Although the Federal CARES Act and other state and local provisions have provided modest relief, without a strong commitment of federal funding to all families, especially those within lower income groups,[184] the long-term effects of the pandemic will undoubtedly drive further divides along the lines of race and class, among other positionalities (for example gender, age, housing tenure status, etc.). Moreover, while these policies may not have racist intent, they disproportionately affect communities of color.[185] In crafting policies that promote inclusive and sustainable communities, it is important to note that the design and implementation of such efforts are predicated upon the construction of narratives of deservedness by policymakers and other political actors.

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180. *Review of the FY2018 Budget*, *supra* note 175, at 2 (statement of Ben Carson, Secretary of Housing and Urban Development).

181. G. THOMAS KINGSLEY, URB. INST., TRENDS IN HOUSING PROBLEMS AND FEDERAL HOUSING ASSISTANCE 2 (2017), https://www.urban.org/sites/default/files/publication/94146/trends-in-housing-problems-and-federal-housing-assistance.pdf [perma.cc/Y9QJ-WSYB].

182. *See* Steffen Wetzstein, *The Global Urban Housing Affordability Crisis*, 54 URB. STUD. 14 (2017) (discussing the growing problem of unattainably expensive urban housing).

183. *See* Elora Raymond, Dan Immergluck, Lauren Sudeall, Frank S. Alexander, Michael Rich, Dan Pasciuti, John Travis Marshall, Prentiss Dantzler & Allen Hyde, *Towards an Emergency Housing Response to COVID-19 in Georgia*, MEDIUM (Mar. 20, 2020), https://medium.com/@elora.raymond/towards-an-emergency-housing-response-to-covid-19-in-georgia-8f05c54f26d3 [perma.cc/W5QV-5YNQ].

184. *See* Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, 134 Stat. 281 (2020).

185. *See* Emily Benfer, David Bloom-Robinson, Stacy Butler, Lavar Edmonds, Sam Gilman, Katherine Lucas McKay, Zach Neumann, Lisa Owens, Neil Steinkamp & Diane Yentel, *The COVID-19 Eviction Crisis: An Estimated 30-40 Million People in America Are at Risk*, ASPEN INST. (Aug. 7, 2020), https://www.aspeninstitute.org/blog-posts/the-covid-19-eviction-crisis-an-estimated-30-40-million-people-in-america-are-at-risk/ [perma.cc/U8ZE-BGSN].

Conclusion

Returning veterans served their country; their time spent fighting WWII should be compensated by the country they chose to protect. Rural families were historically neglected and suffered from inadequate property valuations and low incomes. It was the responsibility of the federal government to support various policy initiatives (including financial, housing-specific, and workforce training programs) in order to mitigate the process by which White veterans would reenter society and rural families would gain their fair share of economic resources. Simultaneously, the urban poor, consisting of large proportions of Black people living in deprivation in the time of a national housing crisis, were deemed as socially undeserving of federal housing and as a result, national policy would not focus on them. The housing shortage after WWII was not deemed as a chronic emergency for all, but a needed intervention for some. As a result, even though many local housing authorities and local governments obtained housing from the disposal of postwar housing under WWII legislation and policy initiatives, the support needed to maintain and operate these developments was never seen as long-term due to the categorization of the "urban crisis" existing as one more reliant on the understanding of social identity and deservedness rather than a chronic emergency. As Blessett has stated, "[t]ypologies become embedded into society's subconscious and are difficult to alter. Therefore, it is important to acknowledge the leverage of such conceptions on informing public opinion and policy decisions."[186] Given the historiography around housing assistance and the role of the government, we suggest that contemporary debates are mere reflections of a legacy of political and racial conflicts over *who* deserves governmental support. Moreover, the historical progression of the public housing debate, and the social construction of target populations that has evolved alongside it, should be a lesson in the study of other policies that affect our contemporary society.

186. Blessett, *Disenfranchisement*, *supra* note 98, at 8.