

Origins and Evolution of the Community Land Trust in the United States



John Emmeus Davis

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Author's note: An earlier version of this essay was written for The Community Land Trust Reader, published by the Lincoln Institute of Land Policy in 2010. The current version retains the style and content of the original, while correcting a number of mistakes, updating a few developments, and giving greater recognition to several people whose contributions to the CLT's history have only come to light in recent years.

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Introduction

The community land trust (CLT) was a long time coming. It took over thirty years for this new model of tenure, forged in the Civil Rights struggle in the American South, to become firmly established and widely distributed across the landscape. The organization generally credited with being the first attempt to create a CLT, New Communities Inc., was founded in 1969. A decade later, only a handful of CLTs were operational, all of them in remote rural areas. Not until the turn of the century did the number and variety of CLTs reach the point where it was fair to speak of a CLT “movement,” although the model’s proponents had been brazenly using that term since the early 1980s. There are now over 260 CLTs in 46 states, Puerto Rico, and the District of Columbia. CLTs have begun appearing in other countries as well, including Australia, Belgium, Canada, and England.

New Communities did not sprout newly green and fully formed from the red clay of southwest Georgia without antecedent. It was a product of a fertile seedbed of theoretical ideas, practical experiments, and social movements built up over the span of a hundred years. Even after its appearance at New Communities, moreover, this fragile shoot required another decade of cultivation and hybridization before it was ready for wider adoption in cities, suburbs, and towns. As long as it took for the model to become a movement, therefore, it took even longer for the model itself to acquire the full complement of features of what is known today as the “classic CLT.”

The story told here of the CLT’s origins and evolution will sort the model’s distinguishing characteristics into three clusters – ownership, organization, and operation – and then say how each of them came to be added to the definition and structure of the CLT over time. The reality was much messier, of course, with ideas and influences often leapfrogging the narrative boundaries between eras. History seldom unfolds as neatly in the living as it does in the telling.

OWNERSHIP: In Land We Trust

In the history of the community land trust, ownership came first. The CLT's unique form of tenure appeared in theory and practice long before "community" was grafted onto the model's organizational stem and long before "trust" was given the operational meaning it has today. The search for the model's origins must begin, therefore, with its unusual approach to the ownership of land and buildings.

A CLT structures ownership in several distinctive ways:

- Title to multiple parcels of land, scattered across a targeted geographic area, is held by a single nonprofit corporation. These lands are never resold, but are removed permanently from the market, owned and managed on behalf of a place-based community, present and future.
- Any buildings are sold off to homeowners, cooperatives, nonprofits, or other corporations or individuals. These structures may already exist when the nonprofit acquires the land, or they may be constructed years later.
- A ground lease knits together – and equitably balances – the interests of the nonprofit landowner and the interests of the buildings' owners. This ground lease lasts for a very long time, typically 99 years; it is also inheritable and mortgage-able, allowing the owners of residential or commercial buildings to obtain private financing to construct or to improve their structures.

This is hardly the way that real estate is typically owned and managed in the United States, of course. Instead of seeing land as a shared resource that should be shepherded and used for the common good, land is treated as individual property, chopped up into parcels that are bought and sold by the highest bidder. Indeed, it is deemed to be our god-given right to accumulate as much of it as we can. If we're lucky and shrewd, we can beat everybody to prime parcels that are most likely to rise in value as a town expands, as a school is built, as a factory is sited, as a road or subway is extended. So rampant, so accepted, so deeply embedded in our national culture has been this notion of the individual's inalienable right to gather to himself all the land he can grab, enriching himself in the process, that Thorstein Veblen, our greatest homegrown political economist, suggested that speculation, not baseball, should be seen as America's true national pastime. He dubbed land speculation the "Great American Game."¹

Side-by-side with this ethic of speculation, however, there has persisted another tradition in the United States – less obvious, less dominant, but just as old. This is an ethic of stewardship, where land is treated as a common heritage: encouraging ownership by those who are willing to live on the land and to use the land, not accumulating more than they need; emphasizing right

¹ Thorstein Veblen. *Absentee Ownership and Business Enterprise in Recent Times: the Case of America*, (New York: B.W. Huebsch, Inc., 1923).

use and smart development; capturing socially-created gains in the value of land for the common good. This tradition of stewardship is rooted in Native American attitudes and the New England custom of the town commons. It thrived in the thinking of people like Thomas Paine, Thomas Jefferson, and Abraham Lincoln.²

The American writer and politician who took this alternative conception of land the furthest was Henry George. Since the intellectual origins of the CLT begin with George, it is useful to linger here a moment, lending an ear to his heated condemnation of speculation.

THE GEORGIST CRITIQUE

During his lifetime, Henry George was one of the most popular and influential public figures in the United States. He was also well known abroad. The only living Americans more famous than George in the rest of the world at the time were Mark Twain and Thomas Edison, especially in those countries once parochially known as the “English-speaking world.” But fame can be fleeting, especially for someone like George who proposed to radically change the rules of the Great American Game. Not many people have heard of Henry George today.

His was a classic rags-to-riches American success story. Born in Philadelphia in 1839, George went to work as an office boy at 13 years of age and ran away to sea at the age of 16. He eventually landed in San Francisco, where he found employment at a local newspaper. He worked his way up from printer, to reporter, to editor, eventually becoming the newspaper’s owner and a prosperous man. He was entirely self-educated, the sort of person who encounters a problem, reads everything he can find on the subject, and works his way toward a solution uniquely his own.

The problem that vexed George the most was what he called the “great enigma.” Why is there immense poverty amidst so much wealth, poverty that occurs *despite* social, economic, and technological progress? Reading widely, he encountered the work of the English political theorist, John Stuart Mill. He was struck by Mill’s concept of the “social increment,” an economic theory asserting that most of the appreciating value of land is created not by the investment or labor of individual landowners, but by the growth and development of the surrounding society. This was the electrifying “ah-ha” moment of George’s intellectual life, allowing him to crack the code of the “great enigma,” a solution he proposed in a book published in 1879 entitled *Progress and Poverty*.

Twelve years earlier, Karl Marx had wrestled with a similar problem in *Das Capital*, but had proposed an answer very different than the one provided by George. Marx’s answer had been

² Paine: “Man did not make the earth, and though he had a natural right to occupy it, he had no right to locate as his property in perpetuity on any part of it. . . . It is the value of the improvement only, and not the earth itself, that is individual property.” Jefferson: “The earth is given as a common stock for men to labor and live on.” Lincoln: “The land, the earth God gave man for his home, sustenance, and support, should never be the possession of any man, corporation, society, or unfriendly government, any more than the air or water.”

that poverty of the masses is caused by ownership of the means of production by a small cadre of capitalists who are able to capture for themselves most of the value created by labor. George, by contrast, saw poverty as resulting from the ownership of land by a small cadre of landowners who are able to capture for themselves the appreciating value of land – i.e., real estate values that are created, as John Stuart Mill had suggested, by the growth and development of society.

Landlords, in George's eyes, are little more than parasites feeding off the productivity of others. Whenever there is economic progress – new technologies, higher wages, higher profits – landowners simply raise their rents or the selling price of their real estate holdings. This constitutes, in George's words, "an invisible tax on enterprise," collected by those who contribute nothing themselves to increased productivity. Landlordism is a bane for capital and labor alike.

An obvious remedy for this sorry state of affairs would be for government to nationalize the land. But George was too much of a political realist – and too much an admirer of the Jeffersonian ideal of small-scale landholding – to propose such a radical solution. Instead, he proposed a single tax: Have government tax away the social increment, collecting for the benefit of the public all of the land gains that society itself has created. By George's calculation, this tax on the appreciating value of land would be sufficient to cover all of a government's costs of providing infrastructure, schools, and other public services. This would allow the elimination of all other taxes on profits, wages, and structural improvements. A single tax would do it all.³

Progress and Poverty sold over three million copies during George's lifetime, an astronomical figure for his day. It was followed by a steady stream of books and pamphlets in which George repeated and refined the ideas introduced in his 1879 book. His published works and public speeches brought George wide fame and a large following, spawning an international "single-tax movement." Single-tax clubs sprang up across the United States and throughout Europe, dedicated to promoting George's ideas.

George's fame was spread abroad not only through the publication and translation of *Progress and Poverty* and other works, but also by the presence of George himself. He made six trips outside the United States between 1881 and 1890. On his first trip across the Atlantic, soon after disembarking in Ireland, he made an inflammatory speech about land reform and was thrown into jail. This turned out to be wonderful publicity for his next stop, which was London. He filled lecture halls. George Bernard Shaw was among the London notables attending an early lecture by Henry George. He became an instant convert to the single tax crusade. So did a quiet young man named Ebenezer Howard, who was to propose a refinement to the Georgist critique.

³ Here, too, George proved to be a faithful student of John Stuart Mill, who had written: "The ordinary progress of a society which increases in wealth, is at all times tending to augment the incomes of landlords; to give them both a greater amount and a greater proportion of the wealth of the community, independently of any trouble or outlay incurred by themselves. They grow richer, as it were in their sleep, without working, risking, or economizing. What claim have they, on the general principle of social justice, to this accession of riches? In what would they have been wronged if society had, from the beginning, reserved the right of taxing the spontaneous increase of rent, to the highest amount required by financial exigencies?" ("On the General Principles of Taxation," in *Principles of Political Economy with Some of their Applications to Social Philosophy*, 1848; repr., New York: Oxford University Press, 1994).

PLANNED COMMUNITIES ON LEASED LAND

Like George, Ebenezer Howard had little formal schooling. Instead of running away to sea, however, Howard pursued an equally audacious adventure. At the age of 21, he sailed from England to America with two friends, planning to become a homesteader in Nebraska. He soon discovered that he had no talent for farming, however, and moved to Chicago. He spent five years there, earning his living as a court reporter. He was also employed on occasion as a newspaper reporter.

Howard returned to England in 1876 and joined a firm producing parliamentary reports. This was bread labor, however. His real work, his true vocation, was studying and thinking about the dreadful condition of England's cities. Like George, he was a self-learner, reading everything he could find. One of the books that made the greatest impression on him was *Progress and Poverty* – an influence that was reinforced when he heard George lecture in London.

In 1898, Howard published *Tomorrow: A Peaceful Path to Real Reform*, a book that was later re-issued and re-titled *Garden Cities of Tomorrow*.⁴ The sweeping solution that Howard proposed for the crowding, crime, grit, and chaos of urban areas was the creation of planned communities of 32,000 people, ringing major cities and combining the best features of town and country. Inspired by George, he proposed that these Garden Cities be developed on land that was leased from a municipal corporation, where “men of probity” would serve as “trustees” for this municipally owned land. Like George, he wanted to capture the social increment for public improvement, not private enrichment. Unlike George, his mechanism was not the single tax but municipal ownership. Eventually, over 30 Garden Cities were developed in England, starting with Letchworth in 1903 and Welwyn in 1920.

