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Subject: [EXTERNAL] - Unearthing racial covenants on the North Shore

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Unearthing racial covenants on the North Shore

January 16, 2024

By **JENNIFER SMITH**

Not many people take the time to dig through a century of property records on a house or parcel of land, but an ugly history might be buried there.

A property deed in Lynnfield states the “premises shall not be conveyed to or be occupied by any person not of the Caucasian race.” In Beverly, a deed would not permit “colored persons” to own or live on a parcel.

These deeds and hundreds of others were identified through a collaboration between The North Shore NAACP and Beverly-based affordable housing nonprofit Harborlight Homes. The groups scoured property records for racial covenants – now unenforceable provisions in property records which barred people of color and sometimes poor European immigrants from owning or occupying land.

Across 10 North Shore communities, their project unearthed about 560 racially restrictive covenants, part of a patchwork of discriminatory laws that still inform Massachusetts housing policy and contribute to generations of racial wealth inequality.

“Knowledge is not only power, but it could be a uniter,” North Shore NAACP president Kenann McKenzie-DeFranza said on [The Codcast](#), “And demystifying how we have come about as communities helps us to know how we might move forward as communities.”

The [Dirty Deeds Project](#) sought to challenge the notion that racial segregation through property law was accidental, McKenzie-DeFranza said.

“So the objective isn't necessarily about unearthing shameful information for the sake of creating tensions,” she said. “It's to say we have a common starting point by which we understand how we have evolved as a community. And real estate in particular is perhaps one of the sources of wealth in our communities. Therefore, considering how being able to manufacture ways to keep people away from ways to gain wealth, equity, property and ownership helps us to better understand how some groups became more privileged in their access than others.”

The Codcast



North Shore NAACP branch president **KENANN MCKENZIE-DEFranza** and Harborlight Homes advocacy and education manager **JEAN MICHAEL FANA** join Commonwealth Beacon's **JENNIFER SMITH** to discuss hundreds of racially restrictive covenants found in home deeds on the North Shore.

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Finding the covenants involved peeling back decades of property records, which may be public but are hardly straightforward to decode, said Jean Michael Fana, the advocacy and education manager for Harborlight Homes.

An individual looking to go through records will quickly find that “property lines aren't really as static as we might think they are,” Fana said on The Codcast. Properties split and combine over the years, creating branching chains of deeds, one of which may have a racial covenant buried within it.

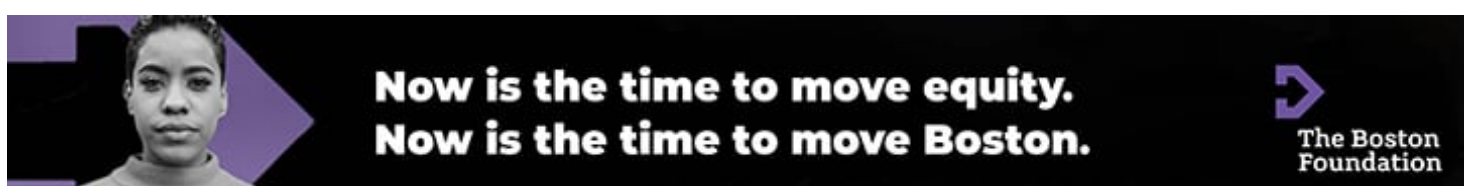
The University of Minnesota libraries developed a program called Mapping Prejudice, which can read through documents and search for common words and phrases that indicate racial covenants. Fana said the Dirty Deeds Project used that program on the North Shore to identify the language, after which volunteers verified each deed by hand.

If anything, the 500-plus deed estimate might be low, Fana said. Not all property records or chains of title have been digitized, and similar [projects](#) across the country have unearthed hundreds of racially restrictive covenants impacting tens of thousands of homes in certain cities.

Racial covenants are part of “a tapestry of policies” that “took away the choice of private individuals,” Fana said.

After courts upheld these covenants for about half a century – using private property contracts as a way to get around bars on racial segregation through state law – the US Supreme Court [ultimately struck down](#) racial covenants for violating the constitution’s equal protection clause. Though racial covenants began dropping off in the 1950s, Fana and McKenzie-DeFranza point to class-based proxies for race like red-lining or strong preference for one-family homes as part of the same legacy.

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“The mechanism may have changed, but the underlying motivation is still being served through other ways,” Fana said. “And that's why I reference that tapestry of policies because, yes, this thread was pulled, but not all the threads.”

When the covenants are revealed, homeowners and officials face a complicated choice – leave the racist language in place for the historical record or strike it out.

