



Shelly versus Kraemer

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Day 16
March 11, 2023

Read II Corinthians 5:1

“For we know that if our earthly house of this tabernacle were dissolved, we have a building of God, an house not made with hands, eternal in the heavens.”

Critical Race Facts!

For all African Americans, Jim Crow was a daily affront, a reminder of the distinctive place “white folks” had marked out for them – a confirmation of their inferiority and baseness in the eyes of the dominant population. The laws made no exception based on class or education, indeed the laws functioned on one level to remind African American that no matter how educated, wealthy, or respectable they might be, it did nothing to entitle them to equal treatment with the poorest and most degraded whites. What the white south insisted upon was ... a system of controls in which whites prescribed the rules of racial conduct and contact and meted out the punishment.

Today’s Prayer

Lord, help us to be thankful for the hard-fought battles and victories of our ancestors that gives us the freedoms that we enjoy today. In Jesus Name I pray, **amen**.

In 1930, Mr. J.D. Shelley, his wife Ethel Lee Shelley and their 7 children moved from Mississippi to St. Louis, Missouri. Mr. Shelley found a well-paying job at the local military weapons factory for World War II. He soon had enough to buy a house. In 1945, the Shelleys selected their dream home but were not allowed to purchase it. The house had a racially restrictive covenant (contract): “said property may not be sold to any individual of Negro or Mongolian descent or possessing more than 1/32 non-Caucasian blood.”

To avoid the restrictive contract, the real estate agent enlisted the help of a Caucasian woman who bought the house and transferred the deed to the Shelleys. When the family was moving in on September 11, 1945, Mr. Louis Kraemer saw them, although he lived 10 blocks away. Mr. Kraemer and his wife brought a suit against the Shelleys to get them to move out of the house. During this same time, another black family in Detroit, Michigan was in a similar situation. The Detroit family was represented by the African American attorney Thurgood Marshall. When both family cases reached the U.S. Supreme Court, they were combined into one case.

On May 3rd, 1948, in a unanimous decision, the Supreme Court said that enforcement of the racially restrictive contract was illegal and violated the equal protection clause of the 14th amendment. Thus, the legal basis for the racial bias was removed, but the hearts of many of the people were not changed that day in 1948. A first step in the desired direction, but discrimination in housing continued in many forms.

It was 20 years later in May of 1968 that Congress enacted the Fair Housing Act, which voided racially discriminatory contracts in housing and made them illegal. Shelley vs Kraemer laid the foundation for other racially based social issues and cases that would be addressed, such as Brown vs. Board of Education. In 1988, the Shelley House was listed in the National Registry of Historic Places. Shelley vs. Kraemer helped change the landscape of homeownership for African Americans. In 1940, 21% of African Americans owned their own home; by 1980, 58% of African Americans were homeowners.