Back in the United States, other followers of Henry George were busily developing experimental communities of their own. Structured similarly to Letchworth and Welwyn, these so-called “single-tax colonies” combined community ownership of the land and individual ownership of the structural improvements. The first was established in Fairhope, Alabama in 1894 on the eastern shore of Mobile Bay. Today, the Fairhope Single-tax Corporation is still going strong, with 1800 leaseholds on 4,000 acres. Its landholdings include all of the central business district and about a third of the remainder of the city. The owners of commercial or residential buildings hold a 99-year renewable lease for the land underneath their feet. They pay an annual lease fee to the Single Tax Corporation that covers all state, county and local taxes, with the rest used to support such public amenities as parks and the town's library.

Another single-tax colony was established in Arden, Delaware in 1900, outside of Wilmington. The founders drew up plans for a village of artists and artisans, where the land

⁴ Howard's book became a seminal text in city planning, heavily influencing people like Lewis Mumford, Clarence Stein, Frederick Law Olmsted, and many other American pioneers of urban design.

would be held in trust. Residents were granted 99-year ground leases.⁵ They could sell their houses but not the land. Upon the resale of a house, the land lease was transferred to the new homeowner. These plans led to the development of a thriving community that still exists, a hundred years later. Its current population is over 500 people.

A new crop of intentional communities sprang up in the 1930s and 1940s, inspired by another Georgist scholar and activist, Ralph Borsodi. It was Borsodi who first described these leased-land communities as “land trusts.” Borsodi was born in 1886, the son of a New York City publisher who was an ardent follower of Henry George. Ralph was home-schooled by his father and never attended college, although the University of New Hampshire later awarded him an honorary doctorate, recognizing the accomplishments of a self-educated social theorist who produced thirteen books and ten research studies during a long, productive life.

In 1929, Borsodi published *This Ugly Civilization*, in which he decried land speculation and landlordism along lines similar to George’s. He went further than George, however, in saying that land should never be individually owned.⁶ He was quite vehement in insisting that land should not even be called “property.” He preferred a term he had coined himself: “trustery.”

In 1936, amidst the Great Depression, Borsodi moved his family to Suffern NY, 36 miles north of New York City, and founded a community that he named the School of Living. Eventually, thirty families settled there, occupying separate homesteads around a folk school where workshops on adult education, gardening, and home production were held on a continuous basis. Borsodi initiated a group title for the land, with individual homesteaders paying an annual lease fee for the use of their three-acre parcels.

Mildred Loomis was Borsodi’s most devoted student. She spent two years working with Borsodi in Suffern, NY. Later, when the School of Living moved to Ohio, she became the school’s director, remaining at the helm until 1985.⁷ She also edited the school’s magazine, which – after several name changes – came eventually to be called *Green Revolution*. Largely because of her, the School of Living still exists today. Also because of her, through her teaching and writing, a new generation was introduced to Borsodi’s ideas in the 1960s. Loomis was celebrated, in her own right, for her books and articles about decentralism and her personal example of

⁵ One of Arden’s most famous residents was the writer, Upton Sinclair, who moved there in 1911. A short history of the community’s early years can be found in Henry Wiencek, “A Delaware Delight: The Oasis Called Arden” in John Emmeus Davis (ed.), *The Community Land Trust Reader* (Cambridge, MA: Lincoln Institute of Land Policy, 2010).

⁶ In addition to the writings of Henry George, Borsodi’s thinking about property was influenced by his reading of John Locke, where moral title to property was seen as resting exclusively on an owner having put his own labor into the thing made. There is also an echo in Borsodi’s work, though unacknowledged by him, of the distinction made by R.H. Tawney between “passive property” and “active property.” See Tawney’s “Property and Creative Work,” in *The Acquisitive Society* (New York: Harcourt Brace Jovanovich, 1920).

⁷ In 1945, the other homeowners in Suffern decided they wanted to gain individual title to the land beneath their feet. Borsodi moved the School of Living to Ohio, relocating to the farm owned by John and Mildred Loomis.

having lived as a self-reliant homesteader for nearly 30 years. She was once called by an editor of *Mother Earth News* “the Grandmother of the Counter Culture,” a mantle she wore with pride.

Borsodi’s writings and the example of the School of Living inspired a number of other experiments in community landholding. A steady stream of educators, authors, and back-to-the-landers beat a well-worn path to Suffern and to the Loomis homestead in Ohio to learn about rural homesteading and land leasing. One of the most successful of the leased-land communities modeled on Borsodi’s blueprint was Bryn Gweled, started by a group of Quakers in 1940 after visiting the School of Living.⁸ This “intentionally diverse community,” as it describes itself today, was located on a 240-acre tract a few outside of Philadelphia. Ownership of the land was vested in a nonprofit corporation. Over 80 leaseholds were plotted on which families could build houses to which they held individual title. Bryn Gweled’s ground lease was later included in the first book about community land trusts, published in 1972.

Two other influential experiments in community landholding were established during the period before the Second World War, one in Tennessee and the other in North Carolina. Arthur E. Morgan was the godfather of both. Born in 1878 near Cincinnati, Morgan’s family moved to St. Cloud, Minnesota soon after his birth, where Morgan was raised. His father was a self-taught engineer. Upon graduating from high school, Arthur found employment cutting timber in Colorado. Later, while working in a series of Colorado mines, he developed an interest in hydraulic engineering. Returning to Minnesota in 1900 to work with his father, he learned engineering from the ground up. He developed a special interest in dams and eventually traveled to Europe to investigate dam construction techniques on the other side of the Atlantic. He was in England soon after the first Garden City was founded at Letchworth. He may have encountered Howard’s ideas during this trip, but there is no way of knowing for sure.⁹

In 1913, Morgan was hired by Dayton, Ohio to build five dams after a flood had devastated the city. Winning local fame as a man of action and ideas, who was also an able administrator, he came to the attention of Antioch College, a dying institution located 18 miles south of Dayton.¹⁰ Elected to the board of trustees, he was later appointed president of the college. During his 15-year presidency, Morgan instituted what came to be known as the Antioch Plan, where the

⁸ The impetus for this leased land community is described on the Bryn Gweled website (www.bryngweled.org) as follows: “Rampant real estate speculation was exacerbating poverty and disenfranchisement. Henry George’s approach held hope of finding ways to stem this rising tide. A contemporary visionary was Ralph Borsodi, whose School of Living near Suffern NY attracted the attention of the group. Several people made an expedition to the School of Living and brought back enthusiasm and useful ideas about how small homesteads in a cooperative setting could enable a degree of self-sufficiency.” Bryn Gweled means “Hill of Vision” in Welsh.

⁹ There is no mention of Howard in Morgan’s published writings, but the similarities between the leased-land communities that Morgan initiated in the 1930s and Howard’s Garden Cities are striking. Both were based on collective ownership of land, cooperative ownership of community enterprises, and the development of planned communities through individual leaseholds.

¹⁰ Antioch had been founded in 1852 by Horace Mann, a progressive educator. Antioch was the first college in the country to admit both women and African Americans.

college's students were required to do four hours of local work for every four hours spent in the classroom.¹¹ He also published numerous articles about progressive education, community development, and new towns in popular periodicals like *The Atlantic Monthly*.

Morgan came to the attention of President Franklin Roosevelt, who was looking for someone to lead the newly created Tennessee Valley Authority (TVA). In 1933, he was appointed by Roosevelt to be one of TVA's three co-chairmen, but his tenure at TVA was stormy and short-lived. After three years, he was dismissed by FDR. While still at the helm of TVA, however, Morgan seized the opportunity to realize his vision of the ideal community. He oversaw the construction of Norris, Tennessee, a planned community to house workers who were building TVA's first dam to control flooding and to generate electricity. The land at Norris was owned by TVA and leased for residential and commercial development. No worker paid more than 25 percent of his or her salary for housing. The town's businesses were operated as nonprofit cooperatives, located on land that was leased from TVA.¹²

Soon after his tenure at TVA, Morgan made a second effort to establish a planned community on leased land. He had been approached by a wealthy textile manufacturer from Chicago who offered to bankroll one or more of Morgan's utopian ideas for social improvement. In 1938, Morgan sent his son, Griscom, to western North Carolina to look for land. Using money from the Chicago donor, he was able to purchase 1200 acres in a mountain valley about 40 miles north of Asheville. Recruiting several other "men of probity," as Ebenezer Howard had called them, to serve on the board of directors, Morgan formed a nonprofit corporation to develop a leased-land community that he named *Celo*. In addition to houses and farming and a few cooperative enterprises, Celo developed a boarding school based on Morgan's ideas of progressive education. Both the community and the school exist today, still organized along lines laid down by Morgan over 70 years ago.¹³

Outside of the United States, land leasing gained a significant foothold in two other countries during the first half of the twentieth century: Australia and Israel. Henry George had visited Australia in 1890 and found a receptive audience for his ideas. Twenty years later, the Australian Parliament created a special governmental district for developing the country's new capital, Canberra. George's influence can be seen in Parliament's stipulation that "no Crown lands in the territory shall be sold or disposed of for any estate of freehold." The land was to be owned forever by the Commonwealth and leased, not sold, to the owners of any buildings constructed thereon. This was done to discourage speculation and to defray the expense of building

¹¹ Morgan drew inspiration from John Dewey's theories of progressive education and from his own professional career as someone who had learned engineering by doing engineering. He was also heavily influenced by the utopian ideas of Edward Belamy, the author of *Looking Backward*.

¹² After World War II, the land underlying Norris, Tennessee was sold by TVA to private investors.

¹³ George L. Hicks, *Experimental Americans: Celo and Utopian Community in the Twentieth Century*. (Urbana IL: University of Illinois Press, 2001).

Canberra, “allowing unearned increments in land value to be retained by the Commonwealth Government.”¹⁴

In Israel, the Jewish National Fund (JNF) began acquiring land in Palestine in 1901. Inspired by the theories of Henry George, the JNF executed 99-year leases for the use of its land. Its principal beneficiaries were cooperative agricultural communities, *kibbutzim* and *moshim*, developed on lands leased from the JNF. In 1967, when civil rights activists from the United States began looking for ways to promote land reform in the American South, they turned to these agricultural communities for practical lessons, traveling to Israel to learn about the mechanics of mixed ownership and long-term land leasing.

