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The Politics of Exclusionary Zoning in Suburbia

MICHAEL N. DANIELSON

With growing awareness of the impact of suburban policies on metropolitan settlement patterns in recent years has come increasing criticism of local land-use and housing practices. One major civil rights group, the National Committee Against Discrimination in Housing, has concluded that "there can be no effective progress in halting the trend toward predominantly black cities surrounded by almost entirely white suburbs . . . [u]ntil local governments have been deprived of the power to exclude subsidized housing and to manipulate zoning and other controls to screen out families on the basis of income and, implicitly, of race. . . ."[1] At the same time, the National Association for the Advancement of Colored People was calling the suburbs "the new civil rights battleground" and urging blacks "to do battle out in the townships and villages to lower zoning barriers and thereby create new opportunities for Negroes seeking housing closer to today's jobs at prices they can afford to pay. . . ."[2]

Similar views have been expressed by a wide variety of urban interests. Residential developers have attacked "selfish and exclusionary zoning barriers" and urged that a way "be found to get away from the constrictive home-rule aspects

[1] See Joseph P. Fried, *Housing Crisis U.S.A.* (New York, 1971), pp. 50–51.

[2] See Geoffrey Sheilds and L. Sanford Spector, "Opening Up the Suburbs: Notes on a Movement for Social Change," *Yale Review of Law and Social Action*, II (Summer 1972), 305.

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of the legislation that supports and protects these restrictions."[3] Editorials in metropolitan newspapers warned "the entrenched, well-to-do suburbanites" that they must recognize "that one-half of the nation cannot afford to build barriers of any sort against the other half—whether it be the barrier of racial discrimination or the practical barrier of long and time-consuming commuting."[4] And housing experts condemn an "arrangement that benefits the wealthy and the middle class at the expense of loading large costs onto the very poor" as "a gross injustice that cries out for correction."[5]

Reaction in the Suburbs

To most of this clamor, the average suburbanite and the typical suburban office holder turn a deaf ear. Few of those who demand changes in local policies live within particular suburban jurisdictions in sufficient numbers to have a significant impact on local opinion or the actions of local officials. Lower-income and minority families which would benefit from relaxed suburban barriers are kept out of most communities by the high cost of housing and exclusionary policies motivated by racial prejudice, the fear of crime, fiscal and environmental considerations, and the desire to preserve community character. As a result, neither victims of exclusion nor local supporters of open housing usually can aggregate sufficient political strength to secure much influence or representation on local councils and planning boards, particularly in the smaller and more homogeneous suburban jurisdictions.

The negative response of local political systems to calls for change also reflects the satisfaction of most suburbanites with the existing system of housing and land-use control. Relatively few residents of the suburbs see housing for less affluent groups as a major problem. Only 10 percent of those questioned in a survey in New York's Westchester County in 1972 expressed dissatisfaction with their present housing. Drugs, property taxes, crime, education, pollution, the problems of the elderly, and mass transportation were all listed as more important matters for state and local governments than broadened housing opportunities (see Table 1).

In addition, few suburbanites are willing to acknowledge the role of suburban exclusion in fostering and maintaining an economically and racially separated society. Instead, most emphatically reject the notion that the "suburban sanctuary of the middle class has been created at the expense of the urban poor by compelling them to live in areas of concentrated poverty."[6] Nor are many suburban dwellers prepared to accept any responsibility for the city, its residents,

[3] Stewart M. Hutt, counsel, New Jersey Builders Association, quoted in Richard J. H. Johnston, "Low-Income Housing Exclusions in U. S. Assailed," *The New York Times*, November 7, 1969.

[4] "People, Jobs and Housing," editorial, *Washington Post*, July 6, 1971.

[5] Anthony Downs, *Opening Up the Suburbs: An Urban Strategy for America* (New Haven, Conn., 1973), p. 11.

[6] Ibid., p. 166.

TABLE 1

Perceptions of State and Local Governmental Priorities by Residents of Westchester County, N. Y.

	All Residents	*Upper and Middle Income Residents*	*Moderate and Lower Income Residents*
	(Percent listing problem as important)		
Drugs	47	44	51
Property taxes	46	48	43
Crime	31	30	31
Education	27	28	27
Air and water pollution	25	25	24
Help for senior citizens	25	20	34
Mass transportation	21	24	15
Low and moderate income housing	14	13	16
Middle income housing	10	8	14
Race relations	8	9	7
New jobs	8	9	7
Roads and highways	7	8	6
Planning and zoning	7	8	7
Recreation	7	9	4

SOURCE: Oliver Quayle and Company, "A Survey of Attitudes Toward Government Assisted Moderate and Low Income Housing in Westchester County, "Study #1546 (Bronxville, N.Y., December 1972), p. 21.

and their housing problems. A suburban mayor in the Cleveland area feels "the public housing people are just looking for a lot of land for Cleveland's problems which Cleveland isn't willing to take care of."[7] Outside St. Louis, a key official rejects suburban involvement in "the problems of the unfortunate people in the city."[8]

Given local autonomy, the nature and attitudes of suburban constituencies, the benefits that residents of the suburbs derive from exclusionary policies, and the dependence of local governments on property taxes, the suburban political system provides few incentives for its components to act in anything but their self-interest. Speaking of the costs associated with subsidized housing, a suburban mayor emphasizes that "appeals to the good nature and selflessness of the suburban official or the suburban voter will be pointless if the economic cards are stacked the wrong way."[9] As a result of these political realities, most suburbs

[7] Mayor Robert Lawthur, Lakewood, Ohio, quoted in Roldo Bartimole, "A Close Look: Cleveland," *City*, V (January–February 1971), 45.

