

UNITED STATES NAVAL ACADEMY

“THE INTELLECTUAL FOUNDATION OF CONSERVATIVE OPPOSITION TO  
PROJECT AND TENET-BASED HOUSING ASSISTANCE”

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The thinkers who spawned the conservative intellectual movement in America after World War II established a series of principles that guided their opposition to project and tenant-based housing assistance. These principles included, among others, a belief in the right of private property, an aversion to paternalistic government and growth of the State, and a belief in the free market. Guided by these principles, conservatives opposed American project-based housing initiatives, and shed light on many weaknesses and limitations in federal housing policy.

After decades of experience, most academics and politicians now view project-based housing as a failure. In its place, the Section 8 voucher program (tenant-based) has emerged as a progressive, bipartisan solution to the problems that project-based housing could not solve. Although advertised as a free-market alternative, Section 8 vouchers pose many of the same problems as project-based housing. Conservative intellectuals believe the limitations of Section 8 vouchers present problems that must be addressed before more money is wasted on another well-intentioned, progressive political failure.

Before dissecting the conservative intellectual opposition towards project and tenant-based housing and its impact, it is important to understand the origins of the conservative intellectual movement and the historical context in which it was conceived.<sup>1</sup> The conservative intellectual movement in America brought together thinkers and ideas that challenged the consensus of 20<sup>th</sup> century

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<sup>1</sup> The most noteworthy studies of the conservative intellectual movement to date are Russell Kirk, *The Conservative Mind* (New York: BN Publishing, 2008), George H. Nash, *The Conservative Intellectual Movement in America* (Wilmington: Intercollegiate Studies Institute, 1998), and Alfred S. Regnery, *Upstream: The Ascendence of American Conservatism* (New York: Simon and Schuster, Inc., 2008).

liberalism. Liberalism, like conservatism, has taken on different meanings at different times in history. The liberalism that the conservative intellectual movement looked to challenge espoused central planning, big government, progressive federal government policies, and generous social policies as the solutions for American government.<sup>2</sup> Classical liberalism, promoted by conservatives like Ludwig von Mises, evolved into movement conservatism. It refers to a hands-off approach to government and an adherence to private property.<sup>3</sup>

The impetus for the conservative intellectual movement was the rapid growth of government and the pre-eminence of progressive politics during the New Deal and World War II. The end of the Great Depression and the success of the American military-industrial complex in World War II left Americans with the nearly unquestioned belief that the growth of the state represented progress.<sup>4</sup> Most Americans believed the isolationism and reliance on the free market that characterized pre-New Deal America was impractical in the modern world. Keynesian economic theory dominated the political and intellectual landscape (and continues to today), prescribing government spending and intervention to lessen the severe “booms and busts” of the free market.<sup>5</sup> In an era that had not yet

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<sup>2</sup> Regnery, *Upstream*, xv.

<sup>3</sup> Von Mises detested modern liberalism. He said, “In the United States ‘liberal’ means today a set of ideas and political postulates that in every regard are the opposite of all that liberalism meant to the preceding generations. The American self-styled liberal aims at government omnipotence, is a resolute foe of free enterprise, and advocates all-round planning by the authorities, i.e., socialism.” Ludwig Von Mises, *Liberalism in the Classical Tradition* (Irvington: The Foundation for Economic Education, 1985), xvi.

<sup>4</sup> Nash, *The Conservative Intellectual Movement*, 1.

<sup>5</sup> The “American Recovery and Reinvestment Act of 2009” is an example of Keynesian economic theory in modern government. Peter Ferrara, “The Keynesians Were Wrong Again,” *Wall Street Journal*, September 11, 2009, sec. A.

seen the failure of communism, the viability of the free market remained in question. The liberal consensus looked to government to tend to those citizens the free market supposedly neglected. Progressive leaders looked to government planning as the solution to America's problems.

A group of thinkers emerged in the 1940s and 50s who coalesced into what is now known as the conservative intellectual movement. Men like Russell Kirk, William F. Buckley Jr., Friedrich Hayek, Ludwig von Mises, Whittaker Chambers, Milton Friedman, Richard Weaver, James Burnham, and Frank Meyer looked with trepidation upon the changes in American government. These men, especially in the years following World War II, disagreed on many issues. They espoused many strains of conservatism and they arrived at their conclusions from different backgrounds. Many were former communists and leftists, like Whittaker Chambers and James Burnham. Many were Europeans displaced or disenchanted with the Nazis and the Soviet Union, like F.A. Hayek and Ludwig von Mises. Many were religious, like William F. Buckley Jr. and Russell Kirk. Although not yet coalesced into a movement, their works enjoyed wide distribution and mainstream visibility.<sup>6</sup>

The first gathering of what became a united front met in Mont Pelerin, Switzerland, in 1947. The Mont Pelerin Society joined a distinguished group of free market advocates from across Europe and the United States. Meeting

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John Maynard Keynes, *The End of Laissez Faire; The Economic Consequences of the Peace* (Amherst: Prometheus Books, 2004).

<sup>6</sup> These works included: F.A. Hayek, *The Road to Serfdom* (Chicago: The University of Chicago Press, 1944), Richard Weaver, *Ideas Have Consequences* (Chicago: The University of Chicago Press, 1948), Kirk's *The Conservative Mind*, James Burnham, *The Struggle for the World* (New York: The John Day Company, 1947), William F. Buckley, *God and Man at Yale* (Washington: Regnery Publishing, 1977), and Whittaker Chambers, *Witness* (Washington: Regnery Publishing, Inc., 1952).

annually to discuss the dangers of collectivism that were all the more real in post-war Europe, these men formed the economic intellectual foundation for the conservative intellectual movement.<sup>7</sup> Hayek addressed the scarcity of these ideas in his opening speech in 1947. He stated that he was “always surprised by the number of isolated men whom I found in different places, working on essentially the same problems and on very similar lines. Working in isolation in very small groups they are, however, constantly forced to defend the basic elements of their beliefs and rarely have opportunity for an interchange of opinions on the more technical problems which arise only if a certain common basis of conviction of ideals is present.”<sup>8</sup> The Mont Pelerin Society united a number of free-market proponents from all over the world, stimulating debate and sharpening the intellectual sword against the collectivist consensus in Europe and the United States.<sup>9</sup> Yet this was hardly a political movement; the Mont Pelerin Society was an intellectual conference that sought to improve ideas, not promote them in the political sphere.

The founding of the *National Review* in 1955 marked the beginnings of a unified conservative intellectual movement in America. This periodical, started by William F. Buckley Jr., joined the three prominent strains of conservative intellectual thought together to create a vehicle for political change. These three prominent strains were traditionalists, libertarians, and anti-communists.<sup>10</sup>

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<sup>7</sup> Nash, *The Conservative Intellectual Movement*, 21-22.

<sup>8</sup> F.A. Hayek, *Studies in Philosophy, Politics and Economics* (Chicago: University of Chicago Press, 1967.), p. 149 in Regnery's *Upstream* p. 30.

<sup>9</sup> Regnery, *Upstream*, 30-34.

