

BOOK REVIEW – *The Color of Law: A Forgotten History of How Our Government Segregated America*, by Richard Rothstein

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My graduating high school class had only seven African American students. All of my friends were white, as were my teachers and principals. As a high school student, I never gave this composition much thought. If anything, I thought it was a coincidence, a product of individual choice. Was I completely ignorant? Perhaps, but I do not blame myself for being oblivious of the severely uneven racial makeup in my graduating class. As Rothstein notes in *The Color of Law*, high school textbooks fail to address the government's role in creating and facilitating racial segregation. Not only do they ignore the hand the government had to play in this crisis, but these textbooks tell blatant lies about how residential segregation came into practice. The 2012 edition of Houghton Mifflin Harcourt's *Reconstruction to the 21st Century* says that "African Americans found themselves forced into segregated neighborhoods." By telling students that African Americans merely *found* themselves in segregated neighborhoods, these textbooks inaccurately assign the blame to an oppressed minority and suggest segregation appeared out of thin air – a mere aberration. I can attest to Rothstein's argument that public schools completely and utterly fail at accurately telling the history of racial residential segregation. There was no discussion of the government's role in creating this dramatic inequality in my

high school's history curriculum. In Rothstein's *The Color of Law*, it is abundantly clear that this lack of diversity in my community was no accident.

Rothstein unambiguously outlines his thesis in the preface, which is as follows: "African Americans were unconstitutionally denied the means and the right to integration in middle-class neighborhoods, and because this denial was state-sponsored, the nation is obliged to remedy it." His choice to explicitly state his argument, I believe, was a conscious choice. Rather than allowing his readers to deduce and infer his thesis, he succinctly lays it out for his audience so that his argument is not misconstrued or misinterpreted, for he believes that Americans are already confused and misinformed on this subject. To prevent any further spread of misinformation, Rothstein eliminates the need for speculation or uncertainty. He argues that public education and the government as a whole give an insufficient history of how residential segregation occurred, and in *The Color of Law*, Rothstein takes it upon himself to highlight the grave injustices faced by African Americans in the housing market throughout the 20th century.

Rothstein does an exceptional job of telling a story that has been shoved under the rug, twisted by those complicit in the issue of residential segregation, and muddled with inaccuracies. His argument that the history of residential segregation has largely been forgotten is profound, as he suggests that the government deliberately attempts to cover up its direct involvement in creating a pattern of racial segregation, and that most Americans are unaware of this crisis because they have been misguided. Rather than accepting responsibility today, the government (namely the Supreme Court) perpetuates the false narrative of *de facto* segregation, the idea that African Americans prefer to live among themselves, and that racial residential segregation is a product of individual attitudes. Rothstein's distinction between *de jure* and *de facto* segregation is highly significant, as he strikes down the widely held assumption that residential segregation was a personal preference. To support his argument, he

identifies numerous laws, Supreme Court decisions, and actions taken by public figures to create this racial divide.

Rothstein's argument is remarkably compelling, and he substantiates his thesis well by providing jarring statistics, individual accounts from interviews, and pulling from existing literature on this topic. While I am persuaded by Rothstein's argument and regard his work as an invaluable contribution to twentieth century American history, I am disappointed in the way he portrayed African Americans as a hopeless class. Indeed, they were victims of substantial injustice, systematic oppression, and intolerant racial bigotry of their peers. I do not discount these facts. However, Rothstein fails to include the ways African Americans defied the stereotypes and stood up against the inequalities pushed by the United States government. Instead, he portrays them as submissive and weak in the face of residential segregation. In the chapter *Considering Fixes*, Rothstein reveals that African American children suffer from asthma at higher rates than white children due to their neighborhoods' proximity to industrial sites. He also discusses that, because of residential segregation, African Americans have limited access to fresh foods and other commodities to help them live a healthy lifestyle. Here, I wish Rothstein had given credit to the commendable African Americans in St. Louis who founded the Homer G. Phillips Hospital, the nation's largest all-black hospital. African Americans recognized the inadequate and unacceptable care members of their communities received at conventional hospitals and were horrified at the way their friends and families suffered at the hands of racist white doctors. Instead of accepting their fate, black doctors and healthcare professionals created a hospital to provide their community with the care they deserved. Stories like these show that African Americans did not passively accept inequality. I do not think Rothstein purposefully omitted these stories of triumph, but he fails to recognize the exceptional work of African Americans who refused to accept second-class treatment. Nonetheless, Rothstein's *The Color of Law* gives all Americans the history they deserve: one that

accurately identifies the culprit of residential injustice and exposes the truth, even if it is difficult to accept.

References

Rothstein, R. 2017. *The Color of Law: A Forgotten History of How Our Government Segregated America*. New York and London: Liveright Publishing Corporation, W.W. Norton & Company.

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