

# Dismantling the Narratives that Constrain Public Support for Fair Housing: The Urgent Need to Reframe the Public Conversation to Build Public Will

*Tiffany Manuel, PhD*

*Denouncing acts of blatant hatred and bigotry is easy. But . . . the subjugation of people of color happens every day by those who would never march with citronella torches or drive a car through a throng of innocent protesters. . . . Subjugation occurs by white people . . . who protest public and affordable housing under the polite cover of parking and density concerns . . .*<sup>1</sup>

In January 2018, just shy of the 50th anniversary of the landmark Fair Housing Act, the Trump administration announced that it would delay implementation of the Affirmatively Furthering Fair Housing (AFFH) rule enacted under President Barack Obama. Under the AFFH rule, the federal government was poised to play a stronger role in furthering fair housing by requiring local communities to redouble their efforts to reduce segregation to qualify for federal funds.<sup>2</sup> With the potential to redirect federal and local housing dollars to examine and address issues of racial segregation in the housing market, the AFFH was a huge win for civil rights advocates who diligently worked with federal policymakers to craft the rule and strengthen its enforcement mechanisms. Thus, the deci-

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1. Marisa Novara, *Commentary: Dear White People: We Don't Need a Torch to be Part of the Problem*, CHICAGO TRIB., Aug. 15, 2017, available at: <http://www.chicagotribune.com/news/opinion/commentary/ct-white-people-race-segregation-perspec-20170815-story.html> (last visited Jan. 28, 2018).

2. More specifically, the AFFH sought to provide stronger guidance in defining appropriate remedial action around existing disparities, would mandate stronger efforts around public engagement concerning housing needs, and ultimately would provide greater accountability around local government plans to reduce racial disparities.

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sion to delay was met with fierce criticism and condemnation by a wide variety of organizations committed to advancing racial equity.<sup>3</sup>

Civil rights leaders fear that this is really a wholesale policy reversal, and it could not have come at a worse time. Rising housing costs across the country are making it virtually impossible for families with low- or moderate-incomes to afford a decent place to live, and those challenges are even more acute for racial and ethnic minorities who often have the additional burden of facing discrimination in the job market.<sup>4</sup> Moreover, the racial wealth gap—made worse by the housing losses sustained by African-American and Latino households in the Great Recession—is wider than it has been in decades, and the recently passed federal tax reforms are likely to make a great many of those families even worse off.<sup>5</sup> On any given night, about 600,000 people are homeless, a disproportionate number of whom are racial and ethnic minorities.<sup>6</sup> Furthermore, more than twenty million low-income households are severely cost burdened (paying more than fifty percent or more of their household income for housing) and another twenty-four million low-income households are living in communities where poverty is highly concentrated or disproportionately comprised of racial and ethnic minorities.<sup>7</sup>

Against the backdrop of these alarming statistics, the AFFH announcement comes at a time when the nation is also deeply polarized on the issue of race and ambivalent about whether (and how) to strengthen governmental policies that assist low-income people and the impoverished communities in which they live.<sup>8</sup> In the fight to eliminate housing discrimination, housing advocates have devoted critical resources to craft fair housing legislation, build public awareness of what housing discrimination is, and press government agencies for stronger enforcement of fair

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3. Kriston Capps, *One Way to Fight HUD's Heel Dragging on Fair Housing*, CITYLAB, Jan. 8, 2018, available at: <https://www.citylab.com/equity/2018/01/one-way-to-fight-huds-fair-housing-delay/549941/> (last visited Jan. 31, 2018).

4. Freddie Mac, *Rental Affordability: A Gap Widening to a Chasm*, INSIGHT, Nov. 3, 2017, available at: [http://www.freddiemac.com/research/insight/20171103\\_rental\\_affordability.html](http://www.freddiemac.com/research/insight/20171103_rental_affordability.html) (last visited Jan. 28, 2018).

5. Dedrick Asante-Muhammad, Emanuel Nieves, Chuck Collins & Josh Hoxie, *The Ever-Growing Gap Without Change, African-American and Latino Families Won't Match White Wealth for Centuries*, PROSPERITYNOW 2017, available at: [https://prosperitynow.org/files/resources/The\\_Ever\\_Growing\\_Gap-CFED\\_IPS-Final.pdf](https://prosperitynow.org/files/resources/The_Ever_Growing_Gap-CFED_IPS-Final.pdf) (last visited Jan. 28, 2018).

6. These numbers also increasingly reflect families with children. About one in 30 children is homeless.

7. Data accessed from Opportunity360 on January 10, 2018, available at: <https://www.enterprisecommunity.org/opportunity360> (last visited Jan. 28, 2018).

8. The AFFH announcement also comes at a time when the political environment is widening some very old and very deep racial cleavages in the American electorate.

laws. This has been important and impactful work on behalf of the millions of Americans who have benefitted from those efforts. Yet with so many civil rights, faith-based, housing, and other organizations working to advance better housing access for all Americans, it is disheartening to see how many people still lack a decent affordable place to live in the United States, the extent to which our communities are still racially and economically segregated, and how difficult it continues to be to drive more equitable outcomes through existing housing policies and programs.

Among the many challenges housing advocates face today is one that is particularly daunting—convincing the public that fair housing remains a critical issue that deserves attention on the nation’s very full political agenda. In this article, I will argue that there is a crucial need to refocus attention on building public will for fair housing by reframing the corrosive and toxic public discourse that today engulfs this issue. As I will discuss, Americans have grown fatigued by the idea of talking about race and the lingering effects of discrimination. They do not see their stake in the success of such policies and they have little faith that government mandates of any kind can solve this issue. In addition, I argue that because access to decent affordable housing for millions of racial minorities is being played out in the context of conflicts about the siting of affordable housing in our communities, we need to be especially thoughtful and strategic in how we address the racial locus of these conflicts. I conclude by offering a few recommendations based on empirical research for how we might reframe the public discourse and invite stronger overall policy support, especially regarding the thorny topic of stronger government action on these issues.

