

The Persistence of Political Segregation: Racial Underbounding in North Carolina

by

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Racial residential segregation remains a fact of life in the South. While there is less racial residential segregation in southern metropolitan areas than there is across the rest of the nation, we know little about racial segregation or its consequences in small towns across the South. This paper examines racial residential segregation in small North Carolina towns, focusing in particular on political exclusion as a form of segregation.

Political exclusion, or “underbounding” as Aiken (1987) labeled it, occurs when African American neighborhoods are kept just outside of a town’s boundaries, resulting in lower levels of services, reduced access to infrastructure, and limited or no political voice in land-use and permitting decisions. African American communities are systematically excluded from towns by administrative decisions made by elected and appointed officials and the gerrymandered exclusion of African Americans residents from small towns of the South.

Considerable attention was given to southern towns during the civil rights and voting rights drives in the 1960s. Since then, little attention has been paid to racial segregation in small southern towns by journalists or social scientists, and institutionalized segregation has taken new forms. While overt discrimination is less common in towns across the south, local institutions, such as public schools, have re-segregated (Orfield 2001). And in spite of increased numbers of African Americans elected to local councils and commissions, the real political power in most southern towns still resides with the local white elite, whose political, governmental and commercial interests inevitably intersect, and whose commercial interests override public interests (Johnson et al. 2003). Both the relative isolation of such towns and the mundane nature of institutionalized regulatory segregation have largely kept the discriminatory practices and results from the public eye.

This paper describes underbounding in several North Carolina towns, using public Geographic Information Systems (GIS) data. The maps showing underbounding are a snapshot of the existing situation; they tell us nothing about the processes that resulted in exclusion or more inclusive spatial arrangement. Considerable empirical work remains to identify causes and consequences, but the process of annexation in North Carolina appears to be a central factor leading to racial exclusion.

Previous Research

Research on racial residential segregation in American cities has a long and distinguished position in the social sciences (e.g. Jahn et al. 1947; Duncan and Duncan 1955; White 1986, Massey and Denton 1993). While segregation of African Americans appears to have declined modestly nationally (Logan et al. 2004; Iceland and Weinberg 2002; Glaeser and Vigdor 2001),

hypersegregation of African Americans marks many metropolitan areas, notably in the North and Midwest (Wilkes and Iceland 2004). There is an extensive research literature on causes and consequences of the segregation and isolation of African Americans in central cities (e.g. Goldsmith and Blakely 1992; Massey and Denton, 1993; Oliver and Shapiro, 1995; Wilson 1990, 1996) and on policies aimed at addressing these problems (e.g. White and Shy 2002). Causes of segregation and isolation of African Americans and other minorities in central cities include: *de jure* racial residential segregation from the early 1900s (Massey and Denton, 1993); race-restrictive covenants (Ford and Griffin, 1979); racial steering on the part of real estate agents in private housing markets, and on the part of governmental officials in public housing, restricting Blacks to certain (usually aging and deteriorating) parts of cities (Galster and Godfrey, 2003; Foster et al. 2002); redlining of racially-transitioning areas within cities by financial institutions (Goering and Wienk, 1996; Oliver and Shapiro, 1995; Squires, 1997); and exclusionary and expulsive zoning ordinances — laws and regulations instituted to control the social and economic composition of neighborhoods, used most often in suburban jurisdictions (Thomas and Ritzdorf, 1997; Rabin, 1989). These techniques have been used historically and contemporaneously to create and maintain segregated housing patterns and have contributed to the increasing concentration of poverty, and to the growth of an underclass in U.S. cities (Massey and Denton 1993).

Segregation in and around southern towns differs from the metropolitan patterns in four primary ways. First, owing to differences in scale, the potential exists for greater interracial exposure and interaction in small southern towns than in U.S. central cities. Second, residential segregation in small towns is fragmented (see Figures 1 and 2). Third, the historic land ownership patterns of freed slaves and the settlement patterns of rural black migrants during the 1960s and 1970s resulted in high concentrations of blacks located just outside the borders of towns as well as segregated within towns (Cromartie and Beale 1994). This concentration of African Americans around the periphery of southern towns is an alternative form of social and economic isolation (Aiken 1985; 1987; 1990). Fourth, political boundaries continue to be drawn to exclude African American neighborhoods.

The history of the manipulation of town boundaries to exclude and isolate African Americans is better known among legal scholars than by social scientists or the public. For example, in the mid-1950s, Tuskegee, Alabama, redrew its town boundaries to remove black neighborhoods, an action reversed in 1960 by the Supreme Court in *Gomillion v. Lightfoot*. Annexation dilutes the African American vote within a town if only white areas are annexed, a process recognized in Section 5 of the

Voting Rights Act. Clearance for annexation is required across much of the South (www.usdoj.gov/crt/voting/sec_5/about.htm), though enforcement of this provision is, at best, occasional. Aiken (1987) examines the legal aspects of underbounding in the Yazoo Delta. However, there is no more recent empirical research on the effects of municipal annexations on segregation.

In North Carolina, exclusionary segregation results in part from the state's annexation laws and planning practices. These laws give towns the discretion to annex only properties with high tax values, even non-contiguous properties, resulting in discontinuous boundaries that skip over poor and Black neighborhoods (Joyner and Parnell 2003). Whether the unintentional outcome of fiscally driven annexation processes or the intentional result of institutionalized actions by local governments, Blacks are excluded from towns and the associated political and material benefits. One case study documents in detail the processes and consequences of institutionalized exclusion (Parnell et al. 2003). Vestiges of Jim Crow are a part of daily life and racial discrimination is embedded in the seemingly ordinary planning actions of small southern towns (Johnson et al. 2003). The processes vary state-to-state, but the resulting racial gerrymandering is the same.¹

Geographic Information Systems and Data

Geographic Information Systems (GIS) is a system of hardware and software used for storage, retrieval, mapping, and analysis of geographic data. GIS is a powerful tool to examine patterns of racial disparities in the drawing of city boundaries and zoning districts, provision of city services such as water and sewer, and selective application of zoning regulations in cities and counties across North Carolina. Public GIS data from local planning departments, state agencies, the U.S. Census and other sources has reached a level of coverage that allows detailed examination of spatial patterns of discrimination in most North Carolina communities.

The data for this analysis are from multiple sources. First, racial data and some boundary files are from Census 2000. Most city boundaries are from local government planning and tax assessment offices, as are most sewer and water lines and streets.