¹⁴ Both quotes in this paragraph are taken directly from the *Seat of Government (Administration) Act of 1910* which established the Australian Capital Territory.

ORGANIZATION: Putting the “C” in CLT

In all of the early leasehold communities, including the Garden Cities in England, the single-tax colonies in the United States, the agricultural cooperatives in Palestine, and the intentional communities at the School of Living and Bryn Gweled, there was common ownership of land, individual ownership of buildings, and a long-term ground lease tying the interests of the parties together. These were planned communities on leased land. They were land trusts. They were not *community* land trusts, however, as that term is understood today.

Bryn Gweled was typical in this regard. All of the houses at Bryn Gweled were located on land that was leased from a nonprofit corporation. The nonprofit was governed by homeowners living on the corporation’s land, but no one living outside of the community had a voice in running Bryn Gweled. There was neither a larger membership, nor outside directors. It was an intentional community, an enclave of like-minded people. It was not a “community land trust,” lacking as it did (and still does) most of the organizational and operational elements that define the contemporary CLT.¹⁵

What are the organizational characteristics that allow us to call a leased-land arrangement a “community land trust”? There are three; they put the “C” in CLT:

- The landowner is a private, nonprofit corporation with a corporate membership that is open to anyone living within the CLT’s service area that may be as small as a single neighborhood or as large as an entire city or multi-county region.¹⁶
- A majority of the nonprofit corporation’s governing board is elected by the CLT’s membership.
- There is a balance of interests on the CLT’s tripartite governing board. Seats are allocated equally among directors who represent people living on the CLT’s land (leaseholders), directors who represent residents of the CLT’s service area who do not live on the CLT’s land, and directors who represent the public interest.

¹⁵ There was also no control over the resale price of Bryn Gweled’s homes. Compared to the affluent suburbs that surround it, Bryn Gweled is more racially and economically diverse. Indeed, it calls itself “an intentionally diverse community.” But its houses have become quite expensive over time.

¹⁶ Although nearly all CLTs are nonprofit corporations – or subsidiaries of nonprofit corporations – not all CLTs are exempt from federal taxes under Section 501(c)(3). Either they have not sought such an exemption, or their purposes and activities do not qualify them for such an exemption.

The person most responsible for putting the “C” in CLT was Bob Swann. It was Swann, working in partnership with Slater King and C. B. King, two cousins of Martin Luther King, who was to modify the model pioneered by Ralph Borsodi and Arthur Morgan, adding organizational components that eventually made *community* a defining feature of the CLT. What earlier leased-land experiments had lacked, according to Swann, was “broad participation by the town or community.” Swann supplied this missing piece. In his words, “The practice I added was open membership in the corporation bylaws to all people living in the region. This was my major contribution.”¹⁷

THE EDUCATION OF A CLT PIONEER

Born in 1918, Swann came under the influence of Bayard Rustin, then serving as Youth Secretary for the Fellowship of Reconciliation.¹⁸ Guided by Rustin and inspired by the pacifist philosophy and personal example of Mahatma Gandhi, Swann made a fateful decision while auditing courses at Ohio State University. He would resist induction into the armed forces. This was just before America’s entry into World War II. He was sentenced to five years in prison and, in 1942, entered the federal penitentiary in Ashland, Kentucky. He was soon joined there by his mentor, Bayard Rustin, along with forty other conscientious objectors.

As Susan Witt, Swann’s second wife, was later to say in his obituary, prison was Bob’s “university and his monastery.”¹⁹ He was introduced here to many of the ideas that shaped the rest of his life. He was exposed for the first time to the writings of Lewis Mumford and Ralph Borsodi, both of whom were to influence Swann’s later thinking. But the book that impressed him the most he discovered in a correspondence course on community development that he and the other conscientious objectors took while serving out their time in the penitentiary. That book

¹⁷ Robert Swann. “The Community Land Trust—Borsodi and Vinoba Bhave,” in *Peace, Civil Rights, and the Search for Community: An Autobiography*. Available on-line from the Schumacher Center for a New Economics, Great Barrington MA: <http://centerforneweconomics.org/content/swann-autobiography>

¹⁸ Rustin was to become one of the most influential leaders and strategists of the American civil rights movement, although he was often forced to work behind the scenes because was gay. He initiated and joined the first freedom rides through the South in 1941, protesting segregation in public transportation. He was a mentor to the individuals who organized the Congress of Racial Equality (CORE); he was a founder of Peacemakers; he served as executive secretary of the War Resisters League; and he was a close advisor to Martin Luther King. The 1963 March on Washington was Rustin’s idea, for which he served as the principal organizer. In August 2013, President Obama posthumously awarded Rustin the Presidential Medal of Freedom.

¹⁹ Tom Long, “Robert Swann, 84, Peace Activist Who Sought Land Reform,” obituary, *Boston Globe*, February 19, 2003.

was *The Small Community*. It had been written by Arthur E. Morgan, the same man who had designed the course.²⁰

After leaving the Tennessee Valley Authority, Morgan had returned to Yellow Springs, Ohio. Two years later, in 1940, he founded Community Service, Inc. (CSI) as a vehicle for spreading his ideas about community development and small-scale, locally controlled enterprises. Among many other initiatives, CSI developed the correspondence course on the small community that reached Swann in prison. Beginning in 1943, CSI also published a nationally distributed newsletter that was mostly a showcase for Morgan's essays and experiments promoting small-scale community enterprise. It later featured many articles about CLTs.²¹

Swann was so impressed by Morgan's ideas that he wrote to him while still in prison, asking for work. Morgan offered him a job with Community Services, Inc. Released from Ashville in 1944, Swann moved his family to Yellow Springs. His wife, Marjorie Swann, a civil rights activist who had been actively involved with the Congress of Racial Equality (CORE) in Chicago, also found work at CSI. Soon after their move to Yellow Springs, she resumed her involvement with civil rights.

Bob Swann quickly realized that the job promised by Morgan was office work, which he was not interested in doing. He resigned from CSI and began building houses, the start of many years earning his living as an itinerant carpenter and house designer. After only a year in Yellow Springs, he and Marjorie moved with their daughters to Kalamazoo and then to Chicago. This was followed by yet another move to the Philadelphia area, where Bob was employed by Morris Millgram, building houses in two racially integrated projects, Concord Park and Greenbelt Knoll.²² During this period, the Swann family resided near Bryn Gweled and had several friends who lived there.²³

Throughout the 1950s, Bob and Marjorie became more deeply involved with the peace movement, working mostly with two organizations, Peacemakers and the Committee for Non-Violent Action (CNVA). The latter was one of the first peace groups to use civil disobedience in

²⁰ The importance of this correspondence course for Swann's intellectual development – and the influence of Morgan in particular – are nicely described in Stephanie Mills, *On Gandhi's Path: Bob Swann's Work for Peace and Community Economics* (Gabriola Island, BC: New Society Publishers, 2010: 41-56).

²¹ Griscom Morgan became the director of Community Service Inc. when his father retired in 1964. Griscom's wife, Jane, became CSI's director in 1970, holding that position until 1997. Both had an interest in intentional communities and CLTs, stemming in part from their personal involvement with an intentional community in Yellow Springs, called The Vale, which they helped to establish in the 1970s. The land underlying The Vale was conveyed to a local CLT in the mid-1980s named the Community Service Land Trust.

²² These developments were conceived and marketed by Millgram as racially integrated housing from day one, in marked contrast to Levittown, located nearby, which remained all-white until 1957. Millgram later co-founded the Fund for an Open Society with James Farmer to promote fair housing nationwide.

²³ At some point during this period they also visited the Celo community and contemplated living there. They decided not to do so, although one of their daughters later attended the Arthur Morgan School at Celo.

opposing the build-up of America's nuclear arsenal. Its early leaders included A.J. Muste and Bob's old friend, Bayard Rustin. In 1959, CNVA sponsored protests at the construction site of a ballistic missile site near Omaha, Nebraska. Fifteen protestors were arrested when they climbed the fence to invade the site. Each was sentenced to six months in jail. Marjorie Swann was one of them.

In 1960, the Swanns finally settled in Voluntown, Connecticut, where Bob and Marjorie worked full time as organizers for CNVA. They focused in the beginning on issues of war and peace: organizing teach-ins, marches, and direct action protesting the arms race with Russia, the quarantine of Cuba, and the escalating war in Vietnam. They were also drawn into doing support work for the southern civil rights movement.

THE SOUTHERN CRUCIBLE

Bob Swann went South for the first time in 1962, traveling to Mississippi to supervise a Quaker-sponsored, interracial construction crew, helping to re-build black churches that had been firebombed by southern racists. His carpentry skills, honed over many years of building, designing, and supervising the construction of houses, large and small, were put to good use.

During his time in Mississippi, Swann came slowly to realize that part of the oppression and insecurity of African Americans was due to their limited access to land on which to farm, to build houses, or to start new businesses of their own. He also heard of black farmers being forced off the land in retaliation for registering to vote. He began pondering how land might be made more accessible and more secure for the rural poor, especially for African Americans in the South.

Swann's ruminations about land became more focused after meeting two civil rights activists in Albany Georgia, Slater King and C.B. King. Out of their partnership was to emerge the prototype for a new model of land tenure, known today as the community land trust. There were other influences on Swann's conception of the CLT, as well, including his previous exposure to the leased-land experiments at Bryn Gweled and Celo, his developing interest in the Gramdan Movement in India, and his close relationships with Ralph Borsodi and Clarence Jordan. None of these did as much to shape Swann's thinking about the place of community in alternative institutions of property, however, as his association with the southern civil rights movement in general – and with Slater King in particular.

Slater King was the owner of a successful real estate and insurance brokerage firm, employing 30 people at its height. His older brother, C.B. King, was the only African American attorney in southwest Georgia at the time, and one of only three in the entire state. Both brothers became deeply involved in the civil rights struggle as leaders of the Albany Movement. Slater served as the organization's first vice president and was elected president a year later.