<sup>10</sup> Both Nash and Regnery use the same classifications for the three types of early conservatives. Nash frames his argument in *The Conservative Intellectual Movement in America* based upon

Traditionalists looked to the tradition of limited American government and sought to promote a moral society based upon Christianity in America. They saw the growth of the state in a secular society as a threat to the principles upon which America was founded. Traditionalists were religious and recognized the dangerous void left due to the absence of religion in a secular society.

Libertarians saw the growth of the state and collectivism as an attack upon individual liberty and freedom. These thinkers emphasized economic liberty and the importance of individuality. Anti-communists viewed the growth of communism as a threat to the Western World and fought to dispel the opinion that communism was a benign ideology. Anti-communists also recognized an ideological thread between liberalism and communism.

Although their different beliefs often sparked intense debate both in and out of the pages of the *National Review*, these intellectuals agreed upon a number of key principles that would change the consensus of progressive politics in America. They included an aversion to paternalistic government and growth of the state, a belief in the right of private property, and a belief in the free market.

These principles led conservatives to oppose the policy of subsidized housing.<sup>11</sup> Subsidized housing in the United States has existed in two major forms since its inception in 1937<sup>12</sup>: project-based assistance and tenant-based assistance. Project-based assistance is the most commonly known and includes public

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these three types of conservatives. Regnery explains the intellectual foundation of these three sects from pages 24-56 in *Upstream*.

<sup>11</sup> Information regarding the United States Department of Urban Development was largely gathered from its website, [www.hud.gov](http://www.hud.gov). I also owe a great deal of thanks to the Assistant to the Executive Director of the Housing Authority of the City of Annapolis (HACA), Kathy Ferris, who answered many small questions I had pertaining to HUD policies.

<sup>12</sup> United States Housing Act of 1937. [Public Law 93-383; 88 Stat. 653; 42 U.S.C. 1437 et seq.]. This will be cited hereinafter as The Housing Act of 1937.

housing projects and private housing projects. Public housing consists of housing units subsidized by the federal government and administered by local housing authorities. These public housing units are built and maintained with federal funding from the United States Department of Housing and Urban Development (HUD). The tenants of these units apply for housing through their local housing authority and are given a unit based on a waiting list, which in most urban areas is very long. In Annapolis, Maryland, for example, the waiting list has been closed since 2008.<sup>13</sup> The tenant may remain in the unit as long as the tenant remains in good standing; the tenant may be subsidized indefinitely without any pressure to find suitable housing in the private sector. Once the tenant leaves his or her unit, the subsidy is gone.

The second form of project-based housing assistance is privately-owned projects. These are projects that have been financed or purchased partially through the private sector. These projects are privately owned, but the government subsidizes their mortgages. Either the mortgages are obtained through the private sector and paid partially by the government, or as in most cases, the mortgages themselves are government insured mortgages through the Federal Housing Administration (FHA). The owner often receives more subsidies over time because maintenance costs generally exceed the initial mortgage subsidies.<sup>14</sup>

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<sup>13</sup> According to the Annapolis Housing Authority, the waiting list for public housing closed on October 31, 2008. Also, despite an increase in funding from HUD, a new Section 8 voucher has not been given to an AHA resident since 2004.

<sup>14</sup> John C. Weicher, *Privatizing Subsidized Housing*. (Washington: The AEI Press, 1997), 3-8.

Tenant-based assistance subsidizes the tenant through either a housing certificate or a housing voucher, called Section 8 vouchers.<sup>15</sup> These certificates and vouchers are distributed by the local housing authority and are used within the housing authority's area.<sup>16</sup> These subsidies are redeemable in the private market; tenants may rent any unit in the private sector that they can afford with their voucher or certificate. The property must meet housing authority standards before the subsidy is recognized. The Public Housing Authority (PHA) most often provides a list of landlords that will accept vouchers and certificates. The amount of money the certificates and vouchers can be redeemed for is designated by the fair market rent (FMR), a figure determined by HUD. "In general, the FMR for an area is the amount that would be needed to pay the gross rent (shelter rent plus utilities) of privately owned, decent, and safe rental housing of a modest (non-luxury) nature with suitable amenities."<sup>17</sup> Certificates are only redeemable up to the FMR. Families with certificates may not rent a property above the FMR, and forfeit the difference between the FMR and the actual rent.

Housing vouchers, on the other hand, may be used towards a property above the FMR. Also, if the property meets HUD quality standards, the tenants may rent an inexpensive property and keep the difference between the voucher and the FMR. The main difference between tenant-based assistance and project-based assistance is where the federal funds are going directly. Although the

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<sup>15</sup> The vouchers are termed "Section 8" vouchers because it was in Section 8 of the Housing and Community Development Act of 1974 (amendment to the Housing Act of 1937) that housing vouchers were instituted.

<sup>16</sup> These vouchers and certificates can be redeemed anywhere because it is federal money, but most housing authorities frown upon taking their allocated funds and using them in another region.

<sup>17</sup> National Archives and Records Administration, *Federal Register Part II: Department of Housing and Urban Development*, September 29, 2008, Vol. 73, No. 189.

funding for project-based assistance is still extremely high, policy makers have shifted their focus towards vouchers. Vouchers now represent about half of the federal budget for subsidized housing assistance.<sup>18</sup>

Two foundational philosophical principles that guide conservative opposition to project and tenant-based housing are the right to private property and the importance of natural law. Natural law is a set of moral truths that apply to all people, regardless of location or convention. Private property includes privately-owned land, the fruits of that land, labor, and services.<sup>19</sup> Private property is at the core of conservatism. Ludwig Von Mises, in *Liberalism in the Classical Tradition*, said, "The program of liberalism [classical liberalism], therefore, if condensed into a single word, would have to read: property, that is, private ownership of the means of production...All the other demands of liberalism result from his fundamental demand."<sup>20</sup> Conservatives believe private property is vital to freedom and is the foundation for the market economy.

Private property provides a barrier between the individual and the state, allowing for the freedom to provide for oneself. This freedom is essential to conservatives for political and moral health, for private property also encourages virtues such as providence. Providence is foresight; an ability to plan and work for

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<sup>18</sup>U.S. Department of Housing and Urban Development. "FY 2010 Budget: Road Map for Transformation," 39.

There are also forms of government housing subsidies that are not included in the two forms mentioned. Government-backed mortgages are another form of federally subsidized housing. For a fascinating perspective on government subsidized housing from a conservative point of view, see Edward L. Glaeser and Joseph Gyourko, *Rethinking Federal Housing Policy: How to Make Housing Plentiful and Affordable* (Washington: The AEI Press, 2008).

<sup>19</sup> Although conservatives debate where the definition of private property extends, most conservatives can agree on the basic definition above. Richard Weaver explains his distaste for abstract property such as stocks and bonds in *Ideas Have Consequences*, 132-133.

<sup>20</sup> Ludwig Von Mises, *Liberalism in the Classical Tradition* (Irvington: The Foundation for Economic Education, 1985), 18.

delayed gratification. Private property provides freedom from what conservatives believe to be the ever-expanding state, which seeks to redistribute property based on utilitarian principle. Utilitarianism is the philosophy that views moral worth only in terms of utility for the group. Utilitarianism is not concerned with moral truths, just the maximization of happiness for the greatest number of people.<sup>21</sup> Conservatives believe that private property is part of natural law and regard its protection as paramount to a healthy state.