One key political jurisdiction that we examine is Extraterritorial Jurisdiction (ETJ). ETJ was created as an area outside of a town's boundaries over which the town has complete land-use, permitting and zoning control. The rationale for an ETJ is that it is a mechanism for rational planning

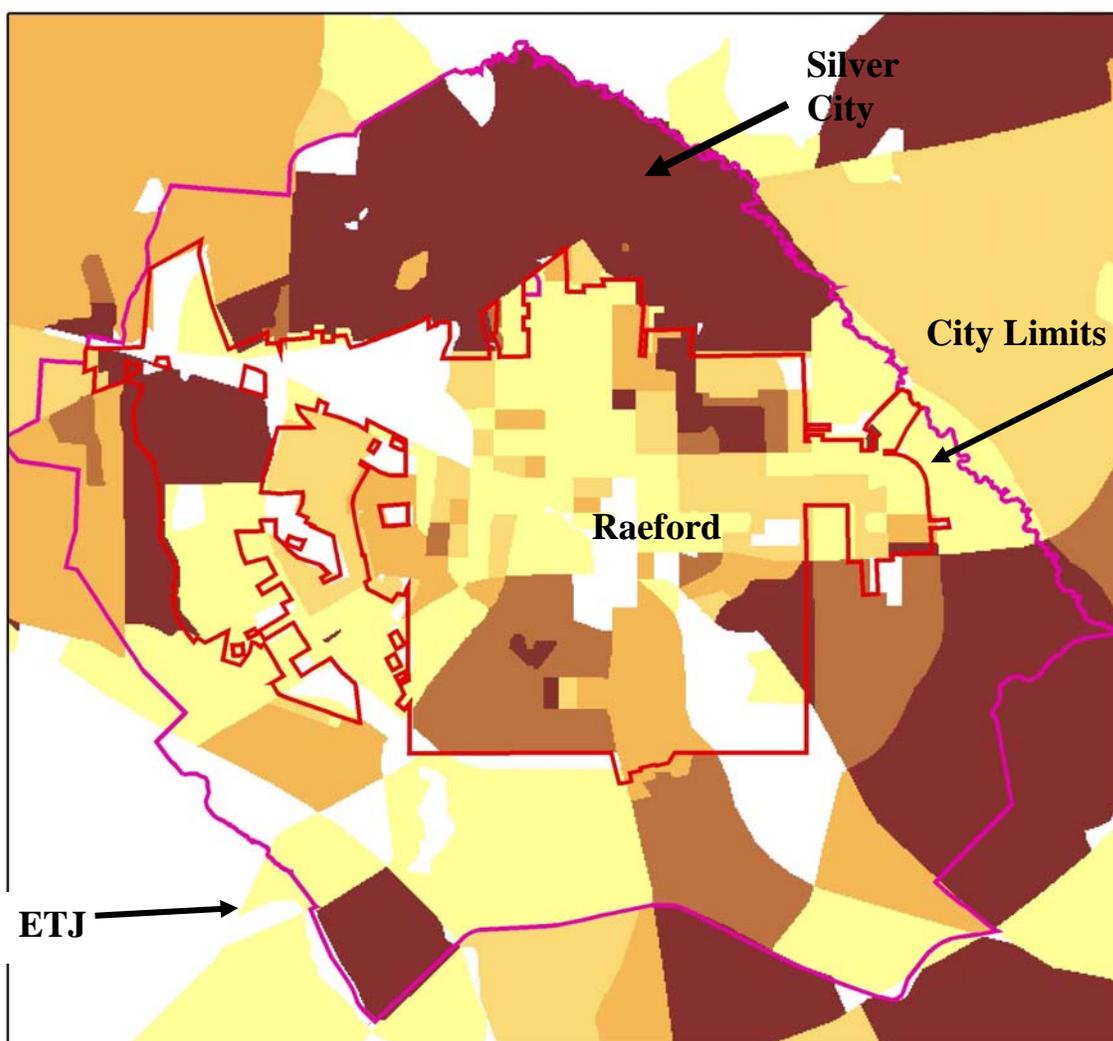
¹ For example, Aiken (1990) documents the use of HUD money to building housing projects outside of towns in Mississippi. A second example is Charlottesville, VA., where a majority of the public school students are black. The city is paid annually by the surrounding Albemarle County, where there are relatively few blacks in the public schools, not to annex any properties.

for growth. Residents of an ETJ have no elected representative in the town government that makes decisions regarding their property. Further, there is no mechanism that limits the duration that an area can stay within an ETJ before annexation occurs, allowing some towns to keep “less desirable” neighborhoods in their ETJ in potential perpetuity.

Examples of Racial Underbounding

The maps in this paper illustrate patterns of racial residential segregation in small cities and towns that we have found across the North Carolina.² Map 1 shows Raeford, N.C. and the surrounding area.

Map 1: Raeford, Hoke County, N.C.



The red line shows the city limits, and the purple line shows the boundary of Raeford’s Extraterritorial

² Each form of segregation (e.g. underbounding) is not found in every place, but racial residential segregation is present in all North Carolina towns with minority populations.

Jurisdiction. Of the 3,386 town residents in Census 2000, 1,786 are white (53%), 1,386 (41%) are African American, and the balance are of other more than one racial back grounds. However, the racial composition of the ETJ is overwhelmingly (74%) African American. Outside the northern border of Raeford is a concentration of African Americans in an unincorporated town called Silver City. Silver City is recognized as a Census Designated Place (CDP). CDPs are defined by the Census Bureau as, “closely settled, named, unincorporated communities that generally contain a mixture of residential, commercial, and retail areas similar to those found in incorporated places of similar sizes.”³ In 2000, the population of Silver City was 1,146, of which 1,080 (94%) were African Americans and 39 (3%) were white. Silver City is a town in all ways except legally. Because it is in Raeford’s ETJ, residents of Silver City must obtain building permits and all other land-use permits from the Raeford government, but the Silver City residents cannot vote in Raeford elections. If Silver City were to be merged with Raeford, African Americans would comprise 54% of the population and would be in a position to have majority political control.

Map 2 shows Mebane, N.C, and the surrounding area.⁴ The African American communities of West End, White Level, and Buckhorn/Perry Hill have been deliberately excluded from Mebane (Johnson et al. 2003; Parnell et al. 2003). West End and White Level border Mebane. Neither have sewer, though West End sits next to the sewerage treatment plant, and the sludge trucks from the plant ran through West End until several years ago. Residents of White Level requested annexation in 1997 because of problems with their septic tanks, but the town took no action. Human fecal bacteria attributed to failing septic systems have been found in all three neighborhoods (West End Revitalization Association 2003). Both White Level and West End are in Mebane’s ETJ, as shown in Figure 2. A small part of Buckhorn/Perry Hill is in Mebane’s ETJ, and this area was rezoned from residential to manufacturing with no input from the residents. Note Mebane’s use of satellite annexation for expansion. Joyner and Parnell (2003) documents the processes and consequences of institutionalized exclusion in Mebane in greater detail.

³ Complete information can be found at <http://www.census.gov/geo/www/psapage.html#CDP>.

