

WHEN RENEWAL FAILS TO DELIVER

Chicago's History with Eminent Domain



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Image Source: Voa News

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T E R M S

EMINENT DOMAIN
KELO V CITY OF NEW LONDON
JUST COMPENSATION
URBAN RENEWAL
RACIAL INEQUITY

W H O I S I D C

Impact Design Collaborative is a 501(c)3 nonprofit existing at the intersection of practice and research. We aim to reimagine the responsibility of designers and the built environment for everyone. Impact Design Collaborative initiates change, discovers interventions, and connects a new generation of creators.

C O P Y R I G H T

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A C K N O W L E D G E M E N T S

This research would not have been possible without the immense contributions of local, state, and national organizations who advocate for the promotion and expansion of public housing. Their development of evidence provides a foundation to inform better policy and a better future for the housing system.

An aerial, black and white photograph of a city park. A wide, paved walkway runs diagonally across the frame, with several people walking along it. The walkway is flanked by lush greenery and trees. The lighting creates long, dark shadows of the people and trees on the pavement. The overall scene is a vibrant, active public space.

“First life, then spaces,
then buildings
- the other way around
never works.”

-Jan Gehl

INTRODUCTION

In this article we examine the nature and history of eminent domain within Chicago. Chicago has a difficult and complex relationship with eminent domain, urban renewal, and racial discrimination. Thousands of families have been displaced and many of Chicagoans never saw the benefit renewal promised. Telling Chicago's story will show one narrative amongst many of the intentions, impacts, and consequences of policy on everyday citizens.

The Impact Design Collaborative has written about the issues of housing during the pandemic, and we hope this story empowers citizens to see the importance of empathy and inclusion in the creation of policy.

Economic Renewal As a False Dream

Eminent domain gives the government the ability to acquire (private) property to benefit the "public good", and has long been a part of the United State's history. While the government does inherently have the ability to take property from its citizens, they must be compensated accordingly. However, there has been much dispute about when the government should be able to use this ability and what "just compensation" and "public good" really mean. The ambiguity of these terms has allowed this practice to be used for unjust purposes leading to controversy over whether it should be used at all. By reviewing the history of this practice through the lens of Chicago, a city with a deep and complex history with eminent domain, it begins to become apparent that in its current form, eminent domain is deeply problematic and has disproportionately affected people of color.

The Ambiguity of These Terms Has Allowed This Practice to Be Used For Unjust Purpose



Eminent domain's flaws arise when the system is manipulated and just compensation is not delivered. The current system of eminent domain gives the authority power (generally the local government) a significant advantage when it comes to deciding which properties can justly be taken and how much these properties are worth. After the *Kelo v. City of New London* case concluded, the ability to declare a property as "blighted," or damaged beyond restoration, allowed for essentially unrestricted use of eminent domain with little to no rationale. The *Kelo* case also allowed for eminent domain to be used if the future use of the property could potentially lead to greater "economic development," which allows the government to give the taken property to corporations because it would bring more money to the city despite harming the previous citizens of the area. Preceding this case, Chicago had used economic speculation for public takings over 50 years prior. The city was in pursuit for economic growth, which accosted minority communities and delivered a segregated society. Chicago's narrative is a common one and powerful warning: the outcomes of eminent domain rarely match the intention.



Chicago's Pursuit For Economic Growth

In 1952, the city began to utilize eminent domain to claim large amounts of property owned by black citizens of Chicago. It was presented to the city as "urban renewal" or "slum clearance", but there were other motives besides economic benefit. Hence the alternative name for this process of "negro removal." While this is not the first time an instance of this has occurred in the US or even Chicago, the Lake Meadows case is considered to be a 20-year culmination of eminent domain experiments in which 3,416 families of color were displaced costing the federal government \$9,722,819.



Source: Hoodline

Urban renewal projects exploded across the country in the post-war era. Many of these projects demolished blighted buildings but never delivered on meeting new demand for housing.

African Americans became the "objects of" rather than the "participants in" these urban renewal projects. In many cases, the public (including the affected black community) was split between support and opposition. Some saw it as an investment in the community which would improve housing and infrastructure while others saw it as a conspiracy to split up the black community and diminish their political strength. Furthermore, the property being claimed by the city was very valuable, therefore giving the authorities incentive to take it from the black community.



Source: USA Today

This little pink house led to one of the largest supreme court cases, Kelo, in modern time and sparked a national debate.

Those who protested this eviction process were discriminated against and accused of being un-American. One official even stated "Nearly every man or woman arrested thus far in the Trumbull Park area (an area in Chicago with a large amount of public housing that experienced a series of race riots regarding racial integration [1]), bore names that very few Americans can pronounce...it would appear that the people with (zuktjorsljp) names like this in parentheses should be advised by their leaders to live peacefully - the American way."

African Americans became the objects of rather than the participants in these urban renewal projects.

After the destruction of the black owned property, the impoverished black community relied on the Chicago Housing Authority to create new housing units, but little was done. As a result, pressure would be put on other Chicago neighborhoods to accommodate the movement of African Americans into their neighborhoods, which increased tensions between black and white residents and accelerated neighborhood decline. The decline, no surprise, affected predominantly black neighborhoods the worst.

One Story Amongst Many

Chicago's long standing use of public taking offers many cases to tell a controversial history of eminent domain. The examples of eminent domain and urban renewal cases throughout the city of Chicago expose the issues of eminent domain and the breadth of situations in which it can manifest.