[8] Supervisor Lawrence K. Roos, St. Louis County, Mo., quoted in Robert Adams, "Suburbs Feel No Debt to City," *St. Louis Post-Dispatch*, July 23, 1971.

[9] Supervisor John F. McAlevey, Ramapo, N. Y., quoted in Richard Reeves, "Counterattack by Cities," *The New York Times*, March 8, 1971; reprinted as "Counterattack by the Cities," in Louis H. Masotti and Jeffrey K. Hadden (eds.), *Suburbia in Transition* (New York, 1974), p. 242.

successfully resist pressures at the local level for major changes in their housing and zoning policies, particularly when the aim is the expansion of housing opportunities for lower-income and minority groups.

Variations among Suburbs

Resistance, however, is not a universal suburban reaction to demands that local housing barriers be lowered. Large suburban jurisdictions with heterogeneous populations tend to be more responsive to pressures for change than smaller-scale and relatively homogeneous suburbs. Opinion is less monolithic in these suburbs; and political leaders are less constrained by dominant constituency interests. In addition, minorities are more visible, their collective voices louder, and their interests more easily aggregated in larger jurisdictions. Big suburbs, particularly suburban county governments in major metropolitan areas, also are more likely to employ planning and housing professionals. These officials examine housing needs and development trends on a communitywide and metropolitan basis; and their professional training and personal values prompt concern about the problems of lower-income and minority groups. All of these factors lead to greater recognition of housing problems by political leaders in suburban jurisdictions such as Nassau County in New York, which had 1.4 million residents in 1970. "There is no excuse for a generally affluent suburban community, where 90 percent of the people enjoy good housing," Nassau's elected executive told the county legislature in 1969, "to permit the other 10 percent to live in conditions which rival some of the worst slums in the nation."[10] Two large suburban counties in the Washington area, Fairfax and Montgomery, have been among the most active suburban governments in seeking to develop and implement plans designed to broaden housing opportunities for their diversifying populations. On the other hand, many large suburbs such as Oyster Bay in New York and Baltimore County have steadfastly resisted efforts to ease local housing restrictions.

Here and there, affluent suburbs with troubled social consciences seek to diversify their populations. In Princeton, a university community amidst the suburbs of central New Jersey with a penchant for both liberal causes and exclusionary zoning, the local planning board warned in 1973 that "Princeton will become a one-class, upper-income community [unless] positive steps are taken to halt the trend." Arguing that "the health and vitality of the community depend on a diversity of people of different cultural backgrounds, ages, incomes, and interests," the local planners recommended that almost half of the new housing construction in the community during the 1970s and 1980s be earmarked for families presently priced out of the local housing market.[11] Concern in Summit,

[10] County Executive Eugene H. Nickerson, quoted in Roy R. Silver, "Nickerson Urges Housing for Poor," *The New York Times*, January 12, 1969.

[11] See Craig E. Polhemus, "Princeton Is Encouraging Low-Income Housing," *The New York Times*, July 22, 1973.

an upper-income suburb of 25,000 in northern New Jersey, over housing conditions for local blacks led to community sponsorship of 90 units of low-rent garden apartments in 1968. Across the continent in Palo Alto, similar constituency concerns spurred the local government in 1972 to approve the construction of 740 units of mixed-income housing.

Local officials with strongly held views about the social responsibilities of their communities also can make a difference. A successful campaign for a limited number of units of subsidized housing in Ramapo in New York's Rockland County was led by the community's mayor, a self-styled "believe[r] in public housing from way back" who was "willing to absorb 500 units to make the point that public housing isn't the horrible thing that most of the recent expatriates from New York City think it is."[12]

Another factor motivating suburban leaders to advocate some relaxation of zoning barriers is the fear of losing local autonomy. In the view of a council member in an exclusive Connecticut suburb, "local zoning restrictions must be eased not only for social reasons, but because if this does not happen, then sooner or later our local autonomy or choice will be taken away by the State Legislature."[13]

For most suburbanites, however, perhaps the only persuasive argument for relaxing exclusionary barriers is the housing needs of local residents. In the Westchester County survey, 78 percent agreed with the statement: "I tend to favor more moderate and low income housing in Westchester so that public servants such as teachers, firemen, and policemen can live in the communities they serve"; while 70 percent supported "more subsidized low and moderate income housing in Westchester to enable our young people to stay here instead of being forced to live elsewhere."[14] Support for subsidized housing was heavily conditioned on its availabilty to members of the local community. While 83 percent were favorable if first priority was given to "people now living in this town . . . and second priority to people now working here," 76 percent were opposed if no priorities were assigned on the basis of where the occupants lived or worked.[15]

Concern over the housing needs of local public employees was the principal factor underlying the enactment of legislation in Fairfax and Montgomery Counties designed to spur the construction of lower-cost housing by private developers. The Fairfax Board of Supervisors approved a series of ordinances in 1971 requiring that 6 percent of the housing in most developments of fifty or more units be priced below $20,000, and that 9 percent be priced between $20,000 and $25,000,

[12] Supervisor McAlevey, Ramapo, N. Y., quoted in Alan S. Oser, "Innovator in Suburbs Under Fire," *The New York Times*, March 28, 1971.