⁴ Mebane is the first place we mapped underbounding. This pattern was identified by Omega Wilson, President of the West End Revitalization Association, a CDC fighting for equitable resources for the communities and to block a proposed bypass that affects both West End and White Level.

Map 2: Mebane, Alamance and Orange Counties, N.C.

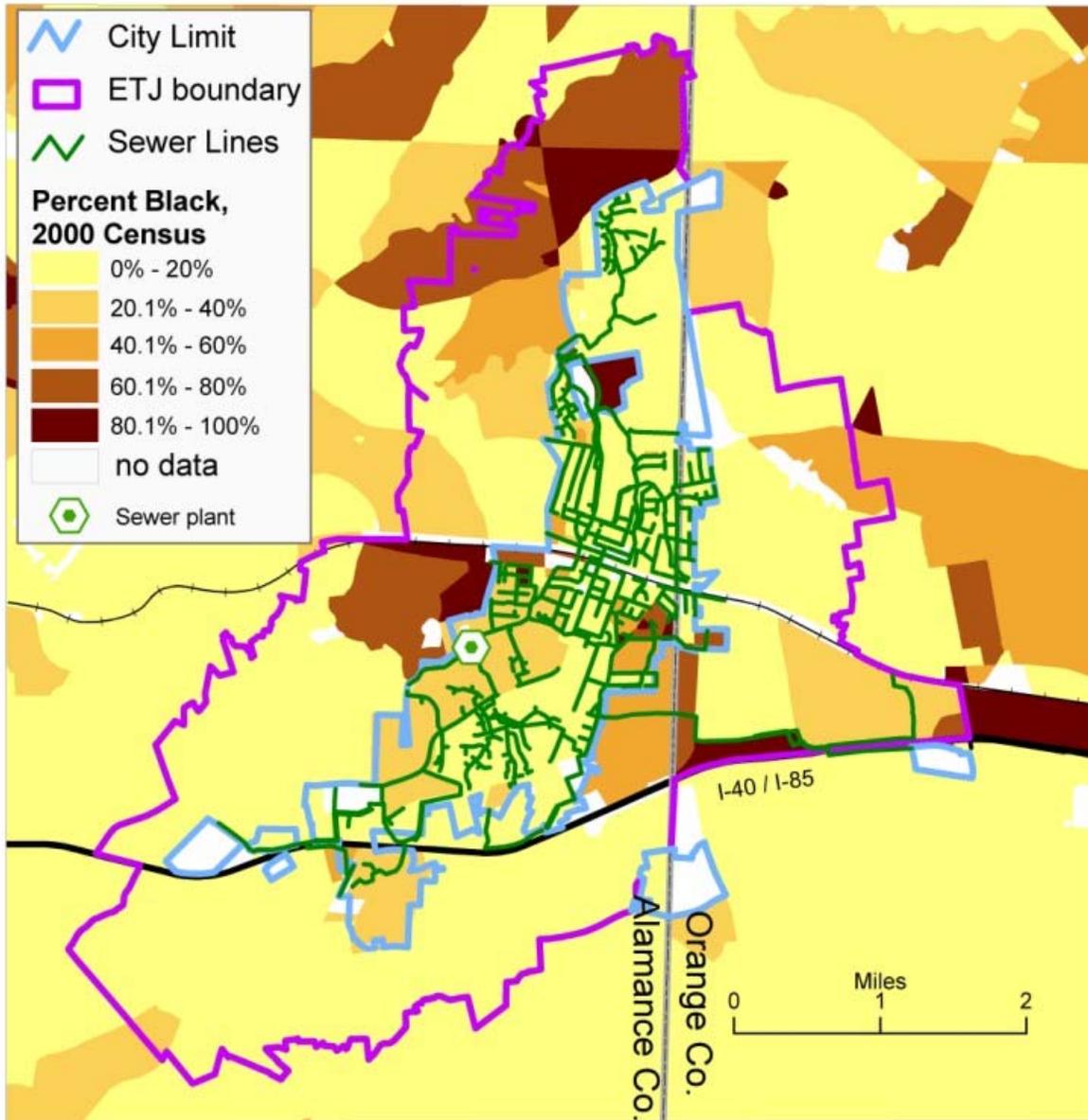
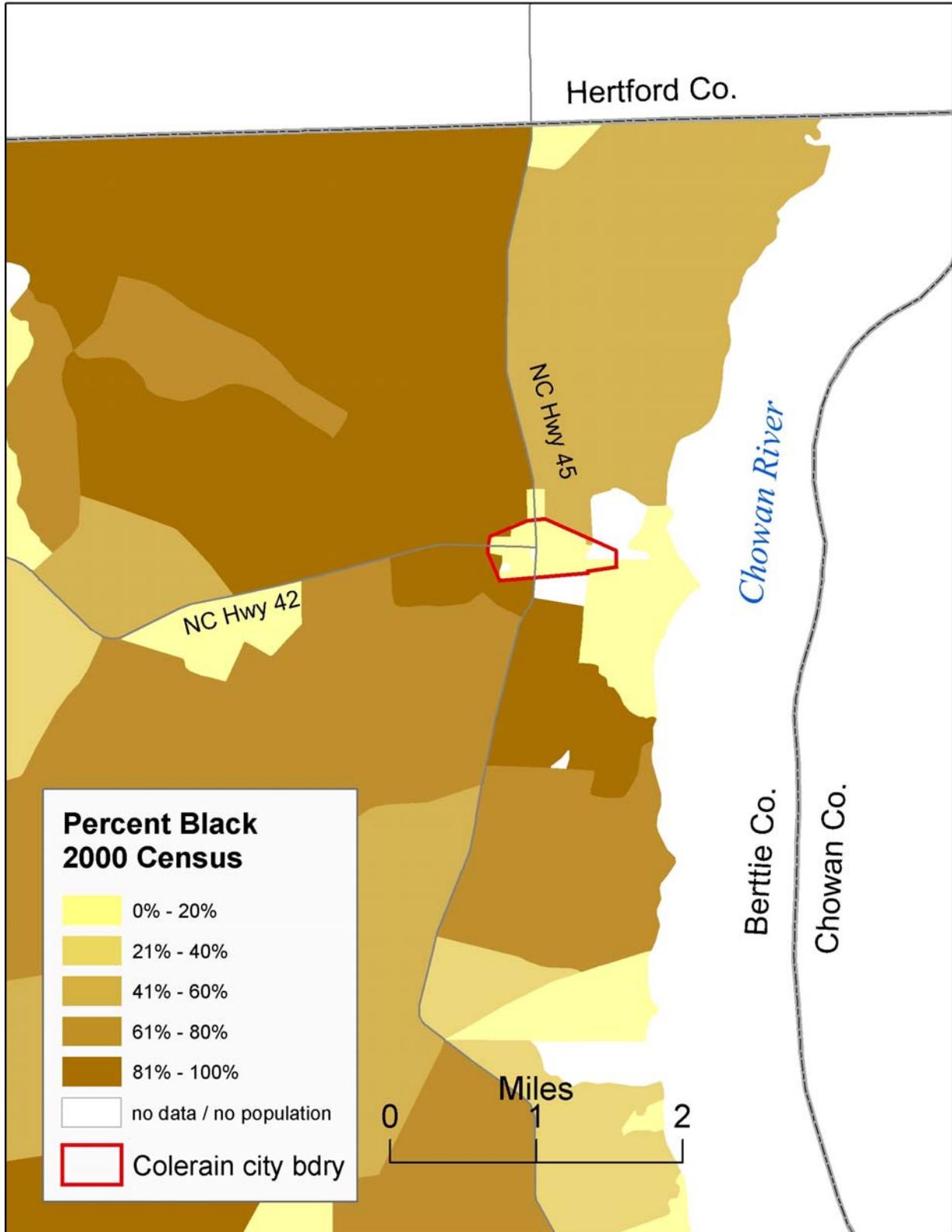