The scholarship pertaining to the right of private property deals largely with how one arrives at the right of private property and the implications of upholding and withholding property rights. The source of private property rights, according to conservatives, is natural law. Perhaps the most celebrated private property thinker in modern political philosophy is the English philosopher John Locke, whose *Two Treatises of Government* called for the rights of “life, liberty, and property” for all people. Locke believed that these rights are granted through natural law: a code that applies to all human beings regardless of circumstance.<sup>22</sup> Natural laws are immutable and irreversible. According to Locke, additional rights may be granted based on a “social contract” agreed upon by a citizen majority for general well-being.<sup>23</sup>

Locke’s emphasis on the right to private property based upon natural law is consistent with conservative ideology. But many conservatives, like Leo

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<sup>21</sup> Stanford University, “Consequentialism,” *The Stanford Encyclopedia of Philosophy*, <http://plato.stanford.edu/entries/consequentialism> (accessed October 18, 2009).

<sup>22</sup> Stanford University, “Locke’s Political Philosophy,” *The Stanford Encyclopedia of Philosophy*, <http://plato.stanford.edu/entries/locke-political> (accessed October 18, 2009). Nash, 44-45.

<sup>23</sup> Social contract theory was also made famous by Jean-Jacques Rousseau in *The Social Contract*. Jean-Jacques Rousseau, *The Social Contract* (Buffalo: Prometheus Books, 1988).

Strauss, believe that Locke's over-emphasis on rights was indicative of a dangerous philosophical trend towards secular rights and utilitarianism instead of universal natural law. Strauss's critical view of Locke's philosophy reveals the importance of natural law theory and private property rights to conservatives.

The conservative political philosopher Leo Strauss, an émigré from Nazi Germany, deplored modern philosophy's emphasis on natural rights instead of natural law. Natural rights are entitlements that people are given; natural laws are laws that must be obeyed through the cultivation of virtue. Strauss's beliefs shed light on the importance of natural law theory to conservatives and the philosophical debate that affected conservative opinion toward property rights. Strauss's contention was that Locke, consistent with other modern philosophers like Rousseau and Hobbes, took natural rights to be paramount.<sup>24</sup> Strauss believed that Locke was very inconsistent in his writings regarding natural law and that he found natural law to be obligatory only in situations that don't compromise self-preservation.<sup>25</sup> Strauss saw Locke's belief in natural rights as indicative of a philosophical slide in the western world towards an abandonment of universal truth. The ancient philosophers (Plato, Aristotle) emphasized natural law, which transcends human social contracts. The ancients extolled virtue and the obligation of man to follow natural law; the moderns focused on what man was entitled to and had difficulty acknowledging a natural law because of an inability to recognize universal truth.<sup>26</sup> Rights, unlike immutable natural law, are subject to

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<sup>24</sup> "Property" in "Locke's Political Philosophy".

Nash, *The Conservative Intellectual Movement*, 44-45.

<sup>25</sup> "Property" in "Locke's Political Philosophy".

<sup>26</sup> Nash, *The Conservative Intellectual Movement*, 44-45.

the whims of majority rule. Conservative scholars shared Strauss's concerns and looked to reaffirm natural law in American government. Paul Elmer More and Richard Weaver also shared these concerns and related the death of natural law to the right of private property.

Natural law is a fundamental conservative principle because it is a philosophy based on a belief in objective truth and the transcendent. Traditionalist conservatives feared the loss of God in American life and saw the encroaching state as working to fill the void. God created natural law and revealed it through revelation (the Bible, prophets) and human reason. Natural law therefore transcends human laws and must be understood and followed. Humans must not violate natural law, regardless of the inequalities intrinsic to humans.<sup>27</sup>

Communism, positivism, relativism, and other ideologies consistent with the modern philosophers like Rousseau emphasized the ability of human beings to create their own laws to achieve perfection. Instead of seeking to find and uphold natural law, these modern philosophers and theorists looked to create rights through a social contract and correct the inequalities of man. Conservative anti-communists saw communism as the ultimate rejection of natural law; communism is atheistic and focuses on sacrificing natural law for the greater good.

The two conservative intellectual movement thinkers who had the most profound impact on private property thought were Paul Elmer More and Richard

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<sup>27</sup>Paul Elmer More, "Property and Law," in Russell Kirk, *The Portable Conservative Reader* (New York: Penguin Publishing, 1982), 442.

Weaver.<sup>28</sup> More was the editor of *The Nation*<sup>29</sup> and a scholar whose work revealed the philosophical link between natural law and private property. Russell Kirk discussed More's philosophy at length in *the Conservative Mind* and More's work was indicative of conservative intellectual opinions towards natural law and private property.

In his essay "Property and Law," Paul Elmer More emphasized the importance of private property and natural law to a civilized society. More began by describing the philosophy of Jean-Jacques Rousseau, found in Rousseau's *Du Contrat Social* and *Discours sur l'origine de l'inegalité*.<sup>30</sup> Rousseau contended that the creation of private property resulted in civilization and inequality. Civilized society, contrasted with that of the Native Americans whom Rousseau believed had no concept of private property, is rife with inequality and injustice. Property and possessions caused a gain in strength for those who are naturally stronger. This increase in measurable strength (the metric being property) created a system in which the strong subjugated the weak.<sup>31</sup>

More countered Rousseau by emphasizing that it is not property that causes injustice, but the natural inequality of man. "In simple truth, property may rightly be called the cause of civilization, but, strictly speaking, it is only the occasion of injustice: injustice is inherent in the imperfection of man, and the

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<sup>28</sup> Although I have chosen to write primarily on these two thinkers for the defense of private property, they are hardly the only conservatives that speak or have spoken about private property rights. Their opinions reflect the conservatism that I outlined in the beginning of this thesis.

<sup>29</sup> Although editor for a liberal periodical, More was a conservative well before the conservative intellectual movement gathered speed. He ended his editorship at *The Nation* "stormily." Frank Jewett Mather, "Paul Elmer More," *Proceedings of the American Academy of Arts and Sciences*, 72, No.10, (1938): 368-372.

<sup>30</sup> Rousseau, *The Social Contract*.

<sup>31</sup> Rousseau, *The Social Contract*, 28-30.

development of the means of living merely brings into greater prominence what is an unavoidable feature of existence, not for man only but for the whole range of creation, in this puzzling world of ours.”<sup>32</sup>

Private property disparity in the United States is no exception to More’s belief. The United States thrives on a free market that rewards the stronger. Free markets naturally have inequalities. Housing assistance exists to lessen the natural inequalities of man through state intervention. More acknowledged this natural injustice, but found priority in natural law.