### The Landscape of Public Opinion About Fair and Affordable Housing

When the delayed implementation of the AFFH was covered by newspapers, hundreds of comments like this one from the *New York Times*<sup>9</sup> flooded the comments sections. Some dismissed the AFFH as liberal “social engineering.” Others questioned the deservedness of minorities to get “special treatment” or rejected the notion that the

**Katie** Atlanta • 2 days ago

This is great news and I hope the rule is eventually abolished. If you can’t afford to live on, say, Jupiter Island, Florida then you have no right to demand that the Island build lower cost housing to accommodate you. Discrimination in the sale or rent of housing should never be tolerated but it’s a very different thing to say that there is some affirmative duty for every community to directly reflect the nation’s racial and ethnic diversity even if that means forcing low income housing into Chappaqua. That is governmental overreach of epic proportions.

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9. Emily Badger & John Eligon, *Trump Administration Postpones an Obama Fair Housing Rule*, N.Y. TIMES, Jan. 4, 2018, available at: [https://www.nytimes.com/2018/01/04/upshot/trump-delays-hud-fair-housing-obama-rule.html?\\_r=0](https://www.nytimes.com/2018/01/04/upshot/trump-delays-hud-fair-housing-obama-rule.html?_r=0) (last visited Jan. 28, 2018).

federal government should be asserting its authority over local policy-makers in this fashion for any reason.

It is disheartening to see comments like these. They show how difficult it is to generate support for policies that seek to disrupt discriminatory practices—both past and present. Responses to the delayed implementation of AFFH remind us that despite decades of raising the issue of discrimination, many do not see the alarming racial disparities in housing as a call-to-action or as a failure of our public policy. As a result, Americans tell us (in words and in the lack of action) that they are fatigued by, and uninterested in, the continued conversation about race and racial inequality.

Polling on affordable housing more generally finds that Americans believe deeply in the idea that everyone should have decent, affordable housing. They often say that they are in favor of local governments doing more to advance housing options for people across the income spectrum.<sup>10</sup> Yet, many of the same people who say in polls that they are in favor of better housing solutions for residents fail to support affordable housing developments when they are proposed in nearby neighborhoods; use coded language to stand in for racial stereotypes to justify their opposition; fail to support local or national legislation that would make it possible to build, create, or preserve existing affordable housing; and fail to support the organizations trying to build diversity and inclusion into our neighborhoods.

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10. For example, a poll commissioned by the Housing America Campaign and the National Association of Housing and Redevelopment Officials (NAHRO) in 2010 found that 86 percent of Americans believe the provision of affordable housing is an important priority in their community. Two-thirds continued support even when the beneficiaries would be low-income families. Yet only 25 percent said that having a decent affordable place to live is their top priority. The poll also indicated that most Americans (about two-thirds) say that the nation is on the “wrong track” when it comes to offering affordable housing options to families. See <http://www.nahro.org/sites/default/files/searchable/Zogby.pdf> (last visited Jan. 28, 2018). A series of regional polls across the country are reporting similar results. For example, a 2017 poll of the Denver region (sponsored by a group of Denver residents, developers, and advocates called All in Denver) showed wide support for affordable housing and project-based subsidies among likely 2018 voters. Jon Murray, *Armed with a poll, affordable housing advocates want Denver to accelerate—or expand—its \$150 million plan*, DENVER POST, May 3, 2017, <https://www.denverpost.com/2017/05/03/armed-with-a-poll-affordable-housing-advocates-want-denver-to-accelerate-or-expand-its-150-million-plan/>. A 2017 poll of the Gulf Coast region (conducted by the University of New Orleans and sponsored by nonprofit housing advocates HousingNOLA, Greater New Orleans Foundation, and Enterprise Community Partners) found that “housing was the second leading issue voters said they want candidates in the election to address.” Jessica Williams, *Poll: Affordable housing is No. 2 issue on minds of New Orleans voters*, NEW ORLEANS ADVOCATE, Sept. 19, 2017, available at: [http://www.theadvocate.com/new\\_orleans/news/article\\_d30f45b8-9d70-11e7-aa86-c73d3b03d198.html](http://www.theadvocate.com/new_orleans/news/article_d30f45b8-9d70-11e7-aa86-c73d3b03d198.html).

Polling and survey data<sup>11</sup> also tell us that Americans generally feel empathetic towards those who are economically struggling,<sup>12</sup> believe in the ideals of fair housing, and when given example scenarios, can identify the kinds of behavior that violates fair housing laws.<sup>13</sup> While these polls suggest that Americans are racial egalitarians in perspective (meaning they generally support the idea that discrimination is a *bad thing* and that our society has some responsibility to root it out), they are deeply distrustful of government, skeptical that government agencies can positively impact tough social issues like racial discrimination,<sup>14</sup> and appear to have very little appetite for actively advocating for stronger governmental policies.

In this context, fair housing policies, such as the AFFH (specifically designed to strengthen mandates on government agencies to ease racial segregation), are easily dismissed in the court of public opinion. Believing that discrimination is largely a problem of the past—something we solved long ago when we enacted anti-discrimination laws and set up public

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11. There are important differences between polls and surveys regarding public support for housing policies. Polls are generally “point-in-time” metrics that measure attitudes about an issue or related issues. They are usually shorter than surveys; ask a more limited range of questions on a given topic; and allow us to capture the brain’s fast, automatic, and intuitive reactions. Surveys, on the other hand, can cover multiple topics or issues areas and are generally better at the depth of knowledge, awareness, and reactions on topics than polls. Both are important as we evaluate public opinion but they have different strengths in terms of how they inform our understanding.