Figure 2 (below): Mebane, NC (Orange and Alamance Counties). Illustrates concentration of Black neighborhoods outside of city limits and within extra-territorial jurisdiction; withholding of sewer service from Black neighborhoods (note sewer plant adjacent to unserved Black communities); multiple satellite annexations of commercial tracts (blue boxes along interstate). *City limits, ETJ, sewer lines from Triangle J Council of Government GIS files; demography from 2000 Census; transportation lines from ESRI Corp.*

Colerain, a small farming and fishing town in Bertie County, is shown in Map 3.

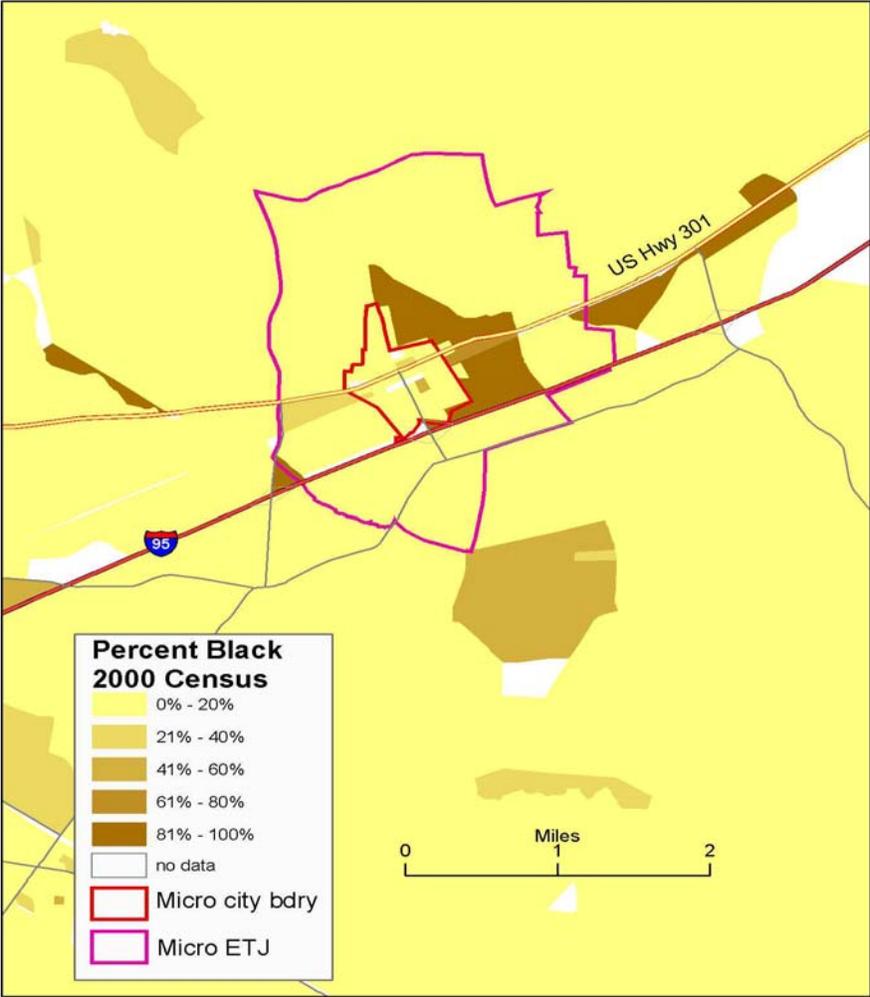
Map 3: Colerain, Bertie County, N.C.



This town is a white enclave (93%) in a predominantly African American county (63%). The census blocks bordering Colerain are overwhelmingly African American (79%), and if the small, all-white waterfront subdivision along the bluffs of the Chowan River is excluded, almost entirely African American.