More saw private property as the foundation for civilized society. “Rousseau, by inflaming the passions of men against the wrongs of society which by his own hypothesis are inevitable, was, and still is, the father of frightful confusions and catastrophes; but he performed a real service to philosophy by stating so sharply the bare truth that *property is the basis of civilization* [author’s italics].”<sup>33</sup> Private property is a right that exists beyond the laws of man and is essential to civilized society. More understood injustice to be a part of a civilized world, which led him to believe that one must not change property rights, or any inviolable right, to counter injustice. “Any attempt by government or institution to ignore that inequality, may stop the wheels of progress or throw the world back into temporary barbarism [Rousseau’s description of the idyllic Native Americans], but will surely not be the cause of wider and greater happiness. It is not heartlessness, therefore, to reject the sentiment of the humanitarian, and to avow that the security of property is the first and all-essential duty of a civilized

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<sup>32</sup> More, “Property and Law,” 440

<sup>33</sup> Ibid..

community.”<sup>34</sup> More acknowledged the imperfection and inequality of man, but did not seek to counter these problems with a violation of private property.

More discussed Rousseau’s proposal of a State governed by the “general will” to counter natural inequality. Rousseau’s philosophy was indicative of the philosophic trend conservatives feared. Rousseau said, “the sovereign, being formed only of the individuals which compose it, neither has nor can have any interest contrary to theirs.”<sup>35</sup> More believed that this emphasis on the general will and natural rights will subjugate natural law and property rights. A belief in “truth-by-consensus” offends the conservative because it denies the universality of truth, the notion that truth applies to all people in all circumstances. The universality of truth is essential for any right that is to be protected against the desires of the state.

Although it may be unfortunate that some possess more property than others, conservatives believe it is not the role of the state to change this reality. The state and its members should instead work to solidify the laws that provide the foundation for civilization. “If our laws, as we call them, being indeed but attempts to copy a code we have not made and cannot repeal [natural law], are to work for progress rather than for retrogression, they must recognize property as the basis of civilization, and must admit the consequent inequality of conditions among men.”<sup>36</sup> Here, More acknowledged natural law as the foundation for private property rights and detested the role of the state in equality distribution. More approached his opposition to state control on the basis of principle.

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<sup>34</sup> Ibid., 441.

<sup>35</sup> Rousseau, *Social Contract*, 24.

<sup>36</sup> More, “Property and Law,” 445.

Aside from a return to barbarism, More's analysis does not reveal the dangers inherent to government equality distribution. Weaver, who wrote later than More,<sup>37</sup> recognized the dangers of an increasing state power and the loss of private property rights. The rise of bolshevism and fascism and the power of the state before and after World War II had a tremendous impact on conservative philosophy, for scholars like Weaver saw the consequences of a loss of metaphysical rights and the all-powerful state.

The conservative philosopher Richard Weaver explained the moral importance of private property and the role private property plays as a bulwark to government intervention. Richard Weaver was a professor at the University of Chicago and a contributor to the *National Review*. His seminal work, *Ideas Have Consequences*, dealt with the deterioration of the Western world due to what he termed "nominalism," a rejection of universal truth. Weaver detested western relativism and utilitarianism. Weaver called on western man to regain a respect for private property, which he deemed "the last metaphysical right." By this, he meant that private property exists as a right independent of utility or service.<sup>38</sup>

Weaver's analysis of private property was extremely influential in the conservative intellectual movement.<sup>39</sup> His work added to the conservative philosophical foundation that emphasized property rights and adherence to natural law. He also, most uniquely, articulated the moral importance of private property and the dangers of state provisions of land and resources in the name of equality.

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<sup>37</sup> More wrote the essay in 1915, Weaver wrote *Ideas Have Consequences* in 1948.

<sup>38</sup> Weaver, *Ideas Have Consequences*, 132.

<sup>39</sup> Regnery, *Upstream*, 47-48.

His philosophical opposition to state-controlled aid began a long history of conservative resistance to these policies.

Richard Weaver called on private property to combat “moral impotence” and the dangers of relativism and utilitarianism.<sup>40</sup> “When we survey the scene to find something which the rancorous leveling wind of utilitarianism has not brought down, we discover one institution, shaken somewhat, but still strong and perfectly clear in its implications. This is the right of private property, which is, in fact, the last metaphysical right remaining to us.”<sup>41</sup> Weaver emphasized the importance of private property as a metaphysical right because it does not exist for social utility. He said, “It is a self-justifying right, which until lately was not called upon to show in the forum how its ‘services’ warranted its continuance in a state dedicated to collective well-being.”<sup>42</sup> Here Weaver acknowledged a worldwide trend toward government dedicated to collective well-being at the expense of metaphysical rights. Without metaphysical rights, individual liberty is lost to the whims of the collective majority. The collective majority, as seen with the likes of communism and fascism, does not always act correctly. Metaphysical rights, the last and most important being private property, are the means through which individuals can maintain their freedom from the leveling tide of utilitarianism.

Private property acts as a sanctuary for the individual against the encroaching state and the majority. Liberty and the ability to protest are lost without this sanctuary. Weaver pointed out that it is customary in the West to fall

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<sup>40</sup> Weaver, *Ideas Have Consequences*, 131.

<sup>41</sup> *Ibid.*, 131.

<sup>42</sup> *Ibid.*, 132.

back on private property. He cited Abraham Lincoln's retreat to the practice of law after losing the voters' favor by opposing the Mexican War. He also described Thoreau, "finding his freedom at Walden Pond, could speak boldly against government without suffering economic excommunication."<sup>43</sup> When housing is made public, whether through project or tenant-based assistance, a degree of liberty and independence is lost.

Weaver's most important addition to the intellectual foundation of conservative opposition to housing assistance was his discussion of the moral importance of private property. Weaver believed that private property instills an ethic of responsibility in a person. Disrespect for private property rights or a loss of private property will remove what Weaver termed "man's birthright of responsibility."<sup>44</sup> He elaborated on that ethic of responsibility by saying, "That responsibility cannot exist when this essential right [property] can be invaded in the name of temporary social usefulness and extraneous compulsion can be substituted."<sup>45</sup> When man has lost his right to private property, he no longer has to take responsibility for what is his. Weaver made sure to not make his argument a utilitarian one, that property has a purpose to "keep the man up."<sup>46</sup> Private property does not exist for that purpose; it is an expression of a man's being. When property becomes public, it is no longer a personal expression but an entitlement and public good.

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<sup>43</sup> Ibid., 136.

<sup>44</sup> Ibid., 134.

<sup>45</sup> Ibid., 134.

<sup>46</sup> Ibid..

Weaver believed that private property encourages the virtue of providence. With public property, the person has no thought of the future because it is provided for by the state. Clearly Weaver was not talking only of land property, but of social benefits as well. With private property, a person will maintain his or her home with the thought of value and utility for the future. Public land is good only temporarily; people feel no need to take pride in the property if they aren't responsible for it or they can be moved at any time. A society that lacks providence, such as a welfare state, is an unhealthy one. "No society is healthful which tells its members to take no thought of the morrow because the state underwrites their future."<sup>47</sup> When a state pays for property or subsidizes property in any way, providence is not fostered or encouraged.

Disrespect for private property rights in order to provide security takes away man's liberty. Weaver stressed that "It is important to distinguish between the security which means being taken care of, or freedom from want and fear – which would reduce man to an invertebrate – and stability, which gives nothing for nothing but which maintains a constant between effort and reward."<sup>48</sup> Provisions by the state for welfare in the form of housing or subsidies encourage dependency. It is not the responsibility of the state to take care of its citizens, but provide the framework in which they can foster their own providence. Weaver believed that those receiving this aid from the state cannot foster the virtue of providence.