Launched in 1961, the Albany Movement was the first mass movement in the modern civil rights era to have as its goal the complete desegregation of an entire community. The white city council vowed this would never happen. Repeated attempts by the city's African American

community to desegregate the bus station, the library, city parks, and other public facilities were stubbornly resisted. This was sometimes done quietly: the public library was closed rather than allow blacks to check out books; nets were cut off the tennis courts in the public parks rather than allow integrated teams to play. More often, the white establishment's resistance was strident and brutal. Protest marches organized by the Albany Movement resulted in mass jailings. On orders of the city council, the police force of Chief Laurie Pritchett arrested every protester in sight, including Ralph Abernathy and Martin Luther King, who had been invited to town by his cousins. Both men were jailed there three times in 1961 and 1962, along with more than a thousand other African Americans. When Albany's jails overflowed, hundreds of the protesters were sent to jails in the surrounding counties, where racist rural deputies were more likely to beat and to abuse black prisoners. Slater King's own wife, Marion, was slapped, knocked to the ground, and kicked in the stomach by two policemen when she brought food and supplies to civil rights protesters in the Mitchell County jail. She was six months pregnant at the time. She lost her unborn child.²⁴

Martin Luther King came to consider the Albany Movement a failure because segregation had not been overturned by the time he moved along to Birmingham at the end of 1962. Albany's African American leaders disagreed, especially the youngest of them, an organizer for the Student Nonviolent Coordinating Committee (SNCC) named Charles Sherrod. He had arrived in Albany in 1961 to lead SNCC's voter registration campaign in southwest Georgia. Earlier, while still a student at Virginia Union University, he had joined the first sit-ins of segregated department stores in Richmond and been jailed in Rock Hill, South Carolina. Soon after moving to Albany, Sherrod became involved with the Albany Movement. He and his SNCC comrade, Cordell Reagon, were the organization's young firebrands, nipping at the heels of the more cautious black leadership. Long after Martin Luther King left town and the Albany Movement began to ebb, Sherrod stayed on. He and his wife, Shirley Sherrod, created the Southwest Georgia Project to continue the fight against segregated schools, segregated housing, and other vestiges of Jim Crow.

Charles Sherrod experienced first-hand what Bob Swann had heard rumors about: African American families being evicted from their homes and losing their jobs because they had registered to vote or raised their voices against segregation. He came to believe that the only way African Americans in the South would ever have the independence and security to stand up for their rights – and not be punished for doing so – was to own the land themselves.

The president of the Albany Movement gradually came to the same conclusion – perhaps on his own; perhaps through the prodding of Charles Sherrod; or perhaps through his unlikely friendship with Bob Swann. On the surface, Slater King and Bob Swann would seem to have had

²⁴ Taylor Branch, *Parting the Waters: America in the King Years, 1954-63* (New York: Simon and Schuster, 1988), 524-632. Slater's brother, C.B. King, was also the victim of police violence. In 1962, when visiting one of his clients, a white civil rights protester, he was assaulted by a county sheriff. A newspaper photographer's picture of the battered, bloodied, and bandaged attorney was picked up by the wire services and appeared in the first section of the New York Times, publicizing the conflict in Albany.

little in common. One was a black, college-educated real estate broker from the deep South whose activism was grounded in the civil rights movement. Nearly ten years older, the other was a white, self-educated homebuilder from the Midwest whose activism sprang mostly from his years of immersion in the peace movement. The social distance between them was made even wider in the mid-1960s by the mounting discord between blacks and whites, separating comrades who had fought side by side for the same cause.²⁵

Nevertheless, within a short time of meeting each other, Swann and King had fashioned a working relationship – and were on the way to becoming friends. How was this possible? How did they find their way to common ground? Nobody knows for sure, but the answer would seem to lie in several accidents of history, where the paths of these men converged.

The first convergence may have happened in 1964. Swann and his colleagues at the Committee for Non-Violent Action (CNVA) had helped to organize the Quebec-Washington-Guantanamo Walk for Peace the previous year. As this 1000-mile march moved into the South, feeder walks swelled its ranks, adding civil rights concerns to the march's original anti-war focus. When the march reached Albany, Georgia in December, the city council refused to allow the integrated group to march along the city's main street. On their second attempt to enter the downtown, Bradford Lyttle, Barbara Deming, and thirty other protesters were arrested by Chief Pritchett, that old nemesis of the Albany Movement. The protesters stayed in jail for nearly two months. The local attorney who represented them was C.B. King.²⁶

Although he participated in neither the march, nor the negotiations to get his friends released from the Albany jail, Swann later described this event as having “cemented the relationship between the members of the walk in CNVA and the members of the black civil rights movement in Albany. I became acquainted with Slater King through all of this . . .” It is not clear when the two of them actually met, but it is likely that Swann journeyed to Albany soon after the release of his friends. When Swann and King did meet, it seems that each recognized a kindred spirit in the other. By 1964, both had reached the point in their lives where they were asking themselves “what comes next?” How does a “protest movement” get transformed into what Gandhi had called a “constructive movement”? In particular, they were both wrestling with what Swann

²⁵ The most extreme example was the expulsion of white civil rights activists from SNCC in 1966 after Stokely Carmichael was elected chairman. Disagreeing with this policy, Charles Sherrod joined several former leaders of SNCC who resigned from the organization.

²⁶ Two years later, Barbara Deming, one of the peace marchers jailed in Albany, published an account of their ordeal, *Prison Notes* (Boston: Beacon Press, 1966). Her heroic portrait of C.B. King, tiptoeing through the racial minefield of an Albany courtroom, is one of the book's highlights: “Out of language he has made for himself a precise sword and a polished shield, and he moves in close to his opponents; he plays a daring game – again and again moves up to the boundary of open contempt for them. . . . They pretend, all of them, that none of this is happening – pretend that this is just old C.B., Albany nigger, doing a little ungainly dance and shuffle for them. They yawn and turn away. . . . Whether C.B. is arguing for one of us or for some local Negro client, the ruling is against him, invariably. He has not been known to win one case in this courtroom. But week after week he reappears, a bitter but persistent figure; outmatches them all again, and again is judged the loser.”

described as the “whole problem of blacks being pushed off the land” and agreed that something needed to be done to “break the pattern of land-holding in the South.”²⁷

Incidentally, a meeting of minds may not have been the only basis for the unlikely alliance that was quickly forged between Swann and King, for this was not the first time that the paths of their families had intersected. Twenty years earlier, while living in Yellow Springs, Swann’s wife had been actively involved with a local affiliate of the Congress of Racial Equality. Marjorie Swann had befriended another civil rights activist, an Antioch student who was majoring in music and education. The two women became life-long friends. On occasion, when the Swanns wanted a night off, they hired Marjorie’s young friend as a babysitter for their daughters. The babysitter’s name was Coretta Scott. She later married a young reverend from Atlanta whose zeal for the civil rights struggle matched her own: Martin Luther King.

A VISION OF CONSTRUCTIVE CHANGE: KOINONIA FARM

There was another accidental convergence that was undoubtedly a factor in building the relationship between Bob Swann and Slater King. Thirty miles from Albany, there was a place where a “constructive” program was already underway: Koinonia Farm. Founded in 1942 by the Reverend Clarence Jordan, Koinonia was one of the few communities in the South where black families and white families were actively living, working, and praying together, modeling the integrated society they wanted to see. Because of the racial mixing at Koinonia and because of Jordan’s publicly declared views on racial equality, he and Koinonia’s other residents were excommunicated from the Rehoboth Baptist Church in 1950. Six years later, local businesses started boycotting Koinonia when Koinonia established an interracial summer camp. This boycott continued into the late 1960s. The Ku Klux Klan pursued a more violent path, firing guns into Koinonia’s buildings, torching the farm’s roadside market stand, and threatening increased violence unless Jordan agreed to sell the land and leave. He refused.

Bob Swann had met Clarence Jordan in 1957, at an early organizational meeting for CNVA. He and Marjorie visited Koinonia Farm several times over the next decade. Dorothy Day, Wally and Juanita Nelson, Reverend Maurice McCrackin, and other noted American pacifists and civil rights activists were frequent visitors as well, bearing witness and offering support to Koinonia as the boycott and violence continued. They helped to establish *Friends of Koinonia*, a national network to raise money for Koinonia and to market the farm’s pecans and other agricultural products outside of the South. For a time, Bob Swann served as the chairman for this network.

Other visitors and supporters came to Koinonia Farm from nearby Albany. The King brothers grew especially close to Clarence Jordan and other Koinonians. As early as 1957, C.B. King, Slater King, and their wives, Carol and Marion, began attending weekend dinners at Koinonia. As the boycott continued to squeeze Koinonia, Slater King helped the farm to sell its

²⁷ Quotes are from “Bob Swann: An Interview,” *Community Economics* (Summer, 1992); repr. in *The Community Land Trust Reader* (2010), 271.

eggs and produce in the black community in Albany. The most telling tale of the friendship and trust between the Kings and the residents of Koinonia, however, occurred during the Cuban Missile Crisis of October 1962. C.B. King had gone to Washington, DC to plead unsuccessfully for federal prosecution of a county sheriff who had assaulted him a few months earlier. When President Kennedy announced the naval quarantine of Cuba, putting the country on a war footing, King rushed back to Albany. He arrived home to discover a note on the front door from his wife, saying she had moved the entire family to Koinonia. Fearing that Albany might be targeted by Soviet missiles because of the nearby military base, she had taken her children to a safer place where she knew the family would be welcomed.²⁸

Koinonia provided Bob Swann and Slater King with a compelling vision of a cooperative agricultural community that had been created, in part, to promote economic self-sufficiency for low-income people, a community supported by a larger network of sympathizers. Koinonia was clearly a source of inspiration for New Communities, as Swann and Slater King began laying plans for an agricultural community on leased land. They, in turn, helped to influence a major initiative that Koinonia undertook after 1968.

In August of that year, Clarence Jordan invited fifteen trusted advisers to meet with him and Millard Fuller to discuss a new direction for Koinonia Farm. Slater King and Bob Swann, who had just returned from a six-week trip to Israel, studying cooperative agricultural communities and ground leasing, were two of these advisors. Two months after this meeting, on October 21, 1968, Clarence mailed out a mimeographed letter to 2000 Friends of Koinonia, announcing three initiatives for taking Koinonia's ministry in a new direction. One of them was Koinonia Partners, a vehicle for developing cooperatively owned enterprises and individually owned houses on land leased from a nonprofit entity. Sounding just like the men who would end up creating New Communities, Clarence proposed a new form of tenure for these enterprises and houses: "all land will be held in trust by the Fund for Humanity, but will be used by the partners free of charge. Thus, usership will replace ownership."²⁹ The Fund for Humanity and Koinonia Partners were founded the following year to implement Clarence's vision. Millard Fuller became director

²⁸ Dallas Lee, *The Cotton Patch Evidence: The Story of Clarence Jordan and the Koinonia Farm Experiment, 1942-1970* (Americus, GA: Koinonia Partners, 1971); Tracy Elaine K'Meyer, *Interracialism and Christian Community in the Postwar South: The Story of Koinonia Farm* (Charlottesville, VA: University Press of Virginia, 1997), especially her excellent chapter on "Koinonia and the Movement." The story of C.B. King's wife taking refuge at Koinonia Farm during the Cuban Missile Crisis can be found in Taylor Branch, *Parting the Waters*, 673.