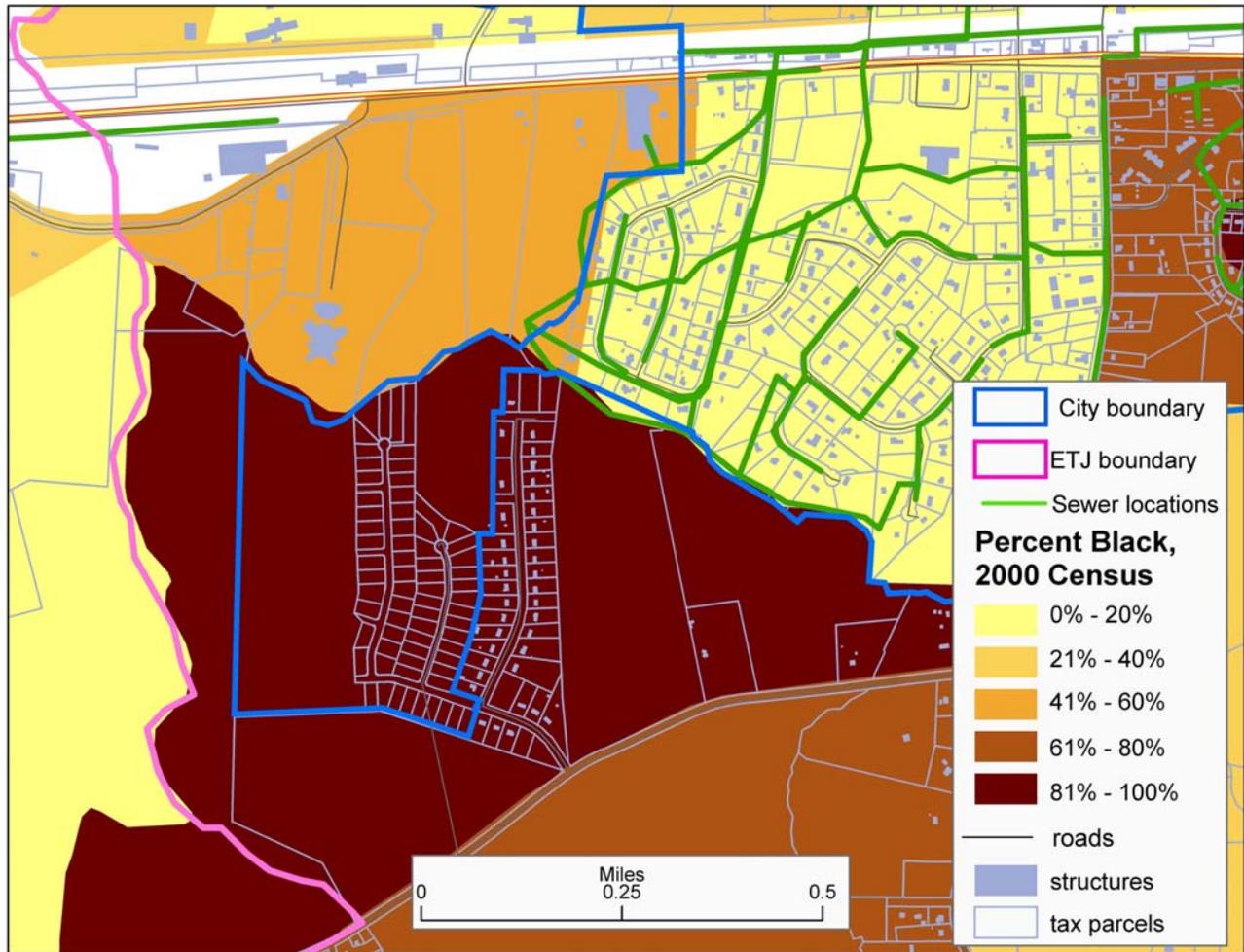
Micro, shown in Map 4, is a small town in Johnston County. This town of 454 has only 35 African American residents, but the area on the eastern border of the town is almost completely African American. Note that the excluded African Americans are within Micro's ETJ.

Map 4, Micro, Johnston County, N.C.



Map 5, Wingate, North Carolina, shows a newly-annexed area in a census block that was over 95% African American in 2000. By adding the parcel boundaries from the county property tax GIS files and the building footprints from the county planning department, one can see that the annexation is of a new subdivision. None of properties with existing houses occupied by African Americans were annexed. Union County has become a suburb of Charlotte and has the highest growth rate in the state,

Map 5: Wingate,NC

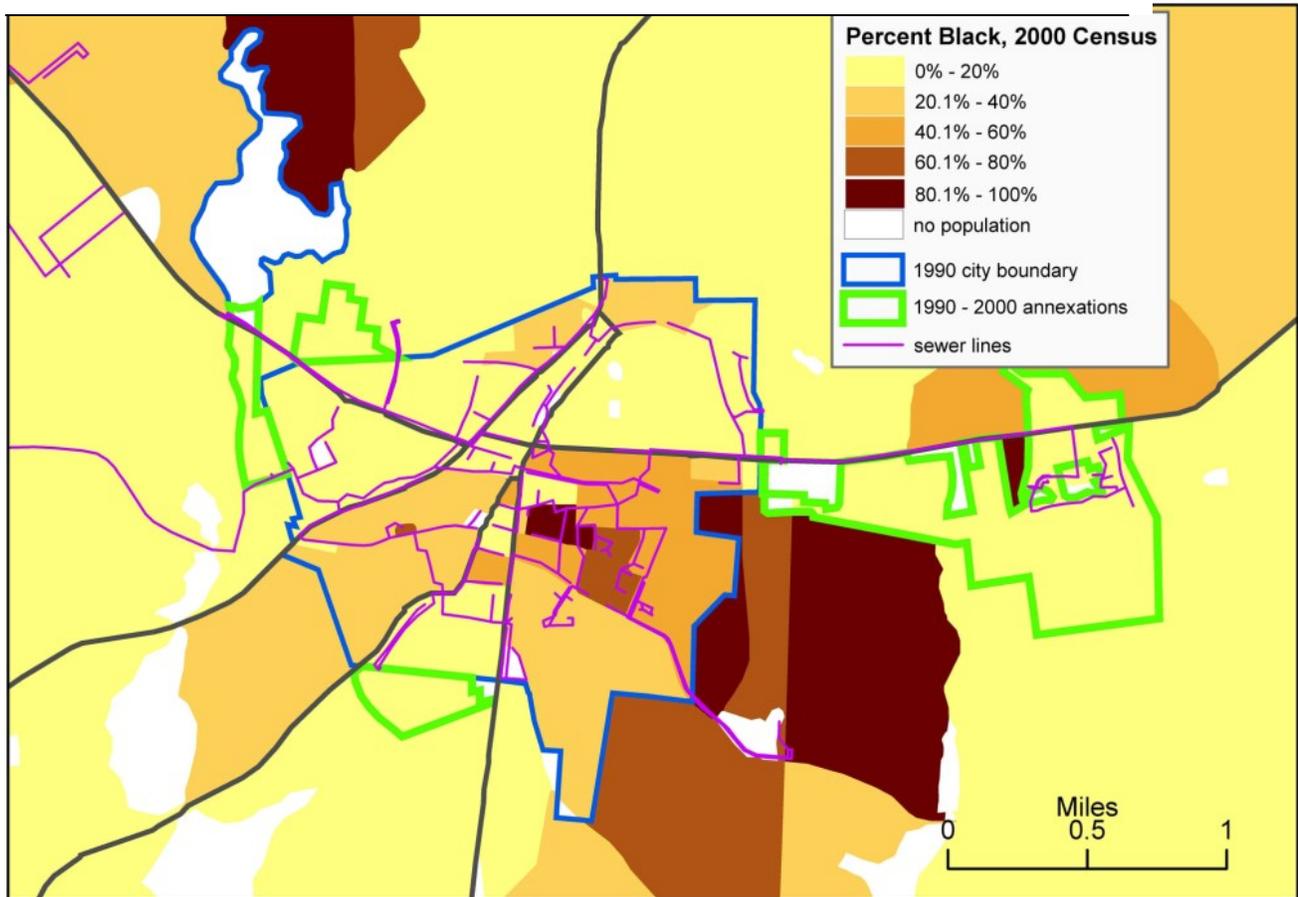


along with the highest median family income for whites (Census 2000 SF3). The white population in this county grew by more than 50,000 during the 1990s, while the African American population grew by less than 2,000. One finding in the 1987 Pleasant Grove case was, “plans for relatively expensive housing there [which] indicated that it was likely to be developed for use by white persons only” (*City of Pleasant Grove v. United States*, 479 U.S. 462 (1987)).