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<sup>47</sup> Ibid., 138.

<sup>48</sup> Ibid., 141.

Conservative belief in the right of private property was especially evident in the anti-communist theories of conservative intellectuals. Communism and socialism were seen as the opposite of conservatism; one saw private property as the root of all evil and greed, the other saw private property as the source of civilization.

More believed that socialism and communal property rights were unnatural and ineffective. He pointed out that wealth and civilization have always been inseparable and that “wealth has only accumulated when private property is secured.”<sup>49</sup> He also denounced communal ownership of land by saying, “So far as experience or any intelligent outlook goes, there is no sufficient motive for the creation of property but personal ownership.”<sup>50</sup> Property and wealth, essential to a progressing civilized society, will be stifled when private property rights are subjugated to communal ownership. This is no different in the realm of project-based and tenant-based housing assistance. Public housing projects are notoriously run-down and unmaintained by their inhabitants. There is insufficient motive for those living in public housing to maintain their property because it is not their property, it is the state’s.

More and Weaver’s analysis of private property rights were not specifically directed at project or tenant-based housing assistance. More wrote his essay, “Property and Law,” twenty-two years before the Housing Act of 1937 that provided for the modern American conception of subsidized housing. Weaver’s *Ideas Have Consequences* certainly had public housing in mind, but his

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<sup>49</sup> More, “Property and Law”, 440.

<sup>50</sup> *Ibid.*, 441.

philosophy had more to do with general ideas than individual policies. Despite not speaking directly about subsidized housing, the writings of More and Weaver indicate the conservative approach to housing subsidies.

Project and tenant-based housing assistance are violations of conservative private property and natural law theory. Project and tenant-based housing assistance are violations of natural law because they fail to respect private property, which conservatives believe is protected by natural law. Housing assistance provides housing to people through the federal government, a public source. The people who live in project and tenant-based housing either live on public property or pay for their homes with public funds, which poses a series of problems regarding freedoms and morals to conservative intellectuals.

Public housing, being that it is provided by the federal government, precludes its tenants from basic freedoms inherent to private property that conservatives consider essential to a healthy state. The state is omnipresent in public housing units. Units in public housing projects are subject to frequent inspections and monitoring. Units can be taken from the tenant at any time. In Annapolis, Maryland, for example, a tenant can be evicted for not performing the mandatory community service hours that are required by the Annapolis Housing Authority (AHA).<sup>51</sup> The state is present at every moment, assuming the care of its tenants and taking control over much of their lives. The sanctuary of private property that Americans enjoy is lost in subsidized housing. Subsidized housing tenants are dependent on the state and most tenants maintain their dependency for

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<sup>51</sup> Annapolis Housing Authority.

long periods of time. Subsidized housing is not a temporary boost, but a program that encourages long-term reliance on the state for material needs.

Given past trends, project and tenant-based housing assistance programs will only continue to increase in size.<sup>52</sup> If the number of people who live with public housing assistance continues to increase, it is logical to assume that the number of people living on private property or without assistance will decrease. The more common public housing assistance becomes, the more private property rights and benefits are lost.

HUD has no term limits forced upon any of its housing assistance recipients, which creates a static, poor population of people.<sup>53</sup> This fact is especially true in public housing. Such poverty and immobility does not only affect individuals or one generation of family; multiple generations often find themselves living in the same public housing projects.<sup>54</sup> HUD policy pronouncements suggest that the agency hopes to see its tenants move on to private housing, but the agency's mission is only to house those in need of assistance.<sup>55</sup> Very few people voluntarily give up housing assistance and trends show the average length of tenancy in public housing is increasing. For instance, the average length of tenancy in New York City public housing today is 20 years.

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<sup>52</sup> U.S. Department of Housing and Urban Development. "FY 2010 Budget: Road Map for Transformation," 39.

<sup>53</sup> Local PHAs can have term limits, as in Charlotte, North Carolina, but it is uncommon and not recommended by HUD. Husock, *America's Trillion Dollar Housing Mistake*, 97-109.

<sup>54</sup> Retention statistics below prove this is true, but it is also a common sight in Annapolis Housing Authority housing. According to Eric Brown, HACA Executive Director, and Kathy Ferris, generations of Annapolitans have lived and still live in public housing.

<sup>55</sup> "HUD requests \$100 million for the Housing Counseling Assistance program...[in a consistent showing of paternalism HUD continues] "The housing crisis has illustrated that many families simply do not understand the complex homebuying process and have limited sense of how much home they can afford, what types of mortgages are best for them, or how to improve their credit." HUD, "FY 2010 Budget," 7.

In 2000, it was just 18.5 years. The national average tenancy in public housing is 9 years.<sup>56</sup> These are hardly statistics indicative of an “up and out” program, which Great Society era reformers aimed to achieve.<sup>57</sup>

There is also no shortage of new applicants to public housing. If people are staying in public housing and there is a continuous stream of people who need housing aid, the amount of subsidized housing assistance will have to increase. But as in Annapolis, Maryland, PHAs are no longer able to help those in sudden need.<sup>58</sup> Middle class people who may have suffered a job loss or serious problem do not have access to this welfare because the people who receive it seldom leave. The retention statistics above prove that public housing houses one group of people for an extended period of time and struggles to provide for those newly in need.

Public housing projects are often not ideal places to live. Though many defy the stereotypes of the “projects” negatively portrayed in popular culture, public housing projects are usually several family units that contain spartan rooms that are generally not well-maintained. Public housing projects are usually in bad neighborhoods with substandard schools.<sup>59</sup> One would think the conditions would prompt a short stay, yet tenants remain. Section 8 housing, by contrast, allows the

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<sup>56</sup> The difference in averages is likely due to the age of New York City public housing units compared to those nation-wide. Statistics from HUD gathered in Howard Husock, “Puffing the Projects,” *New York Post*, June 8, 2009.

<sup>57</sup> The Great Society Program began with President Lyndon Johnson, but the mentality began with President John Fitzgerald Kennedy’s “Give a hand, not a handout” slogan. Charles Murray, *Losing Ground: American Social Policy, 1950-1980* (New York: Basic Books, 1984).

<sup>58</sup> As cited earlier, the waiting list for public housing closed on October 31, 2008. Also, despite an increase in funding from HUD, a new Section 8 voucher has not been given to an AHA resident since 2004.

