

The Color of Law and the Value of Small History

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The Color of Law by Richard Rothstein provides a perspective about the history of how our neighborhoods came to be so segregated. One of the major strengths of this book is the national nature of Rothstein's narrative which invites everyone to examine how their neighborhoods were created within the larger historical trends of segregation and the role of the federal government. By focusing on the struggles in Northern California, an area not typically associated with segregation, the book offers a comprehensible narrative that asks us to look beyond the expected spaces of our difficult histories and see that these issues extend across the nation. Through extensive research supported with local voices, this book provides an important facet of how to understand questions like how do we live together, how do we understand our history of how we came together, and how do we understand the forces that push and pull us apart?

History books are filled with large momentous events and trends that define eras and periods. Moments like the Revolutionary War, World War II, and the Civil Rights Movement stand out amongst the pages and chapters of our history and chart out our narrative of progress. Richard Rothstein, a Fellow of the Economic Policy Institute and the Thurgood Marshall Institute of the NAACP Legal Defense Fund, has written the book, *The Color of Law*, about the racially contested history of where we live. It may seem that the question of where we live might be far from the larger events and movements of the 20th century, however, *The Color of Law* paints a picture of how these larger events are tied together using people's stories to highlight how the law subtly pushed back against integration. Through these stories that fall alongside epic moments like the New Deal, Baby Boomers, and the Civil Rights Movement, Rothstein asks us to call into question the history of the American Dream and the forces that shape our neighborhoods. What Rothstein has produced with *The Color of Law* is not simply a work about a few restrictive covenants in some isolated corners of the nation, rather, it is a wide-reaching narrative about the many limits that were placed that divided our communities.

The Color of Law begins with the story of an African American man moving to the Bay area during World War II. The man, Frank Stevenson, was young

but had seen a lot of different facets of history from growing up in Segregated Louisiana, working in factories during World War II, and being a part of the Great Migration. Throughout these moves, we find Mr. Stevenson continuously plagued by structural racism of Segregation whether it is through his struggles to get a job in Louisiana, his inability to buy a home close to work, or through legal maneuvers and covenants that specifically blocked non-whites from certain areas. This pattern of subtle (and not so-subtle) racism becomes apparent throughout the book as Rothstein charts out how laws, from across different levels of government, created the ghettos and racial segregation across our nation and how federal and local courts and tax laws and residential covenants helped along the way. Rothstein grounds *The Color of Law* in the experiences of Stevenson who witnesses the impacts of these policies and structures while working in the Bay Area. The product is a narrative that weaves together tragic storylines about how we came to live apart from each other in segregated neighborhoods.

It may seem that stories of home purchase and neighborhood development are minor episodes of history, although the reality is that these are the stories that our communities are founded on and ignoring these stories leave large holes in our own understanding of history and our national narrative. *The Color of Law* tells the story of who isn't here, or people who were turned away due to racial prejudice through political intimidation and legal complexities that were designed to frustrate people and oppress them. While stories of redlining and restrictive covenants are not new, legal restrictive means used to keep non-whites out of white neighborhoods continue to be prevalent. For example,

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Coates's (2014) article about reparations used the history of redlining in Chicago to show readers how the history of racial segregation was shaping our current socioeconomic realities of Black communities beyond the legacy of slavery. *The Color of Law* adds to the reader's understanding of this history and points to how the federal government has been implicit in making this *de facto* segregation occur.

As we think about the power of space, the fact of who is and isn't included in space plays a major role in determining its meaning. Said (1978) notes that imagination allows people to add meaning to space and give it meaning beyond its structures and facets. The process that included and excluded people from neighborhoods and shunned certain communities also allowed certain imaginations to shape the American Dream and neighborhoods that fit within such molds. This phenomenon occurred after dreams were being denied, delayed, and hidden from groups who were working hard to ensure that American prosperity was a success and would reach impeccable heights. *The Color of Law* presents the story of Mr. Stevenson, working in the weapons industry but having to settle for a one-hour or more commute because the homes closer to the factory were denied to him through a number of restrictions, both from and sanctioned by the government. These laws and measures do not destroy the dream of the suburbs and American prosperity for families that could access them, yet they destroy the dreams of those who have no access. It was not lack of opportunity, but legal sanctions that denied people their dreams. Rothstein describes that although the laws were hidden, they had very real consequences about how and if we lived together.

The laws and semi-legal apparatuses that Rothstein describes, from red lining to restrictive covenants as examples, created a repetition of events that allowed for *de jure* segregation to fade into *de facto* segregation. These recurrences throughout the book remind readers that there are dozens of borders being drawn up across America's neighborhoods that silently enlist and encode "good" and "bad" neighborhoods and belonging criteria. Bertelsen and Murphie (2010) write about how an event, and its aftermath, become part of setting new boundaries and new limits for our society. Their specific example uses the exclusion of refugees from Australia to explore how the discourse and discussion about who is and isn't Australian and how the process works. The exclusion of the refugees created a vision of Australia that kept people out. As the news discussed the

event and the refugees found themselves rerouted, the event of exclusion became a clear image of how the nation wanted to see itself. Similarly, the event(s) of exclusion that created American neighborhoods and communities has done the same. Rothstein's book charts out a common refrain of exclusion that kept our neighborhoods racially segregated and occurred again and again. The beauty of this book is that with each refrain the complex web of modern day *de facto* segregation becomes more and more apparent while we appreciate the complexities that underpin overlooked systems that fostered and sustained such division.

Rothstein mixes the historical fault lines and apparatus of how these exclusions were created with some of the human stories of how these exclusions make people feel and how they affect their lives. The story of where we live and how we've come to live is the American story and it is tied to the American Dream and the large events that shape the grand narrative. This makes Rothstein's *The Color of Law* an important resource for people to investigate, research, and think about the forces that have created the spaces and neighborhoods in which we live. What this book provides is a small history about who is and isn't included in our communities, how their imaginations and questions about belonging have shaped where we live, and most of all, how these tragedies are national stories, not regional ones, that must be centered.

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