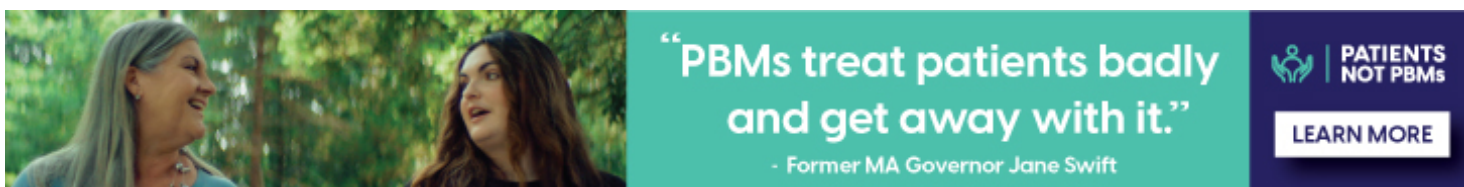
John O'Brien, who stepped down as Southern Essex register of deeds at the end of 2023 for health reasons, decided to include a note on deeds found to have restrictive covenants, which Fana said is “a very different decision” about how to use institutional power than generations of officials who propped up racial restrictions.

This project partnership could be a model for other Massachusetts housing and social justice projects, McKenzie-DeFranza said. It considers the history of community formation and Bay State [participation](#) in slave trading and discrimination, trying to “call in” people as partners in community healing rather than “call out” people for benefiting from policies they predated them.

“The objective is to say, this is something interesting about where you live and the property you own,” McKenzie-DeFranza said of homeowners just learning about their complicated deeds.

“Historically, it's valuable for us to know this, but if you feel like you're wanting to do something that might feel restorative to your family, here's a step you can take. That is a microcosmic act for what we are asking for collectively: If we can give people the tools and information to know how they might adjust something or how they might make a bigger social change because of what they know about ancestral behavior, we do it together.”

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- Former MA Governor Jane Swift

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More from CommonWealth Beacon

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GRUBHUB SETTLES: Grubhub [pays](#) \$3.5 million to settle restaurant overcharging claims during the pandemic.

OPINION: Elizabeth Hicks of the libertarian-leaning Consumer Choice Center [says](#) a generational ban on tobacco products is a bad idea.

In Other News

BEACON HILL

- Republican Sen. Bruce Tarr of Gloucester [is named](#) the leader of the Food System Caucus. (Eagle-Tribune)

MUNICIPAL MATTERS

- Lawrence Akers, a member of Springfield's police force for 38 years, this year will become the [first African-American leader](#) of the troubled department. (MassLive)
- Hull officials weigh a [revised proposal](#) for 132 apartments and commercial space by Nantasket Beach. (Patriot Ledger)
- The Worcester City Council will discuss [recent controversy](#) over access to homeless shelters for women and LGBTQ+ people. (Worcester Telegram)

HEALTH/HEALTH CARE

- Navigator Homes and Martha's Vineyard Hospital [finalized](#) an Edgartown real estate transaction last week, setting the stage for a project that will provide skilled nursing for seniors and workforce housing for employees. (Cape Cod Times)

NATIONAL/INTERNATIONAL

- A man who warned of nuclear disaster amid Russia's invasion of Ukraine was later tossed into a Russian prison, and now is "[living in exile](#)" in Boston, and working at MIT. (Wall Street Journal)

ELECTIONS

- Donald Trump [rolled to a big win](#) in the Iowa Republican caucuses, pulling in 51 percent of the vote. Ron DeSantis edged out Nikki Haley for second place, with both trailing far behind the front-runner. (Washington Post)
- The 2024 presidential election [served as a backdrop](#) for the annual Martin Luther King Breakfast inside the Boston Convention Center, with Gov. Maura Healey warning of people who are "looking to take us backwards," and Boston Mayor Michelle Wu decrying "fearmongers and mob baiters." (WBUR)

EDUCATION

- A Globe editorial [pours cold water](#) on Senate President Karen Spilka's plan for universal free community college, saying the plan would provide millions of dollars in aid to better-off students who don't necessarily need it and would lead some students who opt for community college rather than a four-year college, where their chances of obtaining a bachelor's degree would be better. CommonWealth Beacon [wrote about the proposal](#) and some of the concerns about it last week. BU professor Joshua Goodman outlined the reasons for reservations about it in [this CommonWealth Beacon op-ed](#).
- A contentious proposal to build a new regional vocational high school in Haverhill with a whopping \$465 million price tag [is heading to the ballot](#) this month in the 11 Essex County communities it serves. (Boston Globe)
- Northeastern University is teaming up with a British education firm to set up an [apprenticeship](#)

- [program](#) for the analytics sector. (Boston Business Journa)

TRANSPORTATION

- Three MBTA managers who were swept up in a news report last year on T higher-ups working remotely far from Boston and in many cases out of state [were among the 300 T workers receiving recent “buyout” packages](#), though it mostly consisted of payouts of unused vacation time. (Boston Herald)

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