<sup>59</sup> Brian A. Jacob, “Public Housing, Housing Vouchers, and Student Achievement: Evidence from Public Housing Demolition in Chicago,” *The American Economic Review* 94, no. 1 (2004): 233-258.

tenant to choose their living arrangement and their landlord as long as their voucher covers the expenses. People have been even less willing to give up their voucher for independence in the private market than those in public housing. With funds increasing every year for vouchers (especially under the guise of bipartisan agreement), more vouchers have been given to more families every year.<sup>60</sup>

Tenant-based housing assistance, like project-based housing assistance, is expansionary.<sup>61</sup>

Project and tenant-based housing assistance deprives its tenants of the moral benefits of private property and the challenges and benefits of responsibility. This responsibility can be found in private property, not public property. The state assumes responsibility for housing assistance recipients and the responsibility is rarely given back. In public housing, local PHA employees perform tasks that most people would never outsource, like replacing broken windows and light bulbs.<sup>62</sup> Tenants do not pay most utilities and have no responsibility for the outward appearance of their units. If a tenant quits or is fired from his or her job, the PHA lowers their rent indefinitely. Public housing has only made its residents and their offspring oblivious to the responsibilities of the outside world. In classes geared toward home ownership at the AHA

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<sup>60</sup> HUD *FY2010 Budget*. Section 8 vouchers are a priority for the current head of HUD, Secretary Shaun Donovan. HUD said, "The first element of the new partnership on affordable rental housing involves strong and persistent support for vouchers. HUD requests \$17.836 billion for vouchers, an increase of approximately \$1.77 billion over the levels provided in the FY2009 Omnibus Appropriations Act. Initiated in the mid-1970s, rental housing vouchers have since emerged as the nation's largest low-income housing assistance program. Then now serve over 2 million households with extremely low incomes (about 40 percent of families who receive vouchers now have incomes below half of the poverty line), paying the difference between 30 percent of a household's income and the rent of a qualifying, moderately priced house or apartment."

<sup>61</sup> Phuong Ly, "Housing Aid For 1,600 Families Faces Cuts; New Federal Rules Aim to Limit Growth Of Voucher Program," *The Washington Post*, September 30, 2004, sec. T.

<sup>62</sup> Annapolis Housing Authority.

headquarters, residents commonly respond in disbelief when they find out that non-public housing residents have to pay for their water.<sup>63</sup> Prolonged housing assistance, whether in project or tenant-based housing, deprives the recipients of essential personal responsibility.

Through project and tenant-based housing assistance, housing becomes an entitlement. When housing becomes an entitlement, it is a mere utility. Private property is an expression of a man's being. A well-kept garden, a painted door, a working gutter system - these are all indicators of a man's work ethic and sense of responsibility. When property is an entitlement it is no longer a reflection of the owner, and subsequently much responsibility is lost.

Project and tenant-based housing assistance prevents its tenants from cultivating the virtue of providence. The state has assumed responsibility for their housing and certain other resources, so there is no incentive for prudence and providence. Virtues such as providence are what separate humans from more primitive species. There is significant value in understanding providence and the concept of delayed gratification. The state provides the security to act without regard to the future. Strong cultivation of the idea of delayed gratification is essential to other aspects of life. Those who succeed in education must have a grasp of delayed gratification. Education is a significant problem in areas with high concentrations of subsidized housing.<sup>64</sup>

Let us look at Annapolis, Maryland, an illustration of these trends and the relevance of the conservative critique. Clay Street, considered by many to have

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<sup>63</sup> Ibid..

<sup>64</sup> Jacob, "Housing Vouchers and Student Achievement."

been the African-American cultural epicenter of Annapolis, was torn down to make way for apartments and a large parking garage through a government program called “urban renewal.”<sup>65</sup> Seventy-two year old Zastrow Simms, a lifetime resident of Annapolis, described the vibrant cultural scene in Annapolis prior to urban renewal in *The Capital* newspaper.<sup>66</sup> Clay Street, according to Simms, although run-down, was home to prominent jazz clubs that hosted the likes of Ella Fitzgerald and Duke Ellington. Simms said, "We didn't have to read magazines to look at J. Lo. and Beyonce." “We had them in our community.”<sup>67</sup> Clay Street’s residents were displaced and most moved into new public housing units in Annapolis. The paternalistic logic of both local and federal government was that the low-quality housing for the poor in Annapolis would be ameliorated by urban renewal and public housing.

Urban renewal and a growth of public housing in Annapolis produced the opposite effect. Although the Clay Street homes were crowded, poorly constructed, and dilapidated, there was a sense of community and culture. The new public housing units that were built were far nicer. These units had more space, were cleaner, and had playgrounds and recreation areas around them. Despite these aesthetic gains, older residents cited the move to public housing as the downfall of community and morals. Others felt that it was a blow to the pride

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<sup>65</sup> Urban renewal was a program instituted in the Housing Act of 1949 to clear slums in inner cities to make way for better housing. Urban renewal was phased out in the 1960s after it became clear it was used mostly to cater to business interests. Its relevance to public housing is the impact of its destruction. Thousands of poor Americans were displaced through urban renewal; African-Americans in Annapolis were no exception. Martin Anderson, *The Federal Bulldozer: A Critical Analysis of Urban Renewal* (Cambridge: The M.I.T. Press, 1964).

<sup>66</sup> Earl Kelly and Jeff Horseman, “A Tale of Two Cities: How this City Became Divided,” *The Capital*, March 18, 2007.

<sup>67</sup> *Ibid.*

of the African-American population in Annapolis to be relocated for a parking garage and nicer homes that they could not afford.<sup>68</sup>

The destruction of Clay Street businesses and homes shows the impact that the federal government can have on a community when private property rights are not respected. The federal government looked at the worth of Clay Street from a utilitarian perspective and completely ignored private property rights. The County Executive at the time, Joe Alton, perfectly described the utilitarian plan to *The Capital*. "If you put up a public building [referring to the newly constructed Arundel Center], you have to have a place to park." "There are a lot of nice homes on Clay Street, but *this area was substandard* [my italics]."<sup>69</sup> Progressive politicians with too much power ignored private property rights to attain what they believed to be the greater good in Annapolis. Such calculus is based upon a liberalism that has no foundation in any higher authority than the whim of the majority.

Scholar Martin Anderson critiqued this federal policy in his book *The Federal Bulldozer*. A self-described libertarian, Anderson used a combination of statistics and political theory to make his points. Anderson proved that urban renewal, as in Annapolis, displaced thousands of poor people and built far less housing than it destroyed.<sup>70</sup> Anderson concluded that the government abused its power by subordinating private property rights to the desires of the state.

Anderson's research, funded by the Massachusetts Institute of Technology, was

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<sup>68</sup> Ibid..

<sup>69</sup> Ibid..

<sup>70</sup> Anderson, *The Federal Bulldozer*, 228-230.

judged by many to be sound and unbiased. His research effectively ended support for the program.<sup>71</sup>

Although Section 8 vouchers have existed for less time than public housing, evidence exists to doubt the efficacy of this program. Memphis, Tennessee provides an excellent illustration of the relevance of the conservative critique as it pertains to tenant-based housing assistance. In a modern form of urban renewal, high-rise public housing projects were knocked down across the country, beginning in Chicago in the early 1990s.<sup>72</sup> In Memphis these projects were destroyed to rid the downtown areas of “concentrated poverty.”<sup>73</sup> The first high-rise public housing project was knocked down in 1997, and all the others soon followed. The tenants were given Section 8 vouchers and began moving away from these poverty enclaves. The results, as portrayed by Hanna Rosin in an article for the *Atlantic Monthly*, were not nearly as positive as housing experts had anticipated.