²⁹ The first housing completed by Koinonia Partners was constructed on lots previously sold by Koinonia Farm, but the next 22 houses were developed according to Clarence's "partnership principles." The land underneath was owned by the Fund for Humanity and leased for a nominal fee to the families buying these houses. Before his sudden death in 1969, Clarence Jordan also transferred the deed to Koinonia Farm to the Fund for Humanity. A longer discussion of the intersecting origins and values of the CLT and Habitat for Humanity - and Clarence Jordan's influence on both - can be found in John Emmeus Davis, "Braided Lives," *Rooflines*, March 28, 2013 (www.rooflines.org/3152/braided_lives_habitatland_trust_partnerships_bring_each_back_to_their_roots/).

of the latter, a precursor and prototype for the organization he started in 1976: Habitat for Humanity.³⁰

A GRAMDAN MOVEMENT FOR AMERICA

Swann formed another important partnership during this period. In 1966, a mutual friend introduced him to Ralph Borsodi, who had just returned to the United States after four years abroad, teaching economics in India. Swann was familiar with Borsodi's writings, which he had read in prison during the Second World War, and he had often visited Bryn Gweled, the leased-land community inspired by Borsodi's School of Living. Swann had never before met Borsodi face to face, however. The two men formed an immediate attachment.

One of the things they had in common was a keen interest in the work of Vinoba Bhave, who was doing something similar to what Borsodi had tried to achieve at the School of Living and that Swann had seen in practice at Bryn Gweled. But Vinoba Bhave was doing it on a massive scale – and adding organizational elements that had been missing in Borsodi's model.³¹

After Gandhi was assassinated in 1948, political leadership of his movement fell to Nehru. Spiritual leadership fell to Vinoba Bhava. Gandhi's vision for a "constructive program" to follow independence from Britain had been a decentralized society based on autonomous, self-reliant villages. He had also articulated a concept of "trusteeship," asserting that land and other assets should be held in trust for the poor. Vinoba Bhave made Gandhi's vision his own and inherited Gandhi's concern for the plight of the rural poor, especially the untouchables. He began walking across India, asking rich landowners to donate a portion of their land to the poor. To his surprise, hundreds of landowners generously responded. The "Land Gift" movement – the Boodan Movement – was born. At its height, Bhave and his followers were collecting 1000-3000

³⁰ It is fair to say, in retrospect, that Koinonia Farm was the seedbed for two national movements: community land trusts and Habitat for Humanity. Until recently, these movements evolved along parallel tracks, with little interaction between them. By 2008, however, a pattern of local cooperation had become apparent to the leaders of both movements, with over three dozen documented cases of local CLTs and local Habitat chapters joining forces to develop affordably priced housing for lower-income families. With their local affiliates pointing the way, the National CLT Network and Habitat for Humanity International signed a memorandum of understanding in 2009 to foster cross-training, technical support, and collaborative development between their constituencies.

³¹ Borsodi was exposed to the Gramdan Movement during his years in India. Swann's introduction to Bhave's land reform program was more indirect. In the pacifist circles in which Swann moved, Bhave was known as the man who had inherited Gandhi's mantle, so his activities were closely watched. In December 1960, Swann's first mentor, Bayard Rustin, and George Willoughby, national director for the Committee on Non-Violent Action, traveled together to Calcutta to meet Bhave. They spent several days with him, trekking from village to village. (John D'Emilio, *Lost Prophet: The Life and Times of Bayard Rustin*, New York: Free Press, 2003: 307). Swann, who had just begun working full time for CNVA, undoubtedly received a full report on their return to the United States. In 1978, Swann finally had his own opportunity to meet Bhave, when he and Marjorie took a trip to India.

acres a day. By 1954, 3 million acres had been distributed to the poor and Bhave was being hailed as the “Walking Saint of India.”

But poor peasants had a hard time hanging onto the small plots they were given. Much of their land was quickly lost to moneylenders and speculators. Seeing this, Vinoba Bhave transformed the Land Gift program into a “Village Gift” program – the *Boodan* Movement became the *Gramdan* Movement. Bhave now insisted that any gifts of land must be donated to entire villages, not to impoverished individuals. The land would be held in trust by a village council – and leased – to local farmers.

By the time Borsodi left India, more than 160,000 Gramdan villages had been established. He was enormously impressed by these local experiments in land reform, discovering in the Gramdan Movement an affirmation and an audience for his own ideas about rebuilding rural economies on the basis of self-sufficient villages on leased land. Returning to the United States, Borsodi settled in Exeter, New Hampshire and formed a new organization in 1967 to provide training and technical assistance for people who were interested in promoting rural development along the lines he had witnessed in India. The name of this new organization was the *International Independence Institute*. Borsodi became chairman of the board and executive director.³² Erick S. Hansch, a friend of Borsodi’s from Portland, Oregon was named “assistant field director for Latin America.” Bob Swann, who continued living at Voluntown after meeting Borsodi, was named the Institute’s “field director” and charged with laying the foundation for a Gramdan Movement in America.

In October of that same year, Borsodi and Swann traveled together to Luxembourg and London. In Luxembourg they incorporated yet another organization to complement the work of the Exeter-based International Independence Institute. According to its charter, the purpose of this new organization, named the International Foundation for Independence, was “to promote a world-wide social reformation to be based upon the theory that priority must be given . . . to the development of agriculture, local arts, local crafts, local enterprises, and local industries, and that the development of these basic social institutions should not be sacrificed to promote urbanism and industrialism.” In Borsodi’s expansive vision, the Foundation would raise capital by issuing “notes and other instruments of indebtedness” and then loan these funds on reasonable terms to agricultural projects and rural villages in India, Latin America, and undeveloped regions in the United States, especially the rural South.

Over the next 20 years, the International Independence Institute regularly changed its location and, eventually, its name. It moved its corporate offices in 1971 from Exeter, New

³² The other members of the Institute’s founding board were Henry Bailey Stevens, Erick S. Hansch, Jean Rau, Harriet K. Greer, and Richard S. Dewey, according to an article published in *The Exeter News* (Exeter, New Hampshire), November 23, 1967.

Hampshire to Ashby, Massachusetts. The next year, it moved again to Cambridge, Massachusetts and changed its name to the “Institute for Community Economics” (ICE).³³

NEW COMMUNITIES INC.

Even as he was helping Ralph Borsodi to establish the Institute in Exeter and the Foundation in Luxembourg, Swann had kept in touch with Slater King. If the leased land model that Borsodi had pioneered in 1936 could be combined with the sort of village trusts that had been developed on such a large scale in India, Swann and King believed they might have the makings of a land reform program capable of easing the residential and economic plight of African Americans living in the rural South.

In 1966, Borsodi and Swann organized a conference discussing the Gramdan model of rural development and Borsodi’s plans for creating an institute that might seed and support that model in the United States. Among the conference’s attendees was Fay Bennett, executive secretary of the National Sharecroppers Fund (NSF) and a seasoned veteran of many struggles for social justice in the South.³⁴ Bennett was deeply concerned about black farmers being forced off the land. In response, NSF had expanded its programming in the 1960s to include the construction of affordable housing and the creation of agricultural cooperatives, two strategies for combatting rural displacement. Bennett was intrigued by the idea of creating Gramdan-style leased-land communities for former sharecroppers and tenant farmers. A year after the International Independence Institute was established, she agreed to join the board of directors. The next year, NSF provided part of the funding to send a delegation to Israel to learn more about agricultural communities organized as a kibbutz or moshav, both of which were developed on lands leased from the Jewish National Fund.

Eight people made the trip to Israel in June 1968: Fay Bennett; Bob Swann; Slater King and his wife, Marion; Lewis Black, a board member of the Southwest Alabama Farmers’ Cooperative Association; Leonard Smith, a colleague of Fay Bennett’s at the National Sharecroppers Fund; Albert Turner, field director for the Southern Conference Leadership Conference in Alabama;

³³ ICE relocated again in 1980, moving west to Greenfield, Massachusetts. Ten years later, ICE moved to Springfield, Massachusetts. In 2008, forty years after Ralph Borsodi had incorporated the International Independence Institute, ICE was absorbed into the National Housing Trust. NHT retained “Institute for Community Economics” as the name of the loan fund inherited from ICE, but ICE itself ceased to exist as an independent organization.

³⁴ The National Sharecroppers Fund was a nonprofit advocacy organization created by the Southern Tenant Farmers’ Union in 1937 to publicize the plight of sharecroppers and to push for legislation, social services, and economic opportunities to expand the rights and ease the lives of these impoverished farmers. Fay Bennett was executive director of the National Sharecroppers Fund from 1952-1974. The chairman of her board during much of this period was Frank Porter Graham, a former U.S. Senator and President of the University of North Carolina, who was fond of calling Bennett the “Joan of Ark of Agricultural Workers” because of her fierce advocacy on behalf of sharecroppers, tenant farmers, and the rural poor.

and Charles Sherrod, who had recently returned to Albany after earning a Doctor of Divinity degree from Union Theological Seminary.³⁵

These eight activists, six blacks and two whites, returned to the United States after a month in Israel, convinced that something like a network of agricultural cooperatives, developed on lands leased from a community-based nonprofit, might be a powerful model for the rural South.³⁶ They introduced this idea at a July 1968 meeting in Atlanta to which they invited representatives of nearly every civil rights organization in the South with an interest in addressing the land problems of African Americans. A planning committee was formed to explore the feasibility of developing a leasehold model of rural development for black farmers.³⁷

In mid-1969, the bylaws drafted by C.B. King were approved by the planning committee. The name adopted by the committee was New Communities, Inc.,³⁸ described in the Articles of Incorporation as “a nonprofit organization to hold land in perpetual trust for the permanent use of rural communities.”

Three of the officers for this new corporation had made the trip to Israel. Slater King was elected president. Fay Bennett was elected secretary. Leonard Smith was elected treasurer. The corporation’s vice president was an African American priest from Louisiana, Albert J. McKnight. Father McKnight, along with Charles Prejean, had represented the Southern Cooperative Development Program and the Federation of Southern Cooperatives on the planning committee. At the time of New Communities’ founding, Father McKnight already had a long history of helping to develop rural cooperatives and credit unions. It was hardly a reach for him to embrace

³⁵ These are the eight individuals named in *The Community Land Trust: A Guide to a New Model for Land Tenure in America* (International Independence Institute, Cambridge, MA: Center for Community Economic Development, 1972: 16). Citing the same source, Stephanie Mills dubiously adds Andrew Young to the delegation who made the 1968 trip to Israel. (*On Gandhi’s Path: Bob Swann’s Work for Peace and Community Economics*, New Society Publishers, Gabriola Island, BC: 2010: 97). A more credible addition, though somewhat speculative, is the Reverend Albert J. McKnight, who later joined the board of New Communities, Inc. as its first vice president. In his autobiography, Father McKnight refers to having “visited Israel for three weeks” in 1968, although he makes no mention of New Communities (*Whistling in the Wind*, Opelousas, LA: Southern Development Foundation, Inc., 2011).