12. For example, a national poll in 2017 commissioned by the Strong, Prosperous, and Resilient Communities Challenge (SPARCC) found that 74% of Americans empathize with the challenges of low-income Americans—they agree that a lack of opportunity exists for many people that is keeping people impoverished. And they generally agree with the idea that as a society, we should be investing more deeply in housing to reduce the number of people in poverty. SPARCC, *How Local Leadership Can Drive Prosperity for All*, available at: [http://www.sparcchub.org/wp-content/uploads/2017/03/SPARCC\\_Poll-Results\\_Report.pdf](http://www.sparcchub.org/wp-content/uploads/2017/03/SPARCC_Poll-Results_Report.pdf) (last visited Jan. 28, 2018). We should be careful to note that Americans also say that the poor should do more to “help themselves,” “get jobs” and stop using/abusing government programs. For example, a 2016 poll conducted by Princeton Survey Research Associates for the American Enterprise Institute and *Los Angeles Times* compared contemporary attitudes about the poor with the same polling questions they used in 1985, finding a persistence in the perception among Americans that the poor overuse government benefits and “prefer to stay on welfare,” despite a significantly reduced set of benefits offered as part of the public’s social safety net.

13. *How Much Do We Know? Public Awareness of the Nation’s Fair Housing Laws*, HUD Policy Development and Research (2002), available at: <https://www.huduser.gov/publications/pdf/hmwk.pdf> (last visited Jan. 28, 2018).

14. American Enterprise Institute/Los Angeles 2016 Poverty Project Poll, available at: <http://www.latimes.com/projects/la-na-pol-poverty-poll-interactive/> (last visited Jan. 28, 2018).

agencies to adjudicate complaints—our ability to generate public interest and active engagement in strengthening policy remains appallingly low. Furthermore, our calls-to-action on this issue are often met with exasperation by a public that has grown tired of trying to solve this problem. Our work appears dated and irrelevant to a public that views these issues as historical artifacts.<sup>15</sup>

### **Undercutting Fair Housing by Opposing the Siting of Affordable Housing and Choosing to Avoid Living in Diverse Communities**

*Our homes have become our wealth. Racial fears linger even if they've become encoded in other language. Change invariably looks like a threat. And the universe of threats has broadened from the toxic spill to the garden shadow, from the property next door to the potential development five blocks over.*<sup>16</sup>

The state of public support for expanding fair housing legislation and enforcement reflects the public's fatigue and antipathy toward addressing the racial and economic consequences of discrimination.<sup>17</sup> The siting of affordable housing is not only a good example of this challenge, but it also represents a particularly tough roadblock for those concerned with expanding housing access to groups that have traditionally been excluded from constructive housing policies. There are a variety of reasons stated when communities oppose affordable housing proposals but, as most affordable housing advocates know, implicit racial bias underlies much of that opposition. Similarly, implicit bias often drives whites' decisions about where they will live. Both types of conduct undercut fair housing and reinforce current racial segregation patterns.

Implicit bias refers to the unconscious or unintentional preferences we give some racial groups over others and it impacts our judgment in ways that we may not even be consciously or explicitly aware of.<sup>18</sup> Few issues

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15. While discrimination is understood as largely addressed by legislation, a good portion of the American electorate believes that whites are facing discrimination. A national survey conducted in late 2017 by NPR, the Robert Wood Johnson Foundation, and the Harvard T.H. Chan School of Public Health found that more than half of whites—55 percent—surveyed say that they believe there is discrimination against white people in America today.

16. Emily Badger, *How 'Not in My Backyard' Became 'Not in My Neighborhood'*, WASH. POST, Jan. 3, 2018, available at: <https://www.nytimes.com/2018/01/03/upshot/zoning-housing-property-rights-nimby-us.html> (last visited Jan. 28, 2018).

17. John A. Powell & Arthur Brooks, *America Can't Fix Poverty Until It Stops Hating Poor People*, CITYLAB, Oct. 10, 2017, available at: <https://www.citylab.com/authors/john-a-powell-and-arthur-brooks/>

18. Implicit bias is also important in this context because it is different from suppressed thoughts we might conceal to keep the peace; it reflects the latent preferences in our belief system that are operating somewhat unconsciously to us. Thus, many people who may be operating in good faith, who may consciously oppose racist or discriminatory practices, may be guided unconsciously by racial

demonstrate the power of implicit bias more visibly than affordable housing, where homeowners go to great lengths to avoid diversifying the places where they live, even when they express more progressive and egalitarian attitudes on race.<sup>19</sup> Over the last decade, civil rights advocates have done much to help people understand and address the implicit bias (especially around race) that often comes tangled up in community opposition to affordable housing. Few community residents today risk voicing explicit bias—that is, openly and explicitly voicing “white-only” or “for rich-only” attitudes—at neighborhood meetings, but their implicit biases continue to undermine our ability to create access to much needed housing in communities of opportunity.

In many ways, implicit bias is more challenging for housing advocates to combat because it gets expressed in behavior, actions, and language that are race-neutral but in actions that have deep racial consequences.<sup>20</sup> Implicit bias is at work in the way that people exclude certain neighborhoods as places where they might live or send their kids to school. In the case of affordable housing, it gets expressed when people reject affordable housing because it will be people who are “different” or who “might be uncomfortable” in this community. That is, opposition to affordable housing gets driven by the racial stereotypes that people associate with such housing and its potential residents, even when they do not consciously support or champion the bigoted views that guide their actions.<sup>21</sup> “Stereotypes and negative perceptions of what an affordable-housing dweller looks like don’t help. . . . Potential neighbors fear that the low-income inhabitants will drive ‘junkers’ and mar their pristine suburban landscape. The newcomers have too many children and, of course, the building will resemble a Soviet housing project.”<sup>22</sup> And so, homeowners,

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preferences. For understanding the science behind implicit bias, see Anthony Greenwald and Lindsay Hamilton Krieger, *Implicit Bias: Scientific Foundations*, 94 CAL. L. REV. 945 (2006).

