



ROOT CAUSES OF HOUSING AND LAND JUSTICE: WHITES ONLY

For generations, property and home ownership in the United States was restricted to white men. This was achieved through legal devices: colonial laws in the 17th century, state laws and constitutional provisions in the 19th century and early 20th century federal legislation and private real estate racial covenants¹ restricting property ownership and inheritance to white people.

- **Massachusetts:** A 1641 state law restricted land ownership to “such as are in full communion with the church” but only white males were voting members of the church.
- **Virginia:** A 1670 state law prohibited “negroes or other slaves” from owning property.
- **South Carolina:** A 1866 state law prohibited the sale of land to people of color.
- **Georgia:** A 1866 state law prohibited the sale of land to people of color.
- **Texas:** The 1876 state constitution prohibited people of color from owning property.
- **Mississippi:** The 1890 state constitution prohibited people of color from owning property.
- **Louisiana:** The 1898 state constitution prohibited people of color from owning property in certain areas.
- **Alabama:** A 1901 state law prohibited the sale of land to people of color.
- **Oklahoma:** A 1907 state law prohibited the sale of land to people of color.
- **Oregon:** A 1927 state law prohibited the sale of land to people of color.

The federal Homestead Act of 1862 gave more than 1.6 million land grants to white males moving out west, but excluded Native Americans, African Americans, and other households of color from receiving land grants.² The land grants displaced many Native American tribes from their ancestral lands. The Homestead Act expanded a pattern of white property ownership that would continue for generations.



Most recently, from the early 1900s until the 1950s, private real estate racial covenants were used in over 80% of urban (and metro-urban) areas.³ These agreements enforceable under the law between property owners mandated property could not be sold or rented to people of color.⁴ Covenants were used to prevent people of color from buying (or even renting) property in particular neighborhoods, which, given the nature of systemic racism, made these neighborhoods more valuable and desirable for further investment.⁵ While deemed illegal by a 1949 Supreme Court ruling, many of these covenants are still on property deeds today.⁶

These legal practices have played a significant role in the U.S. history of racial inequality. The intergenerational wealth lost to households of color in these eras contributes directly to today's 30-point gap between Black and white household ownership rates (75% v 45% nationally in 2022).⁷ The policies limited the opportunities for people of color to acquire wealth and perpetuated residential segregation, leaving a lasting impact on communities of color today.



Library of Congress Prints and Photographs Division, Washington, D.C.

1 The Library of Congress's American Memory project and The Civil Rights Digital Library

2 *id*

3 Sugrue, Thomas J. "Crabgrass-Roots Politics: Race, Rights, and the Reaction against Liberalism in the Urban North, 1940-1964." *Journal of Urban History* 21, no. 1, 1994.

4 The National Association of Real Estate Brokers

5 Coates, Ta-Nehisi. "[The Case for Reparations](#)," *The Atlantic*. June, 2014.

6 National Fair Housing Alliance. "[The History of Housing Discrimination](#)." Accessed January 21, 2023.

7 Federal Reserve Bank of St. Louis, Blog "[The latest on homeownership: race and region](#)", April 25, 2022.

ROOT CAUSES AND SYMPTOMS OF HOUSING AND LAND INJUSTICE