³⁶ The cooperative model they found most attractive was the *moshav ovdim*. This was different than a kibbutz, where farming is done collectively and profits are shared equally. In a moshav, purchasing and selling are done cooperatively, but each family has its own leasehold and holds title to its own home.

³⁷ The team of people who had made the trip to Israel was joined on this planning committee by Father Albert J. McKnight, James Mayes, Charles Prejean, James Wood, John Lewis, and William Peace. C.B. King provided legal advice throughout the planning process.

³⁸ It was probably not a coincidence that Chapter Eight in Arthur Morgan’s book, *The Small Community*, which had made such an impression on Swann in 1943 when he was in prison, was entitled “The Creation of New Communities.”

the notion of cooperatively managed farms and planned residential communities located on land that was leased from a community-controlled nonprofit.³⁹

The board of New Communities, under Slater King's leadership, began immediately looking for land. They took an option on 5,735 acres located in Leesburg, about 30 miles north of Albany, using a \$50,000 grant provided by the National Sharecroppers Fund. That left over \$1 million they still had to raise before their six-month option expired. The whole process was almost derailed one month later, however, when Slater King was killed in an automobile accident. Despite this tragedy, the board decided to press on. Charles Sherrod was asked to assume the presidency of New Communities, a position he retained for many years.⁴⁰

New Communities Inc. (NCI) managed to close on the land on January 9, 1970, coming into possession of 3,000 acres of farmland and over 2000 acres of woodland – at the time, the largest tract of land owned by African Americans in the United States. NCI had to borrow most of the \$1,080,000 purchase price. This meant that, for the next 15 years, most of NCI's profits from raising and selling its agricultural products – corn, peanuts, soybeans, watermelons, hay, and beef – went into servicing the debt on its land. Although several families moved into buildings that already existed on the land prior to its purchase, New Communities was never able to build new housing or to develop the two planned residential communities that had been envisioned by NCI's founders. Federal funds from the Office of Economic Opportunity had been promised to New Communities to subsidize the construction of these settlements, but the grant was blocked by Lester Maddox, the segregationist governor of Georgia.

Locally, New Communities faced the same kind of hostility from the county's white farmers and white-owned businesses that Koinonia had experienced. As Charles Sherrod later recalled: "There was a time when they did oppose us. They'd burn, and they'd fire at us; they threw one or two of us in jail."⁴¹ By 1980, things had settled down. There was grudging acceptance by NCI's white neighbors. But the economic risks of farming, the crushing debt on their land, successive years of draught, and discriminatory lending by the Farmers Home Administration made it

³⁹ In 1979, Father McKnight was appointed by President Jimmy Carter to the first Board of Directors of the National Cooperative Bank. He later served as vice president of NCB's board, the same position he had held on the founding board of New Communities, Inc. In the 1990s, he moved to the mountains of rural Haiti and helped to start Fonwa University, teaching courses on cooperative development and serving as the university's chaplain. More on Father McKnight's work with cooperatives can be found in *Whistling in the Wind* (2011).

⁴⁰ The story of the planning, founding, and early years of New Communities can be found in the following sources: *The Community Land Trust* (1972), 16-25; Robert Swann, "New Communities—5000 Acres and \$1,000,000," in *Peace Civil Rights and the Search for Community*, chapter 20, op cit; an interview with Charles Sherrod, conducted by John Emmeus Davis in 1981, excerpts of which were published in the *Community Land Trust Handbook* (Emmaus, PA: Rodale Press, 1982), 39-47; and Shirley Sherrod, *The Courage to Hope* (New York: Atria Books, 2010), 83-96.

⁴¹ *The Community Land Trust Handbook* (1982), 46.

harder and harder for New Communities to hang onto the land. They were forced to sell 1300 acres in the early 1980s. A few years later, they lost the rest to foreclosure.⁴²

GUIDE TO A NEW MODEL FOR LAND TENURE (1972)

But that loss was still nearly many years away when Bob Swann and three of his colleagues at the International Independence Institute, Shimon Gottshalk, Erik Hansch, and Ted Webster, began writing a book meant to describe the “new model for land tenure” being piloted at New Communities. Swann, Hansch, and Gottshalk provided the content. Webster served as the book’s overall editor with the assistance of Marjorie Swann.

The Community Land Trust, published in 1972, was built around Swann’s experience working with New Communities, but it also drew practical lessons from older leased-land communities in the United States and Israel. It included, for example, the complete text of the Bryn Gweled ground lease. The authors admitted that the “somewhat hypothetical model” they were proposing “exists only in the form of various prototypes,” yet they managed to describe many of the key features of ownership and organization that characterize the CLT of today.⁴³

In particular, both the membership and board of the nonprofit landowner were opened up for the first time to people from the surrounding community – and beyond – who neither leased nor lived on the nonprofit’s land. This was a direct legacy of Swann’s involvement with Koinonia and New Communities. He had helped to mobilize national support for a beleaguered Koinonia Farm when it was attacked and boycotted by southern racists. He had worked beside Slater King and other civil rights activists in seeking representation from “almost every Southern organization concerned with the land problem of blacks” in planning and establishing New Communities.⁴⁴ These activists understood that such a radical experiment in racial advancement could only survive in the hostile environment of southwest Georgia through the continuing participation of sympathetic outsiders who might never live at New Communities themselves. When Swann and his colleagues got around to suggesting an organizational structure for their new model,

⁴² New Communities provided an object lesson for later CLTs, among whom it became an article of faith that “Thou shalt *not* encumber thy land with debt.” Even though the land was lost, New Communities, Inc. did not dissolve. The corporation remained in existence. When black farmers in the South won a \$375 million settlement from the United States Department of Agriculture in 1999, resolving a class action suit that had charged USDA with racial bias, New Communities Inc., filed a claim. NCI alleged that discriminatory lending at USDA in the 1970s and early 1980s had contributed to the failure of NCI’s agricultural business and the loss of its land. In July 2009, after a decade of being rebuffed by USDA, New Communities was awarded \$12 million. Its board began searching for farmland to buy in the Albany area – that would be owned, this time around, debt-free. On June 29, 2011, NCI purchased the 1600-acre Cypress Pond Plantation for \$4.5 million. In 2013, Mtamanika Youngblood, who had first come to New Communities as a summer volunteer in 1970, was appointed NCI’s executive director.

⁴³ New Communities itself never managed to put in place most of the features of ownership and organization described in the book that was based on its story.

⁴⁴ *The Community Land Trust* (1972), 17.

therefore, they saw the merit of involving a larger, supportive community in guiding and governing the CLT. They proposed that “a majority of the board membership should consist of people somewhat removed from the resident community,” although they did not specify a particular board configuration.⁴⁵ It was only later, several years after their book was published, that the staff of ICE happened upon the three-part structure that eventually became a distinguishing feature of the CLT’s board.⁴⁶

Incidentally, it was the book’s editor, Ted Webster, who coined the name for this new model of tenure. After reading a rough draft of the manuscript, he pointed out that there needed to be a way to differentiate this new model from the intentional communities that had come before and from the conservation land trusts that were springing up across the United States. Webster innocently asked whether it might make sense to call it a *community* land trust, in effect emphasizing the organizational elements that Swann, Gottchalk, and Hansch had grafted onto Borsodi’s model.⁴⁷ They liked the idea. From that point on, they began calling their prototype a “community land trust.”

⁴⁵ Ibid., 38.

⁴⁶ At a seminar sponsored by the Lincoln Institute of Land Policy in 2004, Terry Mollner, who had served on ICE’s staff during the second half of the 1970s, tried to recall how ICE had arrived at the tripartite allocation of seats among leaseholders, non-leaseholder residents of the surrounding community, and representatives of the “public interest.” He could not. He expressed mild amusement that what had “seemed like a good idea at the time” had proven its worth over the years and become a fixture of the CLT model.

⁴⁷ In Webster’s own words: “Bob would give me scribbled drafts and notes. I would have to organize them and polish them. He kept talking about “land trust” this, “land trust” that. I said we have to be able to distinguish it from other land trusts doing conservation. Why don’t we call it a *community* land trust? He liked the suggestion. That was probably my only contribution to the CLT movement.” (Conversation with John Emmeus Davis, 2007.)

OPERATION: From Trusterty to Trusteeship

With publication of the 1972 book, two of the three elements of the modern-day CLT were firmly in place, at least in theory. There was an ownership structure that established a new relationship between individuals and the land beneath their feet. There was an organizational structure that redefined the relationship between people living on the CLT's land and those residing in the surrounding community, a regional constituency both larger and more inclusive than the leaseholders who had populated and governed the land trusts created or inspired by Ralph Borsodi.

In practice, however, most of the CLTs formed in the decade that followed the incorporation of New Communities and publication of the first book about this “new model for land tenure” were organized on behalf of small groups of like-minded people. These homesteaders moved onto land that was leased from a nonprofit corporation in order to live in community with others who shared their social or political values.⁴⁸ Although they called themselves “community land trusts,” they were closer to being intentional communities – or, as Swann later called them, “enclaves.” They did not embrace the open membership and balanced board of the model proposed in the 1972 book.

It was not until 1978 that two organizations appeared that were to incorporate both the leased-land structure of ownership and the community-based structure of organization that Swann and his colleagues had envisioned. Both of these CLTs were located in rural areas, one in east Tennessee and one on the coast of northern Maine. They were followed in 1980 by the first urban CLT, established in an African American neighborhood in Cincinnati, Ohio. Even as these organizations embraced the model portrayed in the 1972 book, however, they added operational features all their own, nudging the model in a new direction and redefining the “T” in CLT.

A PREFERENTIAL OPTION FOR THE POOR

The Woodland Community Land Trust (WCLT) was founded in 1978 in the Appalachian Mountains of East Tennessee. It was organized by a former nun, Marie Cirillo, who had been working in Appalachia since 1967. While she was still a Glenmary Home Sister, a member of Marie's religious community had gone to Boston for a year of study. She had heard Bob Swann talk about community land trusts. When she returned to East Tennessee, she told Marie and the

⁴⁸ Several rural land trusts were created in the early 1970s, most notably Earthbridge in Vermont and Sam Ely in Maine. The latter published a national newsletter, the *Maine Land Advocate*, for seven years (1973-1979).

other sisters about this new model of land tenure, suggesting that it might hold potential for their work with impoverished people in Appalachia. The Sisters pooled their funds and paid for Swann to visit East Tennessee, sometime in 1973.