19. We also grapple with confirmation bias (tendency to view incoming information that confirms our beliefs uncritically but challenge incoming information that disconfirms or is incongruent with our existing beliefs) and attribution error (tendency to ascribe other people’s circumstances to their personal failings while attributing our own failings to forces outside of our control). See Roy Baumeister & Kathleen Vohs, *Fundamental Attribution Error*, ENCYCLOPEDIA OF SOCIAL PSYCHOLOGY (2007).

20. For example, racial concerns over affordable housing get expressed as concerns about “neighborhood character” or other more neutral issues.

21. Rosie Tighe, *How Race and Class Stereotyping Shapes Attitudes Toward Affordable Housing*, 27(7) HOUSING STUDIES 962 (2012).

22. Ana Beatriz Cholo, *Why Affordable Housing Doesn’t Get Built: Developers often face public opposition, regulatory barriers and financial risks*, HUFFINGTON POST, Feb. 6, 2016, available at: [https://www.huffingtonpost.com/entry/affordable-housing-california\\_us\\_56cf4b61e4b03260bf75e01e](https://www.huffingtonpost.com/entry/affordable-housing-california_us_56cf4b61e4b03260bf75e01e) (last visited Jan. 28, 2018).

fearing the worst about potential new neighbors and concerned about the value of the most significant asset they have, use all kinds of formal and informal methods of blocking the siting of affordable housing.<sup>23</sup>

The result of such opposition is that much of the affordable housing that needs to be built—housing that would help ease the cost burdens being deeply felt by racial and ethnic minorities—simply never gets built. And it never gets built even when developers have done the work to engage the surrounding communities early in the planning process.<sup>24</sup> “Developers say that perhaps the toughest impediment to new housing construction is local opposition, especially if the proposed construction site is in a safe neighborhood with good schools.”<sup>25</sup>

Implicit bias not only drives reactions to proposed affordable housing developments but also whites’ own housing location decisions. Whites are not the only racial group to experience implicit bias (we all do, since these biases are cognitive in their orientation) but the dominance of whites in the housing marketplace means that their attitudes, and their behavior as actors in that marketplace, have a more consequential impact on housing outcomes.

The story of how Americans came to peer beyond their own properties is also, inescapably, about race. As urbanization brought blacks and whites closer together, white communities reacted with racially restrictive covenants, aiming to keep blacks and their perceived threat to property values out of white neighborhoods. The Supreme Court ruled such covenants unenforceable in 1948, but they had long-lasting effects on how homeowners looked at the world around them, and the need to control it.<sup>26</sup>

In her piece, *How ‘Not in My Backyard’ Became ‘Not in My Neighborhood’*, *New York Times* journalist Emily Badger writes powerfully about the growing expectation among homeowners to decide what happens beyond their own parcels of land and how the legacy of racially restrictive housing practices in communities across the country has left whites with the perception that the value of their homes is dependent on their ability to keep their communities segregated.<sup>27</sup> So, even when their own racial

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23. The ways in which communities use formal and informal methods to oppose affordable housing has implications for the extent to which fair housing advocates can expect affordable housing developers to build in “communities of opportunity.” Developers’ ability to do so is conditioned by many mediating forces, including community responsiveness—which can mean that developers who propose affordable housing can find themselves bound up in efforts are extraordinarily difficult to finance, plan, and navigate to completion.

24. Paavo Monkkonen, *Understanding and Challenging Opposition to Housing Construction in California’s Urban Areas* (UC Center Sacramento Housing, Land Use and Development Lectureship & White Paper, Dec. 1, 2016).

25. Cholo, *Affordable Housing*, *supra* note 22.

26. Badger, *Not in My Backyard*, *supra* note 16.

27. *Id.*

bias is not explicit, their behavior in making housing decisions (where to rent, buy, invest, etc.) powerfully shapes the landscape of communities. Numerous studies have shown, for example, that white Americans bring implicit bias to homeownership—preferring to buy in neighborhoods that are predominantly white, over similarly resourced mixed-race or African-American neighborhoods—meaning they prefer white neighborhoods even when the more diverse neighborhoods are just as safe, with good schools, and have homes that are just as nice.<sup>28</sup> The strong preference for white neighborhoods and the perception of those neighborhoods as more “desirable” gives them a higher economic valuation in the housing market.<sup>29</sup>

With dominant purchasing power in the homeownership market, affluent whites have the ability to shun neighborhoods with even a modest black population, and their doing so depresses housing demand, drives down prices, and stifles appreciation of more diverse communities.<sup>30</sup> This kind of implicit racial bias means that when African Americans move into a neighborhood (and represent more than 10 percent of the neighborhood), home values fall because the community visibly becomes less like the “gold standard”—affluent and predominantly white.<sup>31</sup> The impact of those buying preferences, based on implicit biases, reinforces ugly and persistent stereotypes about African Americans and other racial minorities that become almost impossible to dislodge.

Opposition to affordable housing and avoidance of diverse neighborhoods combine in spatial dynamics that make tackling problems like concentrated poverty and racial inequality tougher. It means that people of color in the United States live with vastly higher neighborhood poverty levels than do poor whites because of the long history of private and gov-

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28. For example, the General Social Survey found in 2008 that 20% of whites cited their ideal neighborhood as all white with another only 25% saying it was mixed-race but had no blacks. Findings on race from the survey can be found in Lawrence D. Bobo, Camille Z. Charles, Maria Krysan, and Alicia D. Simmons, *The Real Record on Racial Attitudes*, in *SOCIAL TRENDS IN AMERICAN LIFE: FINDINGS FROM THE GENERAL SOCIAL SURVEY SINCE 1972* (2012).