[13] Town Selectman Henrietta Rogers, New Canaan, Conn., quoted in "New Canaan Aide Questions Zoning," *The New York Times*, March 7, 1971.

[14] Oliver Quayle and Company, "A Survey of Attitudes Toward Government Assisted Moderate and Low Income Housing in Westchester County," Study # 1546 (Bronxville, N. Y., December 1972), p. 74.

[15] Ibid., p. 63.

provided that federal subsidies were available. A similar plan was adopted by the Montgomery County Council in 1973. A group of ministers organized as the Coalition for Housing Action led the campaign in Fairfax, and placed heavy emphasis on the needs of county employees, 90 percent of whom earned less than $12,000 a year in 1971. Supporters of the new law in Montgomery also stressed the needs of employees, pointing to the requirement that county police officers making $12,000 a year were required to live within a jurisdiction where an annual income of $25,000 was needed to purchase a new home in 1973. In both counties, backing for the housing plans came primarily from public employees. Typical was the view of the Fairfax County Police Association which emphasized that "most of our police officers, in order to buy a home, must go out into Prince William and Loudoun Counties. We feel they should be able to buy housing here."[16]

In most suburbs, however, concern over local housing needs is not automatically translated into broadened housing opportunities. The fact that "our own cops, firemen and teachers can't buy houses in Westport"[17] led the Planning and Zoning Commission of the affluent Connecticut suburb to approve a change in local zoning in 1973 to permit the construction of 400 apartments in scattered sites, with 60 of the units priced within the range of town employees and others with moderate incomes. Within a month, vehement opposition to apartments from residents prompted the forty-member representative town meeting to overturn unanimously the proposed apartment ordinance. In Bergen County in northern New Jersey, 1600 residents of a community signed petitions that helped kill a garden-apartment proposal despite concerns such as those expressed by one local resident: "My daughter will be getting married in a few years and I'd like to see her remain here. A nice little development wouldn't hurt anyone. Give our kids a chance. It's unfair. We had our chance to move out here."[18]

Opposition to improving housing opportunities for local residents stems from many of the basic considerations that fuel the politics of exclusion—dislike of apartments, the bad image of subsidized housing, fear of community change, worries about property values, and concern over local services and taxes. Another important factor is the suspicion of suburbanites that priority for local residents cannot be maintained if the barriers to the construction of lower-cost housing are lowered. As the mayor of one of New Jersey's largest suburbs notes: "We'd welcome lower-cost housing for our youth and elderly. But there's no guarantee we could keep it for them. And given the choice, we just won't do it."[19]

[16] Charles Boswell, president, Fairfax County Police Association, quoted in Monroe W. Karmin, "Forced Integration? Not in Fairfax," *Wall Street Journal*, September 29, 1971.

[17] See Franklin Whitehouse, "Westport Warms to Apartments," *The New York Times*, May 24, 1970.

[18] See Richard Reeves, "Land Is Prize in Battle for Control of Suburbs," *The New York Times*, August 17, 1971; reprinted as "The Battle Over Land," in Massotti and Hadden, *Suburbia in Transition*, p. 308.

[19] Mayor Newton Miller, Wayne, N. J., quoted in Jack Rosenthal, "Suburbs Abandoning De-

Variations among suburbs also reflect the inherent difficulty of achieving general policy changes in a decentralized polity through political action at the grass roots. Extraordinary political resources, a highly decentralized base of support, or a widely perceived need for action resulting from a crisis are requred to produce similar policy changes in large numbers of local governments. When the units are small and numerous, as is the case with suburbs in most of the larger metropolitan areas, the prospects for securing general policy changes through grass-roots efforts are reduced further. At best, such efforts are likely to result in occasional victories and piecemeal change in local policies.

Local Arenas and Local Interests

Because of the obstacles to broad-based action at the grass roots, the suburban political arena primarily attracts those with local interests and narrow objectives. Groups whose interests transcend a particular locality tend to focus their energies on the states, the national government, or the courts, where successful efforts frequently result in policy changes which affect large numbers of local jurisdictions, rather than only a single unit as is the case with victories at the grass roots.

Efforts to change suburban housing and land-use policies have followed this general pattern quite closely. Among open-housing groups, challenges at the grass roots have come primarily from locally oriented interests, such as fair-housing committees, neighborhood stabilization groups, civic and civil rights organizations, and community-based developers of low-cost housing. Typically, these interests have limited objectives and capabilities. They tend to focus on housing conditions in their particular community and the needs of local residents. More often than not, their activities are confined to a single jurisdiction. Thus, a suburban fair-housing committee seeks to expand housing opportunities for middle-income blacks within its community, while a local civil rights group campaigns for municipal approval of a housing project for lower-income families.