Although the Sisters were immediately convinced of the worth of Swann's ideas, it would take another five years before local residents of Rose's Creek, where Marie had settled, were willing to give the CLT a try. Many of these mountain people were already living on leased land, since most of the land and nearly all of the mineral rights in their Appalachian county were in the hands of absentee corporate owners, either land companies or coal companies. These companies were willing to lease land to the locals, but they never sold it. And the terms of the leases were always heavily biased in favor of the landowner, with little security or protection for the lessee. Having experienced the dark side of land leasing, the Appalachian natives of Rose's Creek were understandably cautious about starting a CLT.

When the Woodland Community Land Trust was finally incorporated in 1978, another five years went by before the first houses were built on a 17-acre site owned by WCLT.⁴⁹ The board of directors then took a significant departure from the model that had been laid out in the 1972 book. They imposed resale controls on the houses. Drawing on the religious tradition of tithing, something quite familiar to the Southern Baptists who populated the hills and hollers around Rose's Creek, the Woodland CLT decided that homeowners would get 90 percent of the appraised value of their houses when they moved, leaving the other 10 percent in the house as a price reduction for future homebuyers.⁵⁰

Meanwhile, in northern Maine, another strong-willed woman was leading the effort to establish a rural CLT. Sister Lucy Poulin and several other Carmelite nuns had come to Hancock County in 1968, settling in the town of Orland. They had supported themselves by sewing shoes for a Bangor shoe company. When the company closed in 1970, over thirty local women, including the nuns, were thrown out of work. The Sisters responded by helping to form a sewing cooperative, where the women could work at home, making crafts that were sold through a storefront they opened on U.S. Route 1. HOME was the name they gave to their cooperative. The nuns later established a school and a daycare center for the co-op's members. They also organized Project Woodstove to deliver firewood to the elderly. Eventually, over 1500 people were connected in one way or another to HOME Co-op.

Their next project was the construction of new housing. Sister Lucy took the lead in helping to start Self Help Family Farms in 1978. The aim of this organization was to settle low-income families in newly built homes on 10-acre leaseholds, where each family could enjoy a degree of

⁴⁹ To oversee this project, WCLT hired its first executive director, Mike Brown, with funds obtained by Marie from the Catholic diocese in Nashville. Brown served as WCLT's director from 1980-1984. He later joined the staff of the Institute for Community Economics and went on to become a partner in a national consulting cooperative, Burlington Associates in Community Development, assisting dozens of CLTs, new and old.

⁵⁰ The story of the founding of the Woodland CLT is told in *The Community Land Trust Handbook*, (1982), 48-61. See also Marie Cirillo's "Stories from an Appalachian Community" in *The Community Land Trust Reader* (2010), 202-218.

self-sufficiency. The Covenant Community Land Trust was formed that same year to serve as the landholder, leasing out the land under these homesteads.⁵¹

From the beginning, Sister Lucy, like Marie Cirillo, regarded the CLT as a vehicle for helping and empowering low-income people who had been excluded from the economic and political mainstream. To express it in terms of the Catholic theology familiar to them both, there was a “preferential option for the poor.” The CLT was not simply about building houses; it was building a community of the dispossessed.

DEVELOPMENT WITHOUT DISPLACEMENT

That philosophy of empowerment was shared by Chuck Matthei, a friend of Sister Lucy’s who had come to her aid in helping to establish the Covenant CLT. Over the next thirty years, Matthei was to do more than any other person to weave into the institutional fabric of the community land trust the preferential option for the poor that Marie Cirillo and Lucy Poulin had espoused for their own CLTs.

Matthei was the movement’s Johnny Appleseed, traveling back and forth across the United States in a string of beat-up, second-hand vehicles, speaking to any audience he could find about the community land trust. He helped to convince hundreds of people to stop talking about CLTs and to get out there and start one. As Marjorie Swann later observed, when reflecting on the growth of the movement her former husband had helped to spawn, the theoretical genius of a Ralph Borsodi or a Bob Swann was not sufficient to move CLTs into the mainstream. It took the motivational eloquence and political savvy of a Chuck Matthei to make the movement a reality.⁵²

Matthei grew up in an affluent suburb of Chicago. A brilliant student, he was accepted by Harvard University. But he got sidetracked along the way. While still in high school, he had been regularly reading a newsletter published by a group of anti-war activists in Cincinnati, known as the Peacemakers. This was the period right before Martin Luther King was assassinated, when King’s philosophy of nonviolence had led him increasingly to combine his struggle against segregation with advocacy for the poor and opposition to the Vietnam War. This heady blend of civil rights, economic justice, and anti-war activism was precisely what the Peacemakers had been

⁵¹ One of the Covenant CLT’s first leaseholders, incidentally, was Ellie Kastanopolous, who later became the executive director of Equity Trust. The story of the founding of the Covenant CLT is told in *The Community Land Trust Handbook* (1982), 62-75.

⁵² In an interview conducted by John Emmeus Davis in 2008, Majorie Swann attempted to describe the very different abilities and contributions of Swann and Matthei in building the CLT movement: “Bob was very good at the theoretical stuff, at putting it into words. . . . He was brilliant when it came to articulating the ideas and putting them into a whole plan. But he was not good at motivating people. Chuck’s genius was in inspiring people to do it. After Chuck took over ICE, the land trusts multiplied.”

preaching since 1948 – a moral concoction that Matthei found quite intoxicating.⁵³ Graduating from high school in the summer of 1966, he hopped onto his motorbike and headed to Cincinnati to meet in person the Peacemakers he had been reading about: Earnest and Marion Bromley; Wally and Juanita Nelson; and the Reverend Maurice McCrackin.

To the fury of his father, Matthei never made it to Harvard. Instead, following in the footsteps of the Bromleys, Nelsons, and McCrackin, Matthei became a lifelong tax resister and social activist. He became a close friend of Dorothy Day's, spending time at the Catholic Worker house in New York City. Through the Peacemakers, he also met Bob and Marjorie Swann. While on the staff of the Clamshell Alliance in New England, Matthei was befriended by Sister Lucy Poulin and helped her to start the Covenant CLT. That same year, in 1978, he was invited by the Swanns to join the board of the Institute for Community Economics, then headquartered in Boston.

One year later, ICE experienced a series of financial and personnel problems that precipitated the resignation of the entire staff and most of the board. When the dust settled, Chuck Matthei was made executive director, accepting the princely salary of \$300 per month.⁵⁴ Matthei moved ICE to Greenfield, Massachusetts and began slowly replenishing its coffers and rebuilding its staff. By 1988, ICE was employing 21 people, operating a multi-million-dollar revolving loan fund for CLTs, publishing a nationally distributed periodical called *Community Economics*, and providing technical assistance to a growing number of CLTs across the country.

One of the first CLTs to receive financial and technical assistance from ICE, after Matthei was named executive director, was the Community Land Cooperative of Cincinnati (CLCC). This inner-city CLT was started by the West End Alliance of Churches and Ministries in 1980, with Matthei's help. One of its leaders was Matthei's old friend, Maurice McCrackin, a

⁵³ The other founders of Peacemakers, in addition to the Nelsons and Bromleys, were Bayard Rustin, A.J. Muste, Dwight Macdonald, Ralph T. Templin, Roy Kepler, Cecil Hinshaw, Milton Mayer, and Horace Champney. Maurice McCrackin likely joined in 1950, when he made his church available for the Peacemakers' first conference.

⁵⁴ During the next five years, as Matthei rebuilt ICE's staff, \$300 was the monthly salary earned by *all* of ICE's employees.

Presbyterian minister whose church lay in the heart of the West End, Cincinnati's oldest and most impoverished African American community.⁵⁵

The Community Land Cooperative was unlike all previous CLTs in applying the model for the first time to an urban environment.⁵⁶ This was new territory. Up until that point, CLTs had been successfully seeded only in rural settings. Despite its urban surroundings, however, the CLCC bore a striking resemblance to the CLTs that had been established by Marie Cirillo and Lucy Poulin. Like the Woodland CLT and the Covenant CLT, the Community Land Cooperative served a population that had been excluded from the economic and political mainstream. It was a product of grassroots organizing and a vehicle for community empowerment: a means for controlling the fate of an impoverished inner-city neighborhood, while involving the neighborhood's residents in the CLT's activities and governance.

It was also a vehicle for controlling the resale prices of any homes developed through the CLT. The Community Land Cooperative was created, in part, to serve as a bulwark against gentrification. It was believed by CLCC's founders that simply removing land from the speculative market would not do enough to preserve the affordability of CLCC's homes or to prevent the displacement of the neighborhood's lower-income residents. Earlier land trusts had not imposed long-term contractual controls over the resale of buildings located on leased land. The 1972 book had not contemplated permanent affordability being one of the purposes of this "new model of land tenure." Indeed, it was mostly silent on the subject of how a CLT's homes were to be transferred from one owner to another, saying only that "fair procedures can be worked out for the sale of this immovable property when the owner decides to sell."⁵⁷ Rejecting

⁵⁵ One of many intriguing intersections that occurs throughout the story of the CLT's origins is the fact that Maurice McCrackin was also an old friend of Clarence Jordan's. McCrackin was one of the first pacifists to visit Koinonia in 1956 when local businesses began boycotting the farm. Two years later, McCrackin invited Jordan to Cincinnati to preach at his church, inspiring a member of Mac's congregation, Dorothy Swisselm, to move to Kononia. In 1961, McCrackin and Jordan became founding members of Operation Rescue, an organization aiding jailed civil rights activists in the South. In 1968, when Clarence announced a new direction for Koinonia, laying out his plan for developing affordable housing on leased land in a letter mailed to 2000 Friends of Koinonia, McCrackin would have certainly received a copy. The connections between these two radical Christians are described in Judith A. Bechtel and Robert M. Coughlin, *Building the Beloved Community: Maurice McCrackin's Life for Peace and Civil Rights* (Philadelphia, PA: Temple University Press, 1991) and in *Interracialism and Christian Community in the Postwar South: The Story of Koinonia Farm*.

⁵⁶ Matthei had earlier joined with Mitch Snyder, Perk Perkins, and other members of the Center for Creative Nonviolence and Sojourners in trying to establish a CLT in Washington DC. The Columbia Heights Community Ownership Project was incorporated in 1976. Soon after gaining control of several inner-city properties, however, CHCOP moved onto other issues, leaving its CLT agenda behind. The community organizers at Sojourners decided that forming a CLT had been premature. They turned their energies toward developing a neighborhood tenants union, which battled condo conversions and promoted resident-owned housing cooperatives. It is fair to call the Community Land Cooperative of Cincinnati, therefore, the first urban CLT.