LAKE MEADOWS

While Lake Meadows was by no means the first example of eminent domain being used on a large scale in Chicago, it is considered to be the result of years of trial and error with this process and was the largest use taking more than 730 acres. When this public taking began in 1952 it was known as "urban renewal" or "slum clearance" which effectively translated to the authorities claiming property owned by poor, black individuals [2]. This act was defended by the Metropolitan Life Insurance Chairman, Frederick Ecke, who claimed that "blacks and whites just don't mix". This quote became indicative of how the inhabitants of Lake Meadow's properties would be treated. While explicit housing discrimination may have been absent, the "high rents [replaced] restrictive covenants as a means of keeping out Negro masses" [3] Furthermore it was reported that by removing the black community from this area, their political power would be diluted making it more difficult to fight back against these injustices. Those advocating for redevelopment in the Lake Meadows area even acknowledged that the plan ignored the slum area, showing that the city was far more interested in the valuable lake-front property than actually improving the "public good". While explicitly racist uses of eminent domain such as this have decreased as time has gone on, the authorities decision to take land is still frequently determined by the value of that land such as in Lakewood, Ohio where the mayor attempted to seize 54 homes and 4 apartment buildings to build condominium high rises on the beach front property. It is precisely the fact that this misuse of power continues to occur more than 60 years later that reform of the eminent domain process is needed.



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HYDE PARK

With the mass displacement of Lake Meadows, many families relocated to the southern side of Chicago at Hyde Park. At the time, Hyde Park was considered a key example of an integrated neighborhood. Several organizations rose out of the Hyde Park Community to focus on racial integration and housing development. However, a fear of white flight and crime guided Hyde Park to Urban Renewal. Investigating the stories of citizens, organizations, and political leaders shows that the condition of Hyde Park deteriorated mainly because of lack of funds. A sweeping narrative then ensued of slums and crime. Through the South East Chicago Commission (SECC), a collection of citizens and the University of Chicago began lobbying for the Chicago Land Clearance Commission to declare areas blighted. Once successful, the University of Chicago Chancellor, Lawrence Kimpton, used income level as an "effective screening tool" and as a means of "cutting down the number of Negroes residing in the area". By 1958, the SECC gained the support of the city to pursue one of the largest urban renewal projects of its time. Through a multiphase redevelopment, over 6,000 units were marked for demolition and 4,000 families displaced. The redevelopment plan only included the construction of 2,100 homes, and displaced families were not guaranteed priority for them. Hyde Park stands as a unique example of urban renewal because a majority of families displaced were white. Whether this was done intentionally to avoid perceptions of racial discrimination or because the University prioritized white involvement, Hyde Park became an example of the complex hierarchy and history of the downward spiral of urban renewal [4].



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ENGLEWOOD

While a less known example of eminent domain, another significant case occurred in the neighborhood of Englewood. Englewood, located in the Near South Side of Chicago, was a 96% black neighborhood in the 1970s riddled with poverty. It wasn't always like this, however, as in 1940 Englewood was a predominantly white neighborhood with a mere 2% of its population cited as black [5]. In the 1940s, Englewood was a haven for white families, and the attitude towards non-white neighbors was nothing short of hostile. In 1949, a particularly horrifying race riot occurred against those who recently moved into the house on South Peoria Street. Aaron and Louise Bindman moved in with their friends Gussie and Bill Sennett to the Englewood house, as it was one of the few neighborhoods available to poor, white families. How was it that two white couples would cause a race riot? Aaron Bindman invited African Americans, who were part of the same union as him, to his house for an informal union meeting. The surrounding neighbors witnessed the black union members arriving at the Bindman and Sennett's house and falsely assumed they were moving into the house. What followed was a four day riot outside the South Peoria Street house, where neighbors protested against the presence of blacks in their neighborhood, even though it was the Bindmans and Sennetts who lived in the house. The two couples barricaded themselves in the house and called the police, but when the police arrived they failed to arrest or even stop the rioters. It is perplexing to say the least when, looking at Englewood in the 1940s and now, even though Englewood is now predominantly a black neighborhood there is still the animosity towards the black population, where they are herded into poorer neighborhoods.





While these examples have occurred more than 50 years ago, little has changed to the process of eminent domain since that period. Just compensation is still determined by the market value of the property and neglects non-monetary value. Furthermore, while there is less of a correlation between race and the eminent domain today, the effects of mass government eviction in the past continue to be felt today. Minority communities were forced into worse housing circumstances in underfunded areas, and that geographic segregation is still apparent in cities across the US. Furthermore, the situation has led to the experience of gentrification we see today. By displacing minority communities into underfunded areas, those with wealth were not only able to take the more valuable property, but also made it easier to condemn structures. As mentioned earlier, the use of eminent domain is not inherently flawed, but it is not without severe issues that must be addressed. There is a lack of accountability and in far too many instances this lack of accountability leads to financial and emotional suffering for the members of the public.

SOURCES

[1] <http://www.encyclopedia.chicagohistory.org/pages/2461.html>

[2] <http://www.encyclopedia.chicagohistory.org/pages/2461.html>

[3] [Hirsch, Arnold R. 1983. Making the second ghetto: race and housing in Chicago, 1940-1960. Cambridge \[Cambridgeshire\]: Cambridge University Press.](#)

[4] [Ibid.](#)

[5] <http://www.encyclopedia.chicagohistory.org/pages/426.htm>



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