As suburban housing restrictions attracted increasing attention in the late 1960s, national civil rights and religious groups, labor unions, foundations, and public-interest organizations were drawn to the issue. The growing involvement of these broader-based interests played a major role in both increasing the visibility of suburban housing restrictions and forcing judges, federal administrators, and other public officials at all levels of government to address the problem. Unlike local groups, these broader interests devoted little of their energy to persuading individual suburban governments to change their housing and land-use policies. Their common objective was policy changes which would improve the access of lower-income and minority groups to housing in large numbers of suburban jurisdictions rather than in a particular community. Thus, even when dealing "with local cases or problems," as Sheilds and Spector emphasize, the

pendence on City," *The New York Times*, August 16, 1971; reprinted as "Toward Suburban Independence," in Masotti and Hadden, *Suburbia in Transition*, p. 302.

national open-housing interests "seek situations which will have importance nationally.[20]

These objectives have led the American Civil Liberties Union, the Lawyers' Committee for Civil Rights under Law, the NAACP Legal Defense and Education Fund, and the National Housing and Economic Development Law Project to focus almost exclusively on court actions designed to overturn restrictive suburban housing and land-use policies. Other national groups, such as the Leadership Conference on Civil Rights, the Center for National Policy Review, and the Housing Opportunities Council of Metropolitan Washington, have concentrated on lobbying for changes in federal policies. Coordination, and the collection and dissemination of information concerning suburban housing problems have been the primary activities of another set of groups, including the National Urban Coalition, the Exclusionary Land-Uses Practices Clearing House, and the National Job-Linked Housing Center.[21]

Not all national open-housing interests, however, eschew involvement at the local level. Much of the energy of the National Committee Against Discrimination in Housing (NCDH) since its creation in 1950 has been devoted to the organization of fair-housing groups at the grass roots and efforts to secure local fair-housing legislation. Other national organizations with local affiliates also are active at the suburban grass roots. A number of the NAACP's 1700 branches have been involved with housing issues in particular suburbs. Local affiliates of the American Jewish Committee and the Urban League also have engaged in grass-roots activities designed to broaden housing opportunities in the suburbs.

Among the national organizations interested in opening the suburbs, probably the most active at the local level has been the League of Women Voters (LWV). The league is more decentralized than the other major open-housing groups as well as being the only one with a substantial political base in suburbia. A federation of 1250 chapters with a largely white, upper-income suburban membership of 170,000, the league places considerable emphasis on local autonomy and grass-roots action. In the early 1970s, over 100 of its chapters were engaged in efforts "to educate their communities to the goal of a free choice of a decent home in a decent environment for every family."[22] In the process, LWV chapters pressed for the creation of local housing authorities, supported the construction of low-income housing, participated in the organization of nonprofit development corporations to sponsor subsidized housing, fought local discriminatory practices, endorsed zoning reform, and backed metropolitan "fair-share" plans for the allocation of subsidized housing among suburban jurisdictions.

Despite the importance of local activities for groups such as the NAACP, the

[20] Sheilds and Spector, "Opening Up the Suburbs," p. 305.

[21] For an informative review of the activities of these and other national open-housing organizations, see ibid., pp. 301–305.

[22] League of Women Voters Education Fund, "Suburban Zoning, The New Frontier" (Washington, D. C.), p. 3.

NCDH, and the LWV, none concentrates all its efforts on grass-roots activities. The national headquarters of the NAACP has been involved in challenging suburban zoning in the courts, lobbying for open housing in Washington, and conducting educational efforts aimed at reducing suburban hostility to residential integration. NCDH has become increasingly committed to suburban housing activities that transcend particular localities, including litigation, lobbying in Congress and administrative agencies, and research and technical assistance. Even the highly decentralized League of Women Voters is engaged in court action through its national litigation office.

Given the orientation of the broader-based open-housing interests, the primary burden for action at the suburban grass roots falls on local groups, be they purely local or affiliated with national organizations. Among these organizations, substantial differences exist in size, resources, and constituency base. Their objectives, programs, priorities, vitality, visibility, and effectiveness also vary considerably. In general, diversity reduces the incidence of cooperation and cohesion among open-housing interests within a particular community or suburban area. Collective action also is impeded by the fragmentation of local government in suburbia, since supporters of open housing typically are scattered among a variety of local jurisdictions. And the combination of group diversity and dispersed constituency support handicaps efforts to change local housing policies in the hostile political climate of the typical suburban jurisdiction.

Among the various open-housing interests in the suburbs, fair-housing groups are the most common. A substantial majority of the more than 2000 local fair-housing committees in the United States have been organized in suburban areas. Their goal is the elimination of racial discrimination in the sale and rental of housing; and they have taken the lead in pressing for the enactment of fair-housing ordinances and local human-relations commissions in the suburbs. Most suburban fair-housing groups lack professional staff, have a membership composed largely of upper-income whites, and devote much of their energy to finding housing for blacks who can afford to live in the suburbs, often on a highly individualized basis.

Exceptions to this general pattern are the handful of fair-housing groups which have full-time staff, a substantial membership base, and other resources which enable them to pursue more ambitious and systematic programs. For example, the Mid-Peninsula Citizens for Fair Housing in the San Francisco area tests compliance with local fair-housing laws, investigates complaints of racial discrimination, undertakes legal actions against discriminatory housing practices, seeks to educate local officials and the suburban housing industry about their legal obligations to ensure equal housing opportunities, and campaigns more generally for open housing. Elsewhere, larger and more sophisticated fair-housing groups operate housing information centers and comprehensive housing-listing services, provide counseling services for families seeking homes in the suburbs, and undertake "carefully planned and conducted testing operations for the pur-

pose of filing complaints with state human rights agencies and with HUD and the Department of Justice."[23]

Despite the increasing sophistication and capability of some fair-housing groups, most continue to focus their resources on discriminatory practices affecting the access of blacks to the existing housing stock in suburbia. Relatively few local groups followed in the footsteps of the national fair-housing organization, NCDH, which in the 1970s placed more and more emphasis on increasing the supply of lower-cost housing in the suburbs and removing zoning and other local barriers which reinforce segregated residential patterns. Typical of the attitude of local groups is that of the Fair Housing Congress of Southern California, which sees so much illegal discrimination in the existing housing market that its leaders are reluctant to divert their scarce resources to other activities.