Crime, especially violent crime, left downtown Memphis and spread to its surrounding areas. As University of Memphis professors, housing expert Phyllis Betts and criminologist Richard Janikowski, soon found out, there was a direct relationship between the Section 8 voucher residents and the increase in crime. In what Janikowski described as a “bunny rabbit” pattern (the crime locations on a large map form the shape of a bunny rabbit), crime and gang violence spread to the surrounding areas of Memphis in the areas where the Section 8 vouchers were

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<sup>71</sup> Nash, *The Conservative Intellectual Movement*, 247-248.

<sup>72</sup> Many experts cite Chicago’s impetus to have been the death of Dantrell Davis from the Cabrini-Green projects in 1992. Pam Belluck, “Gang Gunfire May Chase Chicago Children From Their School,” *New York Times*, November 17, 1997, sec. A.

<sup>73</sup> Hanna Rosin, “American Murder Mystery,” *Atlantic Monthly*, July/August, 2008.

redeemed.<sup>74</sup> This influx of crime has caused significant problems for the undermanned suburban police forces and the ill-equipped suburban school systems.

Section 8 vouchers in Memphis were touted as the solution to housing problems because they would expose the Memphis urban poor to a better environment. Rosin described the opinions of Section 8 researchers: “If people could see beyond the graffitied hallways of these projects, they could get above that way of life, argued the researchers, and learn to live like their middle-class brothers and sisters.”<sup>75</sup> The reality was much the opposite. Instead of improving themselves, these Section 8 vouchers brought an abundance of crime with them and worsened the middle-class neighborhoods surrounding Memphis.<sup>76</sup> Sergeant Lambert Ross, an investigator with the Memphis Police, says that he’s seen an increase in arrests from “two-car garage families.”<sup>77</sup> Middle-class neighborhoods and apartment complexes, like the Springdale Creek Apartment Complexes in North Memphis, have deteriorated to the point where they are indistinguishable from the projects the experts loathed. Resident Laura Evans said, “You know, you move from one place to another and you bring the element with you.” “You got

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<sup>74</sup> Ibid..

<sup>75</sup> Ibid..

<sup>76</sup> The FBI cited Memphis along with other smaller cities like Florence, South Carolina; Charlotte-Mecklenburg, North Carolina; Kansas City, Missouri; Reading, Pennsylvania and Orlando, Florida, to be among the most dangerous cities in the United States. Ibid..

*Forbes Magazine* named Memphis, Tennessee its second-most dangerous city in 2009. *Forbes’s* criteria is as follows: “To determine our list, we used violent crime statistics from the FBI’s latest uniform crime report, issued in 2008. The violent crime category is composed of four offenses: murder and non-negligent manslaughter, forcible rape, robbery and aggravated assault. We evaluated U.S. metropolitan statistical areas--geographic entities defined by the U.S. Office of Management and Budget for use by federal agencies in collecting, tabulating and publishing federal statistics--with more than 500,000 residents.”

Zach O’Malley Greenburg, “America’s Most Dangerous Cities,” *Forbes Magazine*, April 23, 2009.

<sup>77</sup> Ibid..

some trying to make it just like the projects.”<sup>78</sup> Section 8 vouchers replaced, as Democratic Senator Barbara Mikulski of Maryland said, “vertical ghettos with horizontal ones.”<sup>79</sup>

Tenant-based housing reform in Memphis illustrates the dangers and unpredictability of housing planning. The subsidized housing recipients in Memphis were a government experiment that failed. So-called “experts” manipulated thousands of people because the federal government had seized their property rights for the greater good of Memphis. Section 8 vouchers used in middle-class neighborhoods did not inculcate middle-class values in their tenants. If anything, the statistics point to “projects” values corrupting the middle-class.

Housing policy expert Howard Husock described the deterioration of middle-class neighborhoods in Chicago and Philadelphia due to the emergence of Section 8 vouchers.<sup>80</sup> In a quotation consistent with conservative logic, Husock said:

Better neighborhoods are not better because of something in the water but because people have built and sustained them by their efforts, their values, and their commitments. Voucher appropriations are based not only on the mistaken belief that it is necessary to award, at public expense, a better home to all who can demonstrate “need,” but also that it is uplifting to do so, when in fact it is the effort to achieve the good home, rather than the good home itself, that is the real engine of uplift.<sup>81</sup>

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<sup>78</sup> Ibid..

<sup>79</sup> Husock, *America's Trillion Dollar Housing Mistake*, (Chicago: Ivan R. Dee Publishing, 2003), 52.

<sup>80</sup> Ibid., 54.

<sup>81</sup> Ibid., 49.

Section 8 vouchers remove that effort needed to achieve the good home and as a result, Husock said, harm the reward system essential to upward mobility in America.<sup>82</sup>

Conservative intellectual theory abhors wealth redistribution by the federal government, which is the means by which subsidized housing is funded. The federal government uses tax revenues overwhelmingly from the proportion of the population who pay for their housing to fund housing for those who cannot. Subsidized housing renters are receiving property that they did not earn. More says, “any legislation which deliberately releases labor from the obligations of contract, and permits to make war on property with impunity, must be regarded as running counter to the first demands of society.”<sup>83</sup> Project and tenant-based housing release labor from their contracts. Many tenants do not work, yet receive this property over a prolonged period of time. Those who do work are subsidized and receive more goods than their labor would otherwise provide.

Conservative economist Henry Hazlitt, in his 1946 bestseller, *Economics in One Lesson*, emphasizes that this wealth distribution through taxes comes at a cost:

The great psychological advantage of the public housing advocates is that men are seen at work on the houses when they are going up, and the houses are seen when they are finished. People live in them, and proudly show their friends through the rooms. The jobs destroyed by the taxes for the housing are not seen, nor are the goods and services that were never made. It takes a concentrated effort of thought, and a new effort each time the houses and the happy people in them are seen, to think of the wealth that was not created instead.<sup>84</sup>

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<sup>82</sup> Husock also interestingly relates Section 8 vouchers in middle-class Chicago and Philadelphia neighborhoods (predominately white) to an increase in racial instability. *Ibid.*, 55.

<sup>83</sup> More, “Property and Law,” 445.

<sup>84</sup> Hazlitt *Economics in One Lesson* page f35

Hazlitt's insight shows a conservative distaste for property redistribution through taxation. Yet what is most significant is his emphasis on the viability of the free market to accomplish goals the government cannot.

Implicit in all discussions of subsidized housing is the liberal notion that the free market cannot provide the lowest segment of the American population with adequate housing.<sup>85</sup> Subsidized housing was not conceived, as popularly believed, as an "up-and-out" program for the poor and those in difficult circumstances.<sup>86</sup> Subsidized housing was created based on the assumption that the free market would always neglect a portion of even the working population. In 1935 Catherine Bauer, the famed public housing advocate, author of *Modern Housing* and co-author of the Housing Act of 1937, claimed that the private housing market could not house two-thirds of Americans and that public housing would have to make up the difference.<sup>87</sup> When the Housing Act of 1937 created HUD and established PHAs throughout the country in the wake of the Great Depression, many questioned whether capitalism and the free market worked. In an era that had many captivated by the writings of Marx, such capitalistic inadequacies carried the scent of a proletarian revolt. Conservatives distinguished themselves from their progressive counterparts by believing that the free market, when unhampered by regulation, can provide affordable housing to Americans more effectively than the federal government.