Map 6 shows the 1990 and 2000 boundaries of Creedmoor, North Carolina with its racial composition. The 1990 boundary (blue line) excludes the African American residents on the western

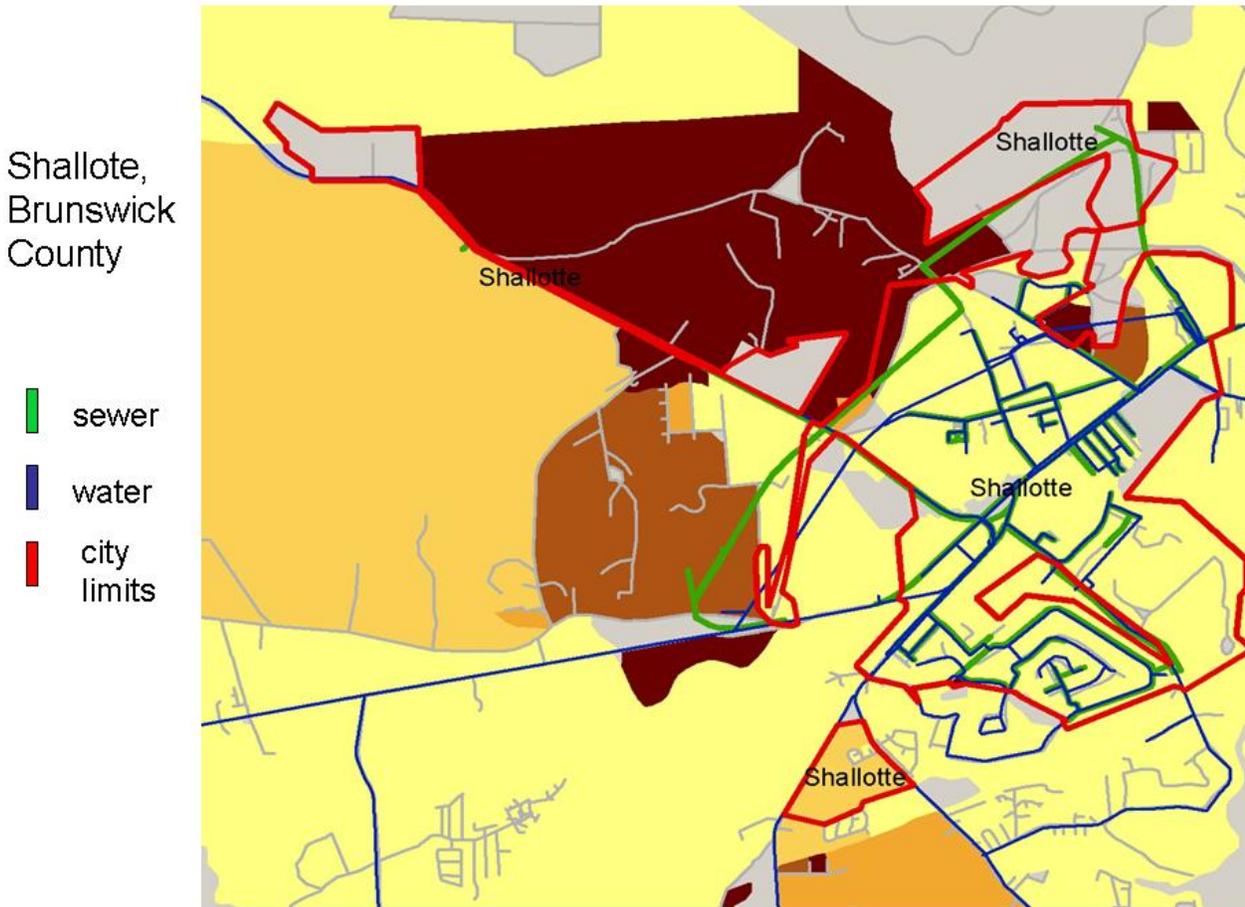
and southwestern sides of the town. Creedmoor annexed considerable area between 1990 and 2000. None of the annexations on the western side of town include any of the large African neighborhood excluded by the 1990 boundary, and the new boundaries specifically goes around another African American neighborhood.

Map 6: Creedmoor, NC



Shalotte, in Brunswick County, has an unusually complex city limit, with a satellite annexation, balloon annexations to commercial areas and a clear pattern of racial exclusion (Map 7). On three different borders, African American neighborhoods are just outside of the town limits. One balloon annexation runs along a road on the border of an African American neighborhood, but the residents are not included.

Map 7: Shallotte, N.C.