Another local open-housing interest with a limited perspective on the suburban housing problem is the neighborhood stabilization movement. Neighborhood stabilization groups were organized in the 1960s in a number of city and suburban areas undergoing racial transformation. Their primary concern has been existing housing conditions, and the creation of stable racially integrated neighborhoods. Most of these groups and their umbrella organization, the National Neighbors, "have recognized that to stabilize any one neighborhood, it is essential to assure an open housing market and general mobility."[24] These groups, however, tend to be preoccupied with their pressing local problems; and few have the time or resources to get very involved in broader issues such as the production of suburban housing or the removal of local barriers to the outward movement of lower-income and minority families. Moreover, most of the stabilization groups are active in communities undergoing racial transformation, which typically are the result rather than the cause of suburban exclusion.

Direct challenges of suburban zoning and housing policies usually come from more amorphous local groupings. Campaigns for subsidized housing and zoning reform have been launched by local coalitions of civil rights, civic, and religious groups. Similar groupings have organized nonprofit housing corporations in the suburbs. In Princeton, New Jersey, for example, the local chapter of the League of Women Voters and other community groups formed Princeton Community Housing to build subsidized housing. Nonprofit housing corporations which have sought to build in the suburbs also have been created by labor unions in the case of the Region Nine United Automobile Workers Housing Corporation in Mahwah, New Jersey; religious groups as with the Park Heights Corporation in Black Jack in the St. Louis area and the Interfaith Housing Corporation in the Boston region; and minority-group organizations such as the Colored People's Civic and Political Organization in Lackawanna outside Buffalo and the Southern Alameda Spanish Speaking Organization in suburban Union City in the San Francisco Bay area.

[23] George Schermer, "Strategy, Tactics, and Organization for the Fair Housing Movement," (Washington, D. C., January 16, 1973), p. 2.

[24] Ibid., p. 3.

More often than not, these efforts are limited to a single local jurisdiction. When the groups involved also are locally based, there tends to be a heavy emphasis on local needs. Local groups and coalitions seeking eased zoning, the creation of a local housing authority, or permission for a nonprofit housing corporation to build suburban housing typically stress the community's responsibilities to its own residents rather than its obligations to lower-income and minority families in general. Suburban open-housing interests are especially likely to ignore or downplay the housing needs of inner-city blacks.

Even when suburban open-housing groups have a broader perspective, political realities often narrow their focus. The ministers who launched the campaign for zoning reform in Fairfax County initially were drawn to the issue by concern over the plight of blacks unable to find housing outside the District of Columbia. As the campaign developed, however, the search for support led the Coalition for Housing Action to an increasing emphasis on local housing needs, and especially the housing problems of teachers, policemen, and other local-government employees. The leaders of the campaign justified the shift on pragmatic grounds. They also argued that increasing the stock of lower-cost housing in Fairfax would inevitably benefit inner-city blacks. "When you open up a community economically," insisted Rev. Gerald Hopkins, a minister, "you open it up racially."[25] But this objective of zoning reform rarely was voiced during the drive for political support among the overwhelmingly white population of Fairfax County.

Opening the Suburbs through Confrontation

Concern for local sensibilities, priorities, and political feasibility has not been a conspicuous feature of the activities of the Suburban Action Institute (SAI), a public-interest organization founded in 1969 by Paul Davidoff, a planner and attorney, and Neil Gold, a former staff member of NCDH. Based in Westchester County, Suburban Action has directly challenged local zoning in a lengthening list of communities in the New York area. Unlike most local open-housing groups in the suburbs, SAI has emphasized the need "to open the suburbs for all, in particular for the non-affluent and non-white."[26] Suburban Action's stress on bringing blacks and the poor to affluent suburbs, its insistence on far-reaching changes in local housing and land-use policies, its lack of a constituency in the communities it has challenged, and the abrasive and publicity-oriented style of its founders have made SAI the most controversial of all the open-housing interests active at the suburban grass roots. The organization's style is best appreciated in the words of Paul Davidoff, its chief spokesman:

> Suburban populations . . . have employed the power of the state to protect their own very selfish desire to create a community that is amenable to themselves,

[25] Quoted in Karmin, "Forced Integration? Not in Fairfax."

[26] Paul Davidoff, "A Lake Is Backdrop for Debate on Suburban Integration Plan: Pro," *The New York Times*, November 4, 1973.