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<sup>85</sup> One of Husock's "3 myths of subsidized housing" in Husock, *America's Trillion Dollar Housing Mistake* (and discussed in Anderson, *The Federal Bulldozer*, 228).

<sup>86</sup> Howard Husock, "Puffing Up the Projects."

<sup>87</sup> Husock, *America's Trillion Dollar Housing Mistake*, 15.

Quality housing in the United States has been best produced by the free market. Movements like urban renewal prove how disastrous the consequences can be when the government begins to plan housing. Martin Anderson said, “There are strong indications that private enterprise made substantial gains, while the federal program did not. The over-all results of federal urban renewal indicate that it is a regressive program, rather than progressive.”<sup>88</sup> He also stated that through free enterprise, not federal housing plans, “The decade from 1950 to 1960 witnessed what was probably the greatest improvement in housing quality ever shown in the United States.”<sup>89</sup>

In what he called the first of “three remarkably tenacious myths” about subsidized housing, conservative scholar Howard Husock looked to pre-New Deal American cities to prove that the market, in fact, provided adequate housing. Husock cited brownstones and other two-family houses in Brooklyn, New York, as an example of effective affordable housing financed by the free market.<sup>90</sup> These row homes were constructed before the New Deal to cater to multiple families. Their rooms are small and the buildings contain basement apartments, or are small two-family apartments above storefronts. These homes are all nearly identical, simple, and well built. Brooklyn brownstones have become an architectural and cultural icon, symbolic of the striving middle class immigrants who inhabited them.<sup>91</sup> These neighborhoods contained close-knit, proud ethnic

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<sup>88</sup> Anderson, *The Federal Bulldozer*, 228.

<sup>89</sup> *Ibid.*.

<sup>90</sup> Husock, Howard. *America's Trillion Dollar Housing Mistake*, 17-19.

<sup>91</sup> They are also the source of an urban revitalization in Brooklyn. The 1990s has seen an increase in wealthy people moving to Brooklyn, and the brownstone represents in many cases a chic alternative to high-rise city living. It certainly depends on the neighborhood, but Brooklyn brownstones in Park Slope or Brooklyn Heights can be worth tens of millions of dollars.

groups who took pride in their homes and communities. Although architecturally bland, Brooklyn represented (and continues to represent) the diverse melting pot of America. With the current restrictions placed on housing, especially in New York City, these brownstones could never be built today.<sup>92</sup> Brooklyn brownstones, financed entirely by the free market amidst a city saturated with subsidized housing, represented one of the few successful affordable housing ideas in New York City.

Government housing policy since World War II has increasingly hampered the market with regulations, affecting the free market's ability to provide affordable housing. Progressive politicians have looked to improve the lot of the poor by implementing rent control and stringent building codes. Such regulations have only lessened the housing availability by making it difficult for developers to construct affordable housing. Federal interference also extends to the federal ownership of land, which removes a fixed supply of land from the free market in the face of consistent demand, causing a rise in prices.<sup>93</sup>

Subsidized housing has decreased the supply of housing for the private market, making it increasingly difficult for those who wish to find affordable private housing. Just shy of ten percent of Annapolis, Maryland, residents live in public housing.<sup>94</sup> With that many residences owned by the federal government and the demand for housing in Annapolis continuing to increase, it lessened the

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<sup>92</sup> These brownstones most often contain basement apartments, which are not handicap accessible. Glaeser and Gyourko have a good discussion of the harmful effects of building regulations on affordable housing prices in *Rethinking Federal Housing Policy*.

<sup>93</sup> Glaeser and Gyourko, *Rethinking Federal Housing Policy*, 58-87.

<sup>94</sup> AHA statistics. According to current AHA Executive Director Eric Brown, public housing likely represents more than ten percent of the Annapolis population due to unregistered inhabitants of HACA units.

middle class's ability to afford property. It also made the prospect of purchasing a home in the area for these public housing residents an impossibility. Through public ownership of land, the government is decreasing supply in a market with increasing demand. It is a system that only increases the chasm between the rich and poor.

Aside from the principle opposition to income redistribution, conservative intellectuals also detest the proportion of taxpayer dollars used to pay for the bureaucratic infrastructure needed to carry out subsidized housing programs. This infrastructure exists in all federal programs. Instead of direct monetary aid to people in need, billions of dollars are spent in subsidized housing for the mere infrastructure to distribute the aid. In 2009, 7% of HUD's funds were used to fund the "management and administration" of HUD.<sup>95</sup> That is 1.65 billion dollars spent on the bureaucracy, and 1.65 billion dollars less spent on those for whom the subsidized housing is intended. Once an infrastructure is in place, it is nearly impossible to dissolve. By creating such bureaucratic infrastructure, the government increases its dependents.

Special interest groups dominate subsidized housing. Milton Friedman articulated the corruption of special interest groups in the era of urban renewal:

Once the program was adopted, it was bound to be dominated by the special interests that it could serve. In this case, the special interests were those local groups that were anxious to have blighted areas cleared and refurbished, either because they owned property there or because the blight was threatening local or central business districts. Public housing served as a convenient means to accomplish their objective, which required more destruction than construction.

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<sup>95</sup> HUD FY2010 Budget, 38.

Anderson also acknowledged the dominant role of special interest groups in urban renewal policy.<sup>96</sup> Large federal bureaucracies, like those needed to support project-and tenant-based housing subsidies, spend billions of dollars each year and are bound to be overtaken by special interest groups.

Subsidized housing erodes the competition of the free market by restricting mobility. The mobility of people in the American economy is a vital aspect of the free market. New jobs and new opportunities keep Americans constantly on the move. Between 2005 and 2006 more than 16 percent of Americans changed residences and 6 percent moved across county lines.<sup>97</sup> Annapolis, Maryland, is just as mobile. According to the US Census, 15.2% of Annapolis residents lived in a different house in the United States last year.<sup>98</sup> Mobility is a vital part of the free market that is foreign to subsidized housing residents. Their voucher or certificate is based upon housing in that area; if they live in an expensive area (like Annapolis) they will receive more funds for their vouchers or certificates than a person living in a less expensive area. Subsidized housing recipients are shielded from the competitive nature of the free market that is necessary for economic vitality. A lack of mobility caused by subsidized housing also encourages entitlements. No American is entitled to live in any specific location. This is especially problematic in expensive areas like Annapolis.

The conservative intellectual movement in America has provided a lens through which conservatives view project and tenant-based housing assistance.

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<sup>96</sup> Anderson, *The Federal Bulldozer*, 218.

<sup>97</sup> US Census Data in Glaeser and Gyourko, *Rethinking Federal Housing Policy*, 19-20.

<sup>98</sup> This does not include active-duty military members in Annapolis (which would likely inflate the statistic). US Census Bureau, *Annapolis, Maryland: Selected Social Characteristics in the United States: 2006-2008*.

Conservatives have a strong belief in private property, an aversion to paternalistic government and the growth of the State, and a belief in the free market. Project and tenant-based housing assistance has threatened these core conservative tenants.

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