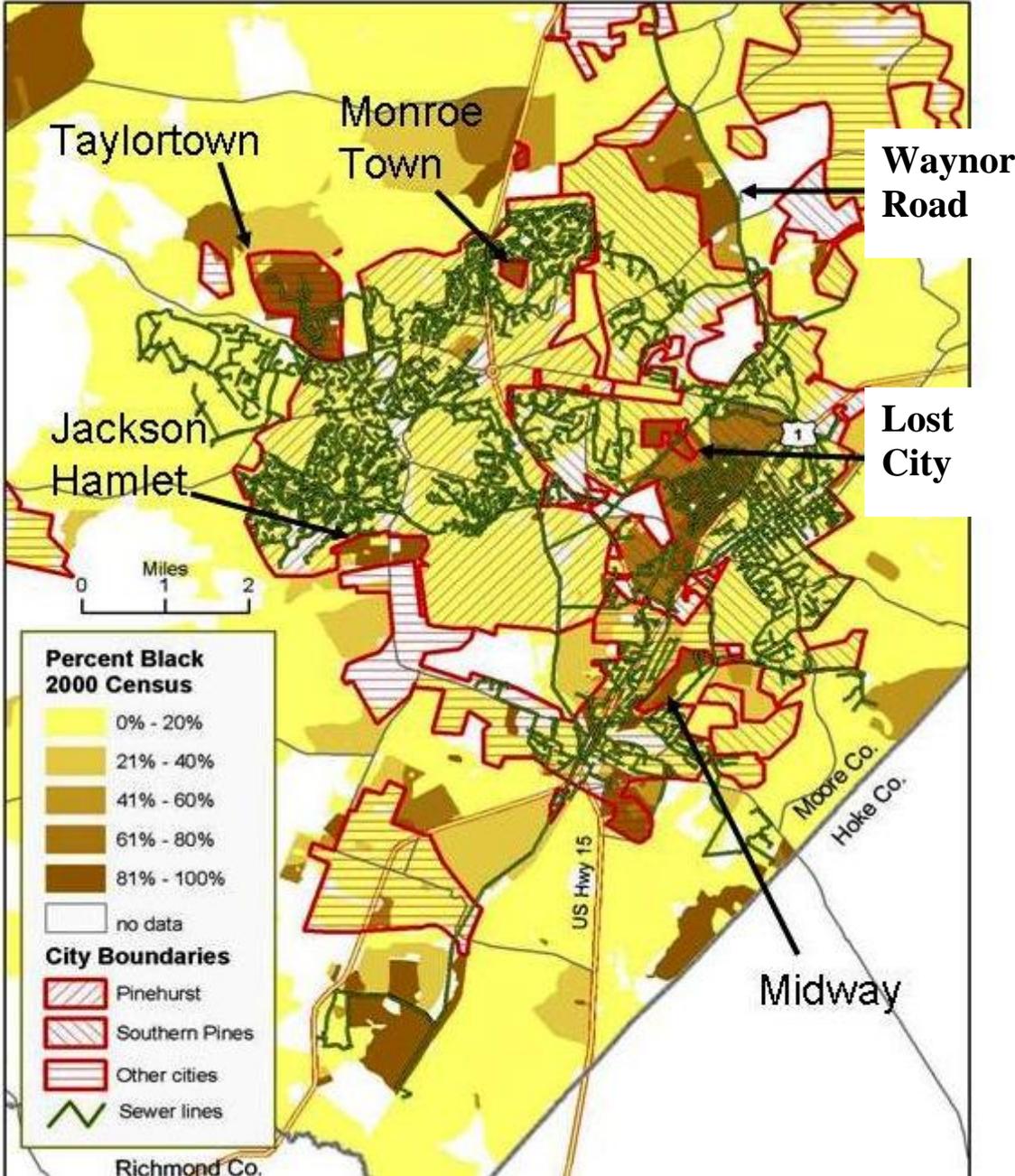
Case Study: Southern Moore County

This section examines in detail a pattern of underbouding in southern Moore County, in and around the towns of Pinehurst, Southern Pines and Aberdeen. This area is shown in Map 8.

The situation in southern Moore County is a good illustration of the ways that residential segregation in small southern towns differs from the urban pattern that has received so much attention. Urban segregation is a concentration of African Americans in central cities, with exclusionary zoning and other mechanisms in surrounding suburbs making movement out of the central city difficult. In the towns of the South, the African American population is much more spatially fragmented, with large and small communities within and outside of towns. There clearly are concentrations of African Americans in towns, notably – in this situation in Moore County – in west Southern Pines. These differences come from the very different settlement histories, the urban pattern resulting from migration in the early and mid-twentieth century and the rural and small town pattern rooted in the

settlements following slavery and subsequent opportunities in rail yards, factories and other sources of employment.

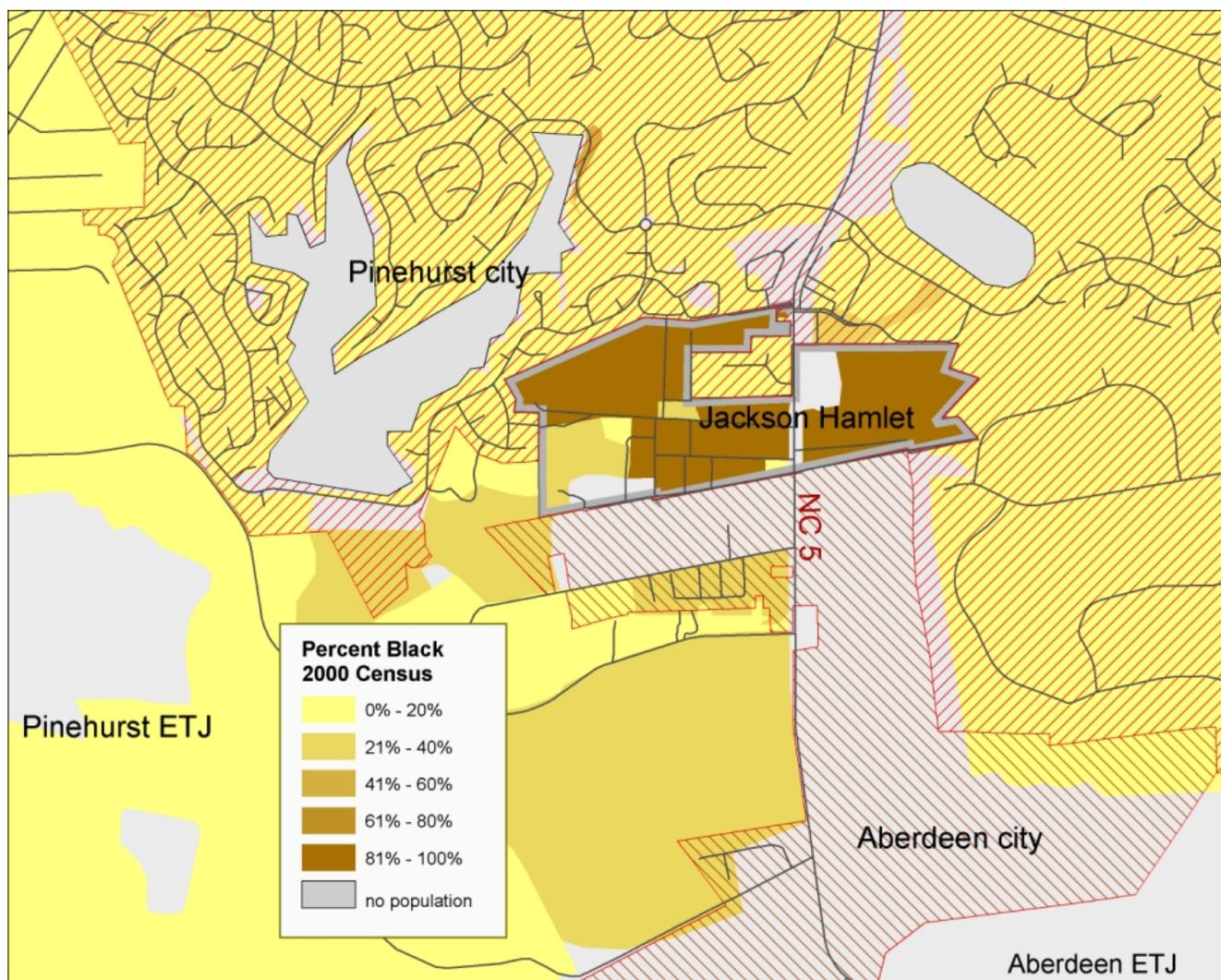
Map 5: Southern Moore County, N.C.
African American neighborhoods with which we are working
in partnership with the UNC Center for Civil Rights



Underbunding—the exclusion of African American neighborhoods from towns — is clearly seen in all of the figures of southern Moore County. Map 8 identifies five excluded neighborhoods:

Jackson Hamlet, Monroe Town, Waynor Road, Lost City and Midway. Taylortown is a predominantly African American town bordering Pinehurst that incorporated in 1987. All of the other neighborhoods are in an ETJ of the various towns. Pinehurst excludes two neighborhoods: Jackson Hamlet and Monroe Town. Jackson Hamlet is the larger of the two neighborhoods, with approximately 250 residents. It is shown in Map 9. The neighborhood contains many small houses on small lots and three churches. The sewer lines stop at the border of Jackson Hamlet, though water lines have been in place since the late 1990s as a result of a Community Development Block Grant to Moore County. There is a white enclave, Abingdon Square Condominiums, in the middle of Jackson

Map 6: Jackson Hamlet, Moore County, N.C.