29. W. A. V. Clark, *Residential Preferences and Neighborhood Racial Segregation: A Test of the Schelling Segregation Model*, 28(1) *DEMOGRAPHY* 1 (1991).

30. Although we should acknowledge that, for a variety of related reasons, even more affluent predominantly minority neighborhoods typically have less home value per dollar of income than wealthy white neighborhoods. See David Rusk, *The Segregation Tax: The Cost of Racial Segregation to Black Homeowners*, The Brookings Institution Center on Urban and Metropolitan Policy Survey Series (2001), available at: <https://www.brookings.edu/research/the-segregation-tax-the-cost-of-racial-segregation-to-black-homeowners/> (last visited Jan. 28, 2018).

31. David Harris, “Property Values Drop When Blacks Move in, Because . . .,” *Racial and Socioeconomic Determinants of Neighborhood Desirability*, 64(3) *AM. SOC. REV.* 461–79 (1999).

ernment discrimination against them. It means that poverty is almost inseparable from race. And it means that for many minorities moving from their existing neighborhoods becomes essential to build wealth and access opportunity. It also means that most affordable housing developments (and the siting conflicts about them) are pushed to already dense parts of our regions—further reinforcing the patterns of racial segregation.<sup>32</sup>

None of this kind of exclusionary behavior is new—throughout the history of the United States, people have devised and deployed strategies for “excluding the housing types that would be affordable to low-income households.”<sup>33</sup> But continued racially motivated opposition reinforces housing as a locus of racial and economic inequality and more practically, “it also means the senior affordable housing, the high-rises and the tiny homes—also arguably vital to the larger community—are never built.”<sup>34</sup> To provide fair access to the nation’s housing resources, fair housing advocates have to develop new strategies to deal with this “old wine in new bottles”—powerful remnants of old forms of discrimination updated for the current socio-economic environment of our neighborhoods.

### Fair Housing Advocates Are Working to Overcome Opposition

*In fact, most whites experience such profound discomfort with being a racial minority that we will arrange our entire lives—from home to work to school—to avoid being in that situation. When we create . . . “whiteness as a lifestyle,” we have all the ingredients to cease to see our race in our own minds.*<sup>35</sup>

The challenge for fair housing advocates is that racialized attitudes make it difficult to comply with and promote fair housing laws and practices. This is true even when people are progressive and generally acting in “good will.” The legacy of racial segregation and implicit biases conspire to coopt their willingness to support fairer housing policies. As a result, people may think of themselves as being progressive and of “good will” on housing issues, but might still act under the influence of racial stereotypes (associating people of color with reduced property values, for example) so that their conduct (e.g., opposing an affordable housing development in the neighborhood or opposing an inclusionary zoning ordinance) appears indistinguishable from people who have explicit bias. And yet, if housing advocates approach them as if they are acting out of explicit bias, those efforts tend to backfire.

One common response fair housing advocates make to public resistance is to offer the work of Richard Rothstein and other prominent housing scholars showing how state and local governments (with federal backing) kept minorities from owning good homes, attending good schools,

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32. Monkkonen, *Understanding and Challenging Opposition*, *supra* note 24.

33. *Id.*

34. Badger, *Not in My Backyard*, *supra* note 16.

35. Novara, *Commentary: Dear White People*, *supra* note 1.

and building wealth that their white counterparts enjoyed for decades.<sup>36</sup> Through exclusionary zoning and racist lending practices, millions of Americans were offered few real pathways to opportunity, even as they worked to contribute to their communities and their taxes were taken to pay for services they were not given the chance to benefit from.

Advocates offer this information in the hopes that greater awareness of how limited access to good housing was denied racial and ethnic minorities will help more Americans connect to the goals of fair housing policy and to act to remediate the past. This approach assumes that low public support is largely about awareness. While it is certainly true that Americans tend to overestimate the progress that our nation has made in closing the racial wealth gap,<sup>37</sup> greater public awareness about the legacy of discriminatory government policies does not (in and of itself) increase support for fair housing policies. If awareness were the issue, it would be much easier to dislodge. Unfortunately, as Christiano and Neimand argue in their March 2017 *Stanford Social Innovation Review* article, “Stop Building Awareness Already,” “not only do awareness campaigns fall short and waste resources when they focus solely on raising awareness, but sometimes they can actually end up doing more harm than good.”<sup>38</sup>

So, the challenge remains. While our courts can decide cases in favor of fair housing advocates and legislators can work to tighten fair housing laws and enforcement mechanisms, in the jury of public opinion, we are losing the battle to strengthen fair housing support. We need to win the level of public support that would make it difficult for policymakers to backpedal on the commitment to expand access to decent, affordable housing (as we see today with the AFFH) and to do so in a way that expressly addresses the thorny challenge of racial discrimination.

While fair housing advocates have never shied away from the effort to raise public awareness and have made some gains, the current stalemate we face in building public support serves up the opportunity and necessity to redouble our efforts to resolve a tough question—*how can we build stronger public support for policies that advance the goals of fair housing and reduce racial segregation in our communities?*

The difficulty we have garnering public interest and support for fair housing is about how Americans perceive both the relevance of such policies and whether they understand their stake in it. Put another way, it is not easy for most Americans to ferret out how proposed system changes,

36. See, e.g., RICHARD ROTHSTEIN, *THE COLOR OF LAW: A FORGOTTEN HISTORY OF HOW OUR GOVERNMENT SEGREGATED AMERICA* (2017).

37. Michael Kraus, Julian Rucker & Jennifer Richeson, *Americans Misperceive Racial Economic Equality*, 114(39) *PROCEEDINGS OF NAT'L ACADEMY OF SCI.* (2017).