> but to prohibit the large mass of the population from sharing in those amenities. They have not bought the land, but instead have done the cheap and nasty thing of employing the police power to protect their own interest in the land and to exclude the largest part of the population. . . . We think this is terribly abusive, terribly inappropriate for a group which is politically not inclined to argue the case for increased government control.[27]

Suburban Action's perspective on housing in the suburbs has been broader than that of most local open-housing groups. SAI stresses the linkages between the plight of the older cities and suburban policies which restrict access to housing and jobs. For Davidoff, "decent housing means reasonable access to employment, good education, recreation and environment . . . the key to these is locational choice."[28] In broadening locational choices, and in particular in creating "new opportunities for linking suburban jobs to unemployed and underemployed residents of slums and ghettos," SAI sees the contemporary problem in the suburbs "as larger and more complex than the fair housing issue of the fifties and sixties . . . [when] no changes were necessary in the allocation of land resources."[29] Solution of this problem, in SAI's view, required fundamental changes in the suburban land-use control system, heavy emphasis on the production of housing for lower-income and minority groups in the suburbs, and public policies which ensure that low-cost housing is dispersed throughout the metropolis.

To accomplish these objectives, Suburban Action has engaged in a wide range of activities. Research has been undertaken on a variety of suburban housing and land-use issues. Efforts have been made to educate and raise the consciousness of suburbanites, large suburban employers, and opinion leaders. Local zoning ordinances and housing policies have been criticized in a variety of local forums and the media, with the "focus on rich people's communities, especially those with rich liberals as residents."[30] Corporate decisions to locate offices and plants in suburban areas which exclude moderately priced housing developments also have come under fire, with SAI filing complaints with the Equal Employment Opportunities Commission and other federal agencies in an effort to check corporate moves to exclusionary suburbs. Litigation was another important element to Suburban Action's program. By 1974, it had filed suits against exclusionary zoning in dozens of suburbs in the New York area. SAI also has gone to court to block the federal government from making sewer and recreation grants to an exclusionary suburb in Westchester County, to prevent the construction of an

[27] Quoted in Jerome Aumente, "Domestic Land Reform," *City*, V (January–February 1971), 56.

[28] "A Lake Is Backdrop for Debate on Suburban Integration Plan: Pro."

[29] Suburban Action Institute, "Statement of Purpose" (Tarrytown, N. Y., September 1973), pp. 2–3.

[30] Neil Gold, Suburban Action Institute, see National Urban Coalition, Clearinghouse on Exclusionary Land Use Policies, "Report: Seventh Conference on Exclusionary Land Use Policies" (Washington, D. C., June 24, 1971), p. 18.

Internal Revenue Service processing center in a community on Long Island with strict housing controls, and to force the construction of low-cost housing on the site of a former military base in Nassau County.

Of most importance to local government, and certainly the most controversial of Suburban Action's activities, have been the organization's efforts to build housing in suburbs with restrictive land-use controls. Typically, SAI has quietly secured options on land, often in conjunction with private developers. Then plans have been prepared for a large-scale mixed-income housing development which could not be implemented without changes in local zoning. Finally, a well-publicized announcement of the plan is accompanied by a threat to seek relief in the courts if local approval is not forthcoming. In 1973, for example, SAI declared that it was ready to develop housing for 8000 people on 253 acres adjacent to Candlewood Lake in New Fairfield, Connecticut. In explaining how the plan would be implemented in the face of local hostility, Neil Gold indicated that Suburban Action probably would have to go to court, and expressed confidence "that the courts will sustain our right to build a mixed income racially integrated community on Candlewood Lake."[31]

Suburban Action unveiled similar plans for a number of other suburbs in the early 1970s. Most ambitious was a scheme for a $150 million planned community on 720 acres in Mahwah in northern New Jersey. If built the project would almost triple Mahwah's 1970 population of 10,000. Of the 6000 housing units in the proposed new community, 2400 were to be priced for families with annual incomes under $10,000, with the remainder within reach of those with incomes of less than $20,000 a year. In this case, litigation preceded the housing proposal, as SAI challenged restrictive zoning in Mahwah and three neighboring suburbs in the courts a few months before its plans for 'Ramapo Mountain" were announced. For Readington, a rural area strategically located in the path of suburbanization in New Jersey's Hunterdon County, SAI sought to have 230 acres rezoned from single-family homes on lots of one and three-quarter acres to permit the construction of 2000 apartments. In Western Suffolk County on Long Island, Suburban Action wanted to build as many as 6000 housing units on 400 or more acres. And an 850-unit complex has been designed for a site in Fairfax County in Virginia.

The coupling of local development plans with court action reflected the concern of SAI's leadership that litigation alone would do little to broaden housing opportunities for lower-income families in the suburbs. Unless open-housing groups were prepared to construct housing when suburban land became available, Suburban Action was convinced that private builders and affluent families will be the prime beneficiaries of successful litigation against zoning. To provide home-building capability, SAI created Garden Cities Development Corporation to handle the preparation of development plans, land acquisition, and construction. Although

[31] Quoted in Michael Knight, "New Fairfield Zone Board Bars Candlewood Lake Development," *The New York Times*, October 12, 1973.

Garden Cities was "geared up [and] ready to move" in 1974,[32] the development corporation had yet to construct a single unit of housing in any of its proposed new communities.