Hamlet, and it has been annexed by Pinehurst and benefits from complete city services. Monroe Town is totally surrounded by Pinehurst, and borders Pinehurst No. 6 Golf Course.

In a *Fayetteville Observer* story by Julie Oliver, the head of the Pinehurst No. 6 homeowners association said that he didn't even know Monroe Town was there. We have been told that Monroe Town has sewer lines, but this is not shown in the GIS files obtained from Moore County in July, 2004, and there are no manhole covers in the street. Both of these neighborhoods are in the extraterritorial jurisdiction of Pinehurst, so the residents must obtain permission for all changes in land-use (such as subdivision) and all building permits from a government where they have no representation and no vote.

The Waynor Road neighborhood is located across Highway 22 from the Moore County Airport, and is bordered by Southern Pines and a satellite annexation of Carthage. Southern Pines has satellite annexations of three parcels on the same side of Highway 22 as Waynor Road, but none of the African American neighborhood has been annexed. This neighborhood has neither water nor sewer. The residents petitioned Southern Pines for annexation in order to get water and sewer. Their request was denied. Waynor Road is in Southern Pines' ETJ.

Lost City is surrounded by Southern Pines. The residents are all African American, but there are relatively few people living there. They have water but not sewer service. Lost City borders African American neighborhoods in Southern Pines, and those residents have complained that Lost City is used as a dump by contractors and others. Citizens have organized clean-ups of Lost City, but the dumping resumes when no one is watching. No one watches because Lost City is not patrolled by Southern Pines police. The Moore County Sheriff's Department is responsible for patrolling Lost City, but access is through Southern Pines. Kyle Sonnenberg, former City Manager of Southern Pines, attributed part of the problem to the absentee ownership of much of Lost City. According to the Mr. Sonnenberg, Lost City property owners were not interested in being annexed, and the town would not involuntarily annex the area.

The Midway Community is bordered by Aberdeen. The residents recently received public water services, but most residents do not have sewer. Midway falls under Aberdeen's ETJ. Representatives of the community and the town recently met to examine options concerning annexation and infrastructure. Additional concerns for Midway residents dependent on public well water are the two priority superfund sites – both pesticide dumps – within a mile of the community.

Discussion

The history of every municipality is idiosyncratic, and these histories are often cited as reasons

for not annexing minority neighborhoods. However, the widespread pattern of racial exclusion shown in these examples – as well as in numerous cases from Cleveland County to Brunswick County – are evidence of a widespread process resulting in racial exclusion. One major factor is this process is the practice of annexation in North Carolina.

In North Carolina, exclusionary segregation results from the state's annexation and planning laws. These laws give towns the discretion to annex only properties with high tax values, even non-contiguous properties, which may result in a confusing maze of boundaries that jump over poor and Black neighborhoods to include wealthy new ones (Joyner and Parnell 2003). For each area to be involuntarily annexed, municipalities in North Carolina must provide all major municipal services performed within the municipality. Such services include police protection, fire protection, solid waste collection, and street maintenance services, and these must be extended to the area to be annexed on the date of annexation on substantially the same basis and in the same manner as such services are provided within the rest of the municipality prior to annexation (N.C. General Statute 160A-47). The extension of water and sewer lines must be completed within two years of the effective date of annexation. This requirement differs from voluntary annexations – the case with most new neighborhoods, which are usually provided services by the developers, who build the cost of the services into the price of the properties.⁵

While this requirement for provision of services appears to be equitable, it acts as a disincentive to annex older areas without city services, as is frequently the case with African American neighborhoods on the borders of towns. Residents of older neighborhoods are left to finance such improvements themselves if they are to be provided prior to annexation, or to rely on the municipality to pay for the services. A state law requires a statement showing how the proposed annexation will affect the city's finances and services, including estimates of city revenue changes. Thus the cost of annexation of these minority neighborhoods is made explicit to the municipality – a cost that is in direct opposition to current policies of town planners and town governments to maximize revenue, since most minority communities consist of lower-value housing⁶ and few commercial establishments. The rule-of-thumb adopted by most municipalities has been stated as the “cost of providing municipal

⁵ “Costs of Investment, Edmonton’s Urban Land Intensification Strategy,” Audit Report V Urban Planning Approaches, Edmonton, Canada, November 22, 2001.

<http://www.edmonton.ca/infraplan/smartchoices/audit/Final%20Report%205.pdf>

⁶ 2000 U.S. Census: median value owner-occupied housing white alone: \$122,800; African American alone: \$80,600.

services [should] not be outweighed by the revenues anticipated from the annexation.” This rationale, together with the provision that that a wealthier area would be “more desirable ... because of their [sic] profitability” and that the excluded minority population “would place a strain on city services that would be too great for the city to absorb, and that unlike the [white] area annexed ... would not generate enough revenue to cover the cost of extending services thereto,” was explicitly accepted by the Department of Justice in 1997 when reviewing annexation applications – as long as the rationale is claimed as the primary consideration in annexation, and not deviated from.⁷

Annexation laws and practices in North Carolina are under great scrutiny, but the attention is on municipal powers of involuntary annexation. Cary and Fayetteville and other municipalities have recently annexed areas to increase their tax bases and to increase the use of sewerage and other existing investments. No attention is given to the areas never even considered for annexation. This paper documents the resulting racial inequality that results.

The essence of the argument was made fifty years ago in *Brown v. Board of Education* is that segregation in and of itself damages African Americans by institutionalizing a subordinate position in American life. Our research in North Carolina shows that racial residential segregation in medium and small towns outside of urban centers institutionalizes subordinate positions for African Americans by diminishing or denying their political status in local affairs, by limiting their access to public services, and by reducing the value of their property. This institutionalization has taken place in local planning boards and town councils, as they shape the local social and political ecology. Whether unintentional as the boards and councils focus entirely on the fiscal aspects of annexation or intentional and cynical manipulation of these annexation laws and practices, the institutionalized subordination of African American citizens continues.

⁷ Letter from Isabelle Katz Pinzler, Acting Assistant Attorney General, Civil Rights Division, Office of the Assistant Attorney General, U.S. Department of Justice, Washington, D.C. 20035 March 17, 1997

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