38. Ann Christiano & Annie Neimand, *Stop Building Awareness Already*, *STANFORD SOC. INNOVATION REV.* (Spring 2017), available at: [https://ssir.org/articles/entry/stop\\_raising\\_awareness\\_already](https://ssir.org/articles/entry/stop_raising_awareness_already) (last visited Jan. 28, 2018).

such as the AFFH rule—a policy change that is time-consuming and can lead to protracted government-led planning processes with community participation, would result in meaningful and demonstrable improvements in their quality of life. That is, most Americans (especially those who oppose anti-discrimination policies) do not see their stake in the success of such efforts. They do not see how support for this policy will improve their economic circumstances.

The good news for fair housing advocates is that Americans are keenly aware of how tight our housing markets have become because almost every major newspaper outlet has been covering the “housing crisis” for almost ten years. And they are well aware about how central housing is to their economic well-being. Americans are very aware of how bad things are—not just for racial minorities in this country but for the vast majority of low-and moderate-income families.<sup>39</sup> But they are unsure of how or why AFFH would be a solution for that. So, our task is to focus on building public will by showing the relevance of fair housing policies to a broader range of Americans, who are increasingly concerned about their own economic well-being and who are asking the critical question for themselves—*Am I included in the American Dream?*

### Reframe the Narratives That Drive Public Opinion About Fair Housing

... [T]his kind of **good place/bad place** language also represents a huge backward step from the longstanding attempt to reframe discussions of disinvested places in terms of their assets rather than their deficits. It implies that those who stay in these neighborhoods are all either saints or victims.<sup>40</sup>

Empirical data consistently tells us that Americans have little trust in the ability of government to resolve the long-standing social ills that involve race.<sup>41</sup> This lack of trust limits their interest in supporting policies like the AFFH that directly aim to do so. While it is true that federal agencies have always had the role of allocating critical housing resources across our communities, the negative response of some to AFFH reminds us just how cynical we are about the capacity of governmental institutions to resolve these concerns. As such, it is not simply that public support for

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39. American Enterprise Institute/Los Angeles 2016 Poverty Project Poll, available at: <http://www.latimes.com/projects/la-na-pol-poverty-poll-interactive/> (last visited Jan. 31, 2018).

40. Miriam Axel-Lute, *The Dangerous Rhetoric of Escaping to Opportunity*, SHELTERFORCE, Aug. 14, 2014, available at: <https://shelterforce.org/2014/08/14/the-dangerous-rhetoric-of-escaping-to-opportunity/> (last visited Jan. 28, 2018).

41. According to the Pew Research Center, just 19% of Americans said that they can trust the government always or most of the time in 2015—among the lowest levels in the past half-century. *Beyond Distrust: How People View Their Government*, Pew Research Center, Nov. 23, 2015, available at: <http://www.people-press.org/2015/11/23/beyond-distrust-how-americans-view-their-government/>.

fair housing policies is limited. It is that public confidence in, and support for, any more governmental mandates is low.<sup>42</sup>

Thanks to social science research on how Americans think about housing generally, we know that although Americans believe that all people should have fair access to housing, they differ from fair housing advocates in their understanding about *how* and *who is responsible* for ensuring that this happens.<sup>43</sup> More specifically, the way Americans think about housing is powerfully shaped by the three cultural narratives that dominate public discourse on housing.

- *Narrative of Individual Responsibility* (accessing appropriate housing is the *responsibility* of the individuals in need, not the responsibility of government or other groups)
- *Narrative of Mobility* (identifying and moving to a community where you are welcomed, can afford, and “fit in,” is the way to solve for challenges in access to housing)
- *Narrative of Racial Difference* (disparities across racial groups in housing outcomes are really a reflection of differences in work ethic and the cultural norms of negatively affected groups)

While it may be true that Americans believe that everyone *should* have a decent place to live, the logic that Americans use to understand why people *do not* have the housing they need, as well as what should be done about it, are encapsulated in these dominant narratives. Taken together, these essentially maintain that it is *not* the responsibility of others (especially not of government) to ensure housing for any group of Americans. And where housing is limited (for any number of reasons), the answer is simple—people should take personal responsibility to move to places where they are welcomed and can find better housing options on their own.

As Kevin Williamson has written in the *National Review*, a conservative political news outlet, “*My longstanding advice to ambitious people trapped in stagnant communities—move, for God’s sake!*”<sup>44</sup> Interestingly enough, Williamson’s admonition to those living in impoverished communities of color is as harsh for those residing in “dying” predominantly white com-

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42. This cynicism has also been driven by the considerable effort of political conservatives over the last 30 years to discredit and dismantle the role of the federal government in local communities.

43. Tiffany Manuel & Nat Kendall Taylor, *You Don’t Have to Live Here: How Housing Messages are Backfiring and 10 Things We Can Do About It*, Enterprise Community Partners, at 3 (2016). <https://www.enterprisecommunity.org/resources/you-dont-have-to-live-here> (last visited Jan. 31, 2018).

44. Kevin Williamson, *More Garbuttiana*, NAT’L REV., Apr. 15, 2016, available at: <http://www.nationalreview.com/article/434100/white-working-class-donald> (last visited Jan. 28, 2018).



munities, where the same issues of economic decline are clear, where the rates of opioid deaths are rising quickly, and where the likelihood that the families will ever again earn enough wages in the labor market sufficient to afford feeding their children is similarly limited. And Williamson's harsh words are also leveled at the fate of the communities that house poor families. *"The truth about these dysfunctional, downscale communities is that they deserve to die. Economically, they are negative assets. Morally, they are indefensible."*<sup>45</sup> While civil rights groups have come to expect re-

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45. Kevin Williamson, *Chaos in the Family, Chaos in the State: The White Working Class' Dysfunction*, NAT'L REV., Mar. 17, 2017, available at: <http://www.nationalreview.com/article/432876/donald-trump-white-working-class-dysfunction-real-opportunity-needed-not-trump> (last visited Jan. 28, 2018).

sponses like this from hardline conservatives, Williamson's sentiment is less of an outlier than we would hope.