In fact, except for stimulating a flock of lawsuits, nowhere had the politics of confrontation borne fruit for SAI. Instead, the proposals of Suburban Action and Garden Cities encountered fierce local resistance in most instances, and outright rejection at the hands of local zoning boards. Three-fourths of the adults in New Fairfield, a community of 8000, signed petitions against the SAI plan for Candlewood Lake; and the local zoning board unanimously rejected the project. In another Connecticut suburb where SAI took an option on eleven acres for the purpose of building 160 units of federally subsidized housing, the mayor told the press that "everyone I've spoken to is wholeheartedly opposed to the project"; and the local planning board refused to rezone the land in question.[33] A local official in Suffolk County insisted that "they are going to have to abide by our zoning ordinances" and predicted " an uphill fight all the way" if SAI persisted with its planned 6000 housing units on Long Island.[34] Nor was local support forthcoming in Mahwah, whose mayor indicated that "the town and the country are fed up with loudmouths and radicals seeking to divide us and destroy everything we love and have worked for."[35] The planning board in Mahwah refused to consider SAI's request for rezoning, citing a moratorium it had imposed on rezoning pending revision of the local master plan, a revision prompted in part by the fact that the existing master plan had permitted planned-unit development in the area selected by Suburban Action for "Ramapo Mountain."

In all of these suburbs, SAI's motives in seeking changes in local housing and land-use policies have been attacked. "What are they going to get out of it?" is a question constantly asked by suburbanites in communities confronted by SAI.[36] Fueling these questions is the involvement of Suburban Action and Garden Cities with private developers and landowners. SAI was accused by a prominent resident of Candlewood Lake of playing "the part of a destroyer" by paving the way for the "big land speculators" who are "cheering every time Suburban Action Institute brings another suit in another court."[37] Suspicions about SAI's arrangements with private developers, as well as complaints about its efforts to influence local legislation, have prompted suburban foes to seek a federal investigation of

[32] Neil Gold, Garden Cities Development Corporation, quoted in Ernest Dickinson, "Activists in Suburbs Under Fire as Landlords," *The New York Times*, March 24, 1974.

[33] First Selectman Joseph L.. McLinden, Ridgefield, Conn., quoted in Jonathan Kandell, "Ridgefield Faces a Housing Battle," *The New York Times*, August 6, 1972.

[34] Supervisor Charles W. Barraud, Jr., Brookhaven, N. Y., quoted in David A. Andelman, "Suffolk Is Facing Zone Challenge," *The New York Times*, February 28, 1973.

[35] Mayor Lawrence Nyland, Mahwah, N. J., quoted in Jan Rubin, "Nyland Blasts Tactics of SAI," *Ridgewood Herald News* (New Jersey), May 4, 1972.

[36] See Richard Zimmerman, "The Open Housing Activists: One Goal, Different Styles," *Sunday Record* (Bergen County, N. J.), June 18, 1972.

[37] Malcolm Cowley, "A Lake Is Backdrop for Debate on Suburban Integration Plan: Con," *The New York Times*, November 4, 1973.

the organization's tax-exempt status. Suburban Action also has been called "a racist organization" which "uses black Americans as pawns and patsies in its effort to upset the zoning laws." According to this critic, SAI has no real concern with the housing problems of inner-city blacks and Puerto Ricans, most of whom could not afford to live in the developments proposed by Suburban Action and Garden Cities. Instead, the plight of lower-income blacks is "a means by which Suburban Action Institute can wheedle money from foundations and instill a feeling of guilt in middle-class white liberals."[38]

To counter local opposition, Suburban Action's founders hoped to build "a local base of support" among "the Suburban church; builders and housing developers; some groups within the fair housing movement; and suburban employers of low and moderately skilled workers."[39] Little backing for SAI, however, came from any of these groups. Other open-housing interests in the suburbs found Suburban Action's aggressive style counterproductive. They feared that their own quieter and more locally oriented efforts would be jeopardized by the backlash from local confrontations with SAI. In addition, Suburban Action has, in the view of its founders, "run up against strong opposition" because of its insistence "that local housing groups begin to demand housing not only to meet the needs of local residents, but also to meet the needs of the region's population."[40]

While winning Suburban Action few allies in the suburbs or within the open-housing fraternity, public attention has helped SAI secure funds from social-action oriented foundations such as the Field Foundation, the Ford Foundation, the Dr. and Mrs. Martin Peretz Foundation, the Florence and John Schumann Foundation, the Stern Foundation, and the Taconic Foundation. In fact, most of the major victories of Suburban Action's politics of confrontation were won in the board rooms of foundations rather than in suburban town halls. While these successes enabled Suburban Action to make some headway with two of its prime aims—"to document social and economic discrimination [and] focus public attention on it"—the unequal odds posed by the local political arena to the advocates of open housing in the suburbs have thwarted SAI's professed central purpose of developing "strategies that can lever significant change."[41]

The Lack of a Suburban Constituency for Open Housing

Regardless of their approach, open-housing groups in the suburbs have failed to mobilize significant constituency support. This failure has resulted primarily from the desire of most suburbanites to maintain existing local housing and land-

[38] Ibid.

[39] Paul Davidoff, Linda Davidoff, and Neil Newton Gold, "Suburban Action: Advocate Planning for an Open Society," *Journal of the American Institute of Planners*, XXXVI (January 1970), 21.

[40] Ibid., p. 17.

[41] Suburban Action Institute, "Statement of Purpose," p. 1.

use policies rather than from the organizational, strategic, and tactical weakness of open-housing interests in the suburbs. To be sure, an approach such as Suburban Action's which emphasizes large-scale change and suburban responsibilities for the urban poor is much less likely to appeal to residents of the suburbs than efforts which seek small additions to the local housing stock to meet the needs of those who live and work in the local community. Even when campaigns are focused on local needs, however, widespread support rarely is forthcoming.