In a paper that I co-authored last fall on housing messaging, we presented research showing how housing advocates' attempts to lift policy solutions, especially those solutions that require government interventions, mandates or public funding, often backfire in the face of the dominant narratives. My co-author and I outlined a series of other common backfires and made specific recommendations for communications practice to build public support. As we state in that paper, "the work to build the public will to address housing challenges may be even tougher than many realize. Our experience and research show that, while advocates are lifting up policy and programmatic solutions, we are missing the opportunity to change the narrative about why housing matters; what 'affordable housing' means; why housing is a shared public concern; and what needs to be done to fix this problem."<sup>46</sup>

On fair housing, a particularly problematic messaging challenge, our attempts to engage the public (however sincere and heartfelt), backfire easily because as advocates, we have not always understood how to dislodge and counter the narratives that so profoundly impact public thinking about housing, race, and discrimination. On this front, our messaging is often out-of-sync with the narratives people use to understand what "affirmative actions" need to be taken to address challenges in the housing market. For example, the extent to which many Americans believe that segregation is natural (that people want to live with others like them) and that different racial groups have "separate fates" are the two most salient areas where public thinking is "out of sync" with the assumptions we make as part of our efforts to engage them with a vision of racially integrated communities.

Reframing the conversation about fair housing means changing the way that we invite a more thoughtful public discourse to strengthen public support. Based on the messaging research, reframing will require at least four messaging shifts.

- **Broaden understanding of who benefits from fair housing policies.**

Generally, we know that when the groups that are perceived to benefit from a proposed policy are not groups that are thought to be "deserving," the likelihood of public support significantly diminishes.<sup>47</sup> Although fair housing laws cover a wide range of marginalized groups, the public understanding of who benefits is typically viewed as some combination of low-income and/or racial minority households. Put simply, how the public sees fair housing beneficiaries is a significant challenge to our ability to build public support. This

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46. Manuel & Taylor, *You Don't Have to Live Here*, *supra* note 43.

47. Anne Schneider & Helen Ingram, *Social Construction of Target Populations; Implications for Policy and Practice*, 87(2) AM. POLITICAL SCI. REV. 1993.

does not mean that we need to mask who the intended beneficiaries are. Our task is to widen the public's understanding of who benefits from fair housing and to help people see how *they* benefit from such policies. Useful to this effort is building a case for inclusion based on clear messages about the economic costs of racial segregation to the whole community,<sup>48</sup> and the negative impacts from restrictive local housing policies on all home values and regional economic growth,<sup>49</sup> as well as the talent communities are excluding when they let racial segregation limit access to good schools.<sup>50</sup>

- **Help people who struggle to see racial discrimination as an important and relevant social issue to see their stake in prioritizing this issue.** Often when race, class, or cultural issues are the headline of our communications, the response dissolves into cynicism and derision rather than corrective action. The task is to introduce fair housing into the conversation in a way that gives people a reason (in addition to social justice) to resolve it. That is, we must help people to see their stake in solving some very difficult and emotionally charged dynamics that have plagued our communities and our nation for decades—not an easy sell. So, we need to be clear that the future will be won by those regions, communities, and places where there is diverse talent, resources, restaurants, cultural activities, languages spoken, etc. This is in part because our economy, increasingly responding to the pressures of a globalized marketplace, is changing in ways that put a high value on diverse environments. By extension, those communities that remain highly segregated along race and class lines will miss out on opportunities to remain competitive—threatening the livelihoods of all who live in those communities. We need to develop messaging that emphasizes how policies such as low-density zoning (which communities often use to exclude affordable housing developments from their neighborhoods) hurt the regional economy by limiting population growth, restricting the growth of the workforce, limiting the development of the necessary infrastructure to grow economic capacity, and pushing out firms who want (and need to) grow.<sup>51</sup> In essence, we need to help

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48. Metropolitan Policy Council, *The Cost of Segregation* (2017), available at: [http://www.metroplanning.org/costofsegregation/default.aspx?utm\\_source=%2fcostofsegregation&utm\\_medium=web&utm\\_campaign=redirect](http://www.metroplanning.org/costofsegregation/default.aspx?utm_source=%2fcostofsegregation&utm_medium=web&utm_campaign=redirect) (last visited Jan. 28, 2018).

49. Monkkonen, *Understanding and Challenging Opposition*, *supra* note 24.

50. Alex Bell, Raj Chetty, Xavier Jaravel, Neviana Petkova & John Van Reenen, *Who Becomes an Inventor in America? The Importance of Exposure to Innovation*, EQUALITY OF OPPORTUNITY PROJECT (2017), available at: [http://www.equality-of-opportunity.org/assets/documents/inventors\\_summary.pdf](http://www.equality-of-opportunity.org/assets/documents/inventors_summary.pdf) (last visited Jan. 28, 2018).

51. Monkkonen, *Understanding and Challenging Opposition*, *supra* note 24.

people see that addressing fair housing helps us meet the needs of the economy that is coming and is the smart thing to do to ensure that our cities prosper, in addition to being the “right” thing to do.

- **Contextualize the issue of fair housing as structural and spatial.** Because of the inclination for people to understand fair housing as going after a “few bad apples” (landlords, realtors, or others who are acting intentionally to discriminate against others) rather than a problem of systems and institutions, it is even more important to make the case for fair housing by anchoring the issue in structural, spatial, and/or systems-thinking. “Anchoring” in the context of case making means presenting the systems-level solutions first and then consistently reinforcing and directing attention back to those solutions in that messaging.<sup>52</sup> The more firmly fair housing advocates anchor the issue in *forward-looking* systems-level solutions, rather than the specific actions of individual people, the more likely it is that the resulting public discourse will be grounded there. It is important to note that the reframing effort here requires the bulk of the conversation to be forward-looking. Given the strong public belief that the worst discriminatory practices are a thing of the past, revisiting those issues with any sufficient depth will not change the conversation. So instead, raise the challenges of previous policies but focus more of your message on the ways in which enacting reforms today help us to better address problems and improve outcomes—with a strong and specific focus on the ways in which fairer and more inclusive housing benefits everyone in society. Give specific and concrete examples of how fair housing policies have succeeded in changing systems, undoing racial segregation, and providing better outcomes for a wide range of community stakeholders. Given how little faith Americans have in the ability of public institutions to change the status quo, anchoring in systems-level solutions and providing concrete examples of success, are necessary to quell the cynicism that is often attached to these efforts—especially when they hear historical accounts of how government actions created racially segregated neighborhoods to begin with.
- **Connecting fair housing to the wide range of other social issues that are priorities for Americans.** Housing and community development advocates often miss the opportunity to broaden the audience when we fail to connect housing with other issues. While many in our field are beginning to use a “broader impacts” frame, it is not en-

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52. Anchoring responds to the human tendency to give the most weight to the first piece of information or idea provided to us when making decisions. Given this cognitive bias, it is essential that, when making a case for change, we choose the first piece of information—or anchor—strategically.

ough to reshape public debate. As a result, this point is largely absent from media coverage of fair housing issues. Connecting the expansion of housing to other issues allows fair housing advocates to align with advocates in education, health, labor, and other issues for stronger advocacy efforts. The latter is incredibly important if we are to raise the salience of fair housing on the nation's policy agenda and create a more favorable policy climate for expanding support for fair housing policies, programs, and enforcement.

When we do not effectively reframe the conversation away from the powerful narratives of personal responsibility, mobility, and racial differences, our messages backfire. That is, they do not result in garnering the support we need to change the systems that currently allocate resources to ensure access to opportunity. Our challenge then is to reframe the conversation away from the narratives that today are working against our efforts to build public will and toward equally powerful counter narratives that reinforce the values of American pragmatism, innovation, and prosperity. These values, when expressed well in our messaging, help people do some of the heavy lifting that I am suggesting above. They help position fair housing as a shared public concern with collective benefits for a wide range of people who may not see themselves as clear beneficiaries of such policies. That is, we can solve some of the issues of discrimination in a *pragmatic* way (helps negate the criticism that fair housing policies are overly bureaucratic) that is *innovative* (helps people to see this as forward looking, rather than an issue of the past) and with the potential benefit of lifting *prosperity* for a wide range of community residents (helps to get people up and over the narrow reading of who benefits from these policies). Taken together, values-based messaging allow us to tell a bigger story about how fair housing affects all of us and to widen the circle of support.

### **We Must Work to Dismantle the Narratives That Constrain Public Support**

*By definition, reducing opportunity hoarding will mean some losses for the upper middle class. But they will be small. Our neighborhoods will be a little less upmarket-but also less boring. Our kids will rub shoulders with some poorer kids in the school corridor. They might not squeak into an Ivy League college, and they may have to be content going to an excellent public university. But if we aren't willing to entertain even these sacrifices, there is little hope.<sup>53</sup>*

Affordable housing for all Americans remains an elusive part of the American dream, especially for racial and ethnic minorities in the nation today. Despite the efforts by housing advocates to make the case for pol-

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53. RICHARD V. REEVES, DREAM HOARDERS: HOW THE AMERICAN UPPER MIDDLE CLASS IS LEAVING EVERYONE ELSE IN THE DUST, WHY THAT IS A PROBLEM AND WHAT TO DO ABOUT IT 122 (2017), <https://www.brookings.edu/book/dream-hoarders/>.

icies that expand the franchise of housing opportunity to more Americans, it remains a challenging task to convince policymakers to craft and enforce fair housing policies such as the AFFH rule. It can be an even tougher task to enlist the public's support in ensuring that policymakers stay committed and take the efforts seriously. Public opposition to fair housing plays out in many ways (including opposition to the siting of affordable housing) that powerfully reinforce existing patterns of racial discrimination.

Despite the best efforts of fair housing advocates, our nation seems to be moving further away from the point when race or other social demographic characteristics no longer predict or are correlated with concentrated poverty, low wages, and lack of shelter. And, the lack of broader public support should concern fair housing advocates deeply not just because we need greater public support to fully implement fair housing policies, but because our assumptions have led us down a pathway that is not building public will. While it is important to recognize and explain how the policies of the past have had a deleterious impact on the racial, ethnic, and economic housing issues of today, history lessons are unlikely to be effective in building public will to address these issues.

In order to get traction on these issues, we need to build public will and counter the dominant narratives that today constrain public thinking. Moreover, we need to get much more effective and strategic in how we engage public audiences about fair housing, discrimination, and race. First, we need to reassert the relevance of fair housing policies to many Americans who think that we have already solved the issue of discrimination. Second, we need to reframe the narratives that drive public opinion on fair housing and that today limit support for the government's role in tackling all forms of discriminatory practices. We should hone in on the ways in which enacting reforms today helps us better address problems and improve outcomes, communicating from a specific focus on the ways in which fairer and more inclusive housing benefits everyone in society.<sup>54</sup>

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54. This is closely akin to what John A. Powell has coined as "targeted universalism," and it simply means "identifying a problem, particularly one suffered by marginalized people, proposing a solution, and then broadening its scope to cover as many people as possible." John A. Powell, Stephen Menendian & Jason Reece, *The Importance of Targeted Universalism*, Poverty & Race Research Action Council (2009), available at: [http://www.prrac.org/full\\_text.php?text\\_id=1223&item\\_id=11577&newsletter\\_id=104&header=Miscellaneous&kc=1](http://www.prrac.org/full_text.php?text_id=1223&item_id=11577&newsletter_id=104&header=Miscellaneous&kc=1) (last visited Jan. 28, 2018).