Among the various components of the suburban population, lower-income suburbanites clearly have the most to gain from an expansion of the supply of moderately priced housing. These residents, however, are hardly a cohesive force in suburban politics. Large numbers of suburbanites with modest incomes have little stake in increasing housing opportunities. Many are homeowners who perceive a substantial interest in the suburban status quo. Others are satisfied with their existing housing. Even more are fearful that relaxed housing and land-use controls will bring blacks into their neighborhoods. These racial fears are played on with considerable success by opponents of open housing in the suburbs. Awareness of these fears also leads advocates of change to deemphasize or ignore the needs of blacks in their efforts to mobilize the support of lower-income whites in suburbia.

Those lower-income suburbanites who are dissatisfied with existing housing conditions commonly lack influence in most suburban political arenas. In the suburbs as elsewhere, individuals with modest incomes tend to be less interested and involved in politics than those with higher incomes. They tend to be poorly informed, to fail to perceive their stake in local public policies, and to lack the time, resources, skills, and organizational capabilities to promote and defend their interests effectively. Further limiting the influence of lower-income groups is the small scale of most suburbs, which makes it difficult for minority interests to overcome their political weaknesses by the strength of numbers, as is possible in larger jurisdictions.

Because they often possess a strong organizational base, public employees have been more active on housing issues than other lower-income suburbanites. Local public employees played an important part in the campaigns for zoning reform in Fairfax and Montgomery Counties. Teachers, firemen, and other local civil servants were mobilized in Greenwich, Connecticut, during the mid-1960s to support rezoning so that they could realize the "dream of owning a moderately priced house in their hometown."[42] Such efforts have been limited, however. Socioeconomic differentiation and the small scale of most suburbs means that many local employees do not live in the same jurisdiction in which they work. As a result, local employees and other less affluent residents of the suburbs have neither flocked to the banners of the open-housing movement nor otherwise or-

[42] See William Borders, "New Faces in Greenwich," *The New York Times*, March 7, 1967. The campaign was organized by Lewis S. Rosenstiel, a large landowner, who offered to sell half-acre plots to local employees for under $1000 if Greenwich would rezone his holdings to permit more intensive development. Nothing came of the effort.

ganized effectively to press for changes in local housing policies in most of suburbia.

Black residents of the suburbs also have provided little support for the open-housing movement at the grass roots. Since many blacks in the suburbs have relatively modest incomes, the same factors which limit the involvement of lower-income whites in local politics restrict black participation. Further constraining the political capabilities of suburban blacks on the housing issue is their concentration in a handful of jurisdictions and their almost complete exclusion from the more exclusionary suburbs. In addition, blacks who have made the move to attractive suburban areas often are as hostile to open-housing policies as whites. Frequently with good reason, middle-class blacks fear that their neighborhoods will be the prime targets for subsidized housing and the resettlement of lower-income blacks should suburban housing barriers be lowered. Opposition from homeowners caused local officials in North Hempstead on Long Island to drop plans for the construction of single-family public-housing units in a black neighborhood. In Manhasset, also on Long Island, middle-class blacks organized as the Great Neck Civic Association fought the location of a $10-million public-housing project adjacent to their homes, contending that it would concentrate minority housing.

Among the remaining groups in suburbia, most of the support for open housing comes from backers of liberal causes at the upper end of the income and education scales. Upper-income suburbanites troubled by the socioeconomic separation of the metropolis provide most of the backing for the efforts of fair-housing organizations, chapters of the League of Women Voters, affiliates of the American Jewish Committee, and other groups promoting open housing at the grass roots in suburbia. They also constitute most of the audience for educational efforts in the suburbs. Of the "up to 2000 people" who attended suburban meetings of the Regional Plan Association dealing with housing issues in the New York area, most according to the planning association were "people with college educations and substantial incomes."[43]

While building support among upper-income suburbanites is hardly a waste of time—witness the fierce opposition in New Fairfield to Suburban Action's plan for Candlewood Lake—affluent liberals in the suburbs do not provide a sufficient constituency base for open-housing action in most communities. In the typical metropolitan area, such individuals constitute a significant proportion of the population in only a handful of suburbs. Where concerned suburbanites are concentrated, local governments often are more willing to seek to diversify their populations than is generally the case. Even when successful, however, the impact of these efforts is inherently limited by the small number of jurisdictions involved. Also restricting the amount of lower-cost housing that is feasible within these suburbs is local concern about higher taxes, fears of possible change in com-

[43] C. McKim Norton, Regional Plan Association, see National Urban Coalition, Clearinghouse on Exclusionary Land Use Policies, "Report: Sixth Conference on Exclusionary Land Use Policies" (New York, April 15, 1971), p. 6.

munity character, and the high price of land in wealthier suburban areas. Whatever housing results often falls short of the needs of local residents, to say nothing of a particular suburb's "fair share" of the housing needs in the metropolis as a whole. It is probably true that "communities with the attitude of Summit are in a ratio of one to several hundred," as NCDH noted in praising the New Jersey suburb for its plans to provide low-cost housing for local blacks.[44] But the ninety units planned for Summit would accommodate only less than a quarter of the families with housing problems in the affluent suburb. And four years after the plan was announced, only forty of the units had been constructed, with progress on the remainder stalled by siting controversies.

[44] National Committee Against Discriminations in Housing, *Jobs and Housing: An Interim Report* (New York, March 1970), p. 63.