⁵⁷ *The Community Land Trust* (1972), 64. The text goes on to say, however, that the main goal of such procedures should be to "ensure that community-generated value increments accrue to the community and not to the individual." Responsibility for calculating and allocating such value was to be assigned to "a committee either named by the community or operating as part of the board of trustees."

this open-ended approach as too weak and uncertain to stem the tide of gentrification, the CLCC imposed permanent contractual controls over the pricing and conveyance of any homes developed on the CLT's lands.⁵⁸

THE COMMUNITY LAND TRUST HANDBOOK (1982)

The founders of the Community Land Cooperative of Cincinnati, like many of the people who were attracted to the fledgling CLT movement in the 1980s – and who Matthei was recruiting to staff a resurgent ICE – brought with them a new set of sensibilities. They shared many of the same values and heroes that had proved so influential for Bob Swann. They had come of age during the civil rights movement. They had protested the Vietnam War. Gandhi and Martin Luther King were two of their moral touchstones. But there were other influences as well. People now working with local CLTs or joining ICE were more likely to have ties to the Catholic Worker or to other faith-based institutions like community churches, religious orders, or ministerial alliances. Many more of them had experience as community organizers. A growing number of them came to a CLT or to ICE with prior experience working in urban neighborhoods or providing affordable housing for lower-income people. This influx of newcomers affected the ways and places the model was applied. It also altered, in time, what it meant to be a CLT, as operational features like resale controls were added to the model's make-up.

By the 1980s, a new generation of CLT activists was in need of a better blueprint for creating a community land trust. Chuck Matthei pulled together a team of people to write and to illustrate a book that would update and, in some cases, revise the model that Swann and his colleagues had proposed a decade before. Eight of the book's twelve contributors had a background in community organizing. Six had experience with housing or city planning. Two had worked for faith-based organizations.⁵⁹

The Community Land Trust Handbook was published by Rodale Press in 1982. It drew on the experience of newer CLTs like those in Cincinnati, Maine, and Tennessee, while paying homage to the on-going experiment at New Communities. Although building on the foundation of the earlier book, the *CLT Handbook* introduced several organizational and operational refinements:

- There was a new emphasis on urban problems, especially the preservation of affordable housing and the revitalization of residential neighborhoods;

⁵⁸ Additional material on the CLCC's origins, purposes, and surroundings can be found in John Emmeus Davis, *Contested Ground: Collective Action and the Urban Neighborhood*. (Ithaca, NY: Cornell University Press, 1991).

⁵⁹ *The Community Land Trust Handbook* was authored by Marie Cirillo, John Davis, Rob Eshman, Charles Geisler, Harvey Jacobs, Andrea Lepcio, Chuck Matthei, Perk Perkins, and Kirby White. It was illustrated by drawings and prints produced by Bonnie Acker and photographs taken by Kerry Mackin and Bob O'Keefe.

- There was a new emphasis on building a CLT's social and political base through grassroots organizing;
- There was a higher priority on serving disadvantaged individuals and communities, accompanied by a "moral responsibility" for helping lower-income leaseholders to maintain their homes and to succeed as first-time homeowners;
- The open membership that Bob Swann, Slater King, C.B. King, Fay Bennett, and the other founders of New Communities had introduced was now defined more specifically in terms of two distinct voting blocks – leaseholder members and community members – each assigned responsibility for electing one-third of the governing board; and
- The permanent affordability of owner-occupied housing (and other structures), enforced through a preemptive option and resale formula embedded in the ground lease, was made a defining feature of the CLT.⁶⁰

The *CLT Handbook* also took an assertive moral and political stance in suggesting that some forms of property are better than others: more virtuous; more responsible; more just. The best forms of property were declared to be those where the "legitimate" interests of individuals and their communities are durably secured and equitably balanced. The book of 1972 had been concerned, first and foremost, with reforming the relationship between people and land. The overriding concern of the *Handbook* of 1982, by contrast, was reforming the relationship between individual and community – finding an equitable and sustainable balance between private interests and public interests that regularly collide in the ownership and use of real property. The challenge, as the *Handbook* readily admitted, was how to reach agreement on what those legitimate interests should be and on how they should be limited by one another. The property interests that the *Handbook's* authors were most comfortable calling "legitimate" were security, equity, and legacy. There was an individual dimension and a community dimension to each. A "satisfactory property arrangement" was described, accordingly, as one in which security, equity, and legacy were ensured for individuals who own homes and make use of land, without compromising a complementary set of community interests that are equally legitimate – public goods that must not be sacrificed to the single-minded pursuit of individual gains.

The CLT was extolled as a vehicle for securing this balance. In the CLT's structure of *ownership*, the rights and responsibilities of individual homeowners were balanced against those of the landowner. In its structure of *organization*, the powers of governance were balanced between people living on the CLT's land and people residing in the surrounding community. In its *operation*, the financial rewards from reselling a home were balanced between a CLT's

⁶⁰ "Typically, the CLT retains a first option to buy the improvements at the owner's original invested cost, often adjusted for inflation, depreciation, and damage during the ownership period. . . . Thus, the first leaseholder is guaranteed equity in the improvements, and the succeeding leaseholder is able to buy the improvements at a fair price. No seller will profit from unearned increases in market value, and no buyer will be priced out of the market by such increases." *The Community Land Trust Handbook* (1982), 18.

commitment to building wealth for the present generation of lower-income homeowners and its commitment to preserving affordability for future generations.

The bright moral thread running throughout these discussions was the programmatic priority that a CLT should give to solving the problems of “low-income communities whose needs are most consistently neglected and denied.” In the vocabulary of the liberation theology of that period, there should be a “preferential option for the poor.” Such a preference, using different words, was espoused repeatedly in *The Community Land Trust Handbook*, imbuing the “T” in CLT with new meaning.

The authors of the previous book on CLTs, in naming their “new model for land tenure,” had explained their choice of the word “trust” by a “desire to emphasize Ralph Borsodi’s idea of trusterty.” Like Borsodi, they had argued that god-given resources like land, lakes, seas, and air, not being products of human labor, cannot be morally owned by individuals. These resources must be held in trust for the long-term welfare of all people. There was no suggestion, however, that some people might have greater needs than others or should be granted preferential access to the land trust’s resources because of need.

Ten years later, the *Handbook* put forth a very different proposition. It was not only land that a CLT was to hold in trust, but the public’s investment in developing the land and what Mill and George had called the “unearned” increment in the appreciating value of real estate. It was not enough, moreover, for the CLT simply to act as the watchful steward for these resources. The CLT had an affirmative obligation to use and develop its assets for the primary benefit of individuals who were socially and economically disadvantaged. The CLT also had a “moral responsibility” to stand behind these individuals *after* they leased land and purchased homes through the CLT, helping them to maintain and retain their newly acquired property.⁶¹

Persons excluded from the economic and political mainstream were now assumed to have the first claim over a CLT’s resources. Sister Lucy Poulin of the Covenant CLT, in an interview included in the *Handbook*, said it best: “We’re talking about people who have never been accepted or had value in the community. And we’re prejudiced in favor of these people – that’s the community of people that we want as our community.”⁶² This was a notion of “trust” much closer to Gandhi’s concept of “trusteeship” than to Borsodi’s concept of trusterty.⁶³

⁶¹ “While the CLT expects responsibility and a positive commitment from leaseholders, it also has a moral responsibility to them above and beyond the lease agreement, and a practical need to help them use their leaseholds appropriately and well. This is particularly true with low-income leaseholders, who have only limited access to credit and services that may be needed for such things as emergency repairs to their buildings.” *The Community Land Trust Handbook* (1982), 215-216.

⁶² *The Community Land Trust Handbook* (1982), 74.

⁶³ Gandhi’s concept of trusteeship is captured well in the following quote: “What belongs to me is the right to an honourable livelihood, no better than that enjoyed by millions of others. The rest of my wealth belongs to the community and must be used for the welfare of the community.” M.K. Gandhi, *Trusteeship*, (Ahemadabad, India: Navajivan Trust, 1960).

To be fair, it cannot be said that the model's potential for helping disadvantaged populations had been entirely ignored by the authors of the first CLT book. With *New Communities* as its centerpiece, an experiment that Swann, King, Bennett, Sherrod and the others had viewed as the harbinger for a home-grown Gramdan Movement, easing the plight of impoverished African Americans, the book's argument for a new model for land tenure addressed some of the same social concerns later given such prominence in *The Community Land Trust Handbook*. In the earlier book's concluding chapter, moreover, entitled a "Mandate for Action," four possible paths had been identified for creating "relatively large-scale, significant community land trusts." One of these options had been described as establishing "new rural or urban communities for the primary benefit of poor and minority groups."⁶⁴

Nevertheless, it was possible to read the 1972 publication as purely a treatise on the "land question," a call to homesteaders, communards, and back-to-the-land idealists to structure the ownership of land in their intentional communities in a different way. The Gandhian grace notes were easily missed in the Borsodian score. Indeed, many of the people who were moved to action by this book read it in precisely this way. Overlooking both the organizational prescription for an open membership and the operational preference for promoting economic equality, they created land trusts that bore little resemblance to the original vision for a Gramdan Movement in America.

The tilt toward the disadvantaged was much harder to miss in the *Handbook* of 1982. Highlighted here was the CLT's potential for aiding lower-income people and for empowering lower-income communities. Indeed, six of the nine case studies included in the book featured stories of CLTs emerging out of grassroots struggles to prevent the displacement, improve the housing, and promote the interests of persons of limited means whose communities were being buffeted by disinvestment or gentrification. In each of these places, a CLT had been established to secure property and power for people with too little of either.

With publication of *The Community Land Trust Handbook*, all the pieces of the model known today as the "classic" community land trust were finally in place. There was a two-party structure of ownership, with a nonprofit corporation holding land and leasing it out to the owners of any buildings. There was an inclusive structure of organization, with a two-part membership and a three-part board. There was an operational commitment to the stewardship of any housing constructed on the CLT's land, with priority access for persons too poor to acquire a home on their own. The main duty of stewardship was to ensure the permanent affordability of these homes, achieved through the CLT's management and enforcement of resale controls embedded in the ground lease, but the CLT was also charged with responsibility for helping its leaseholders to hang onto their homes and to keep them in good repair. In the *Handbook's* words, "It is not enough to provide low-income people with land and financing for

⁶⁴ The three other "paths for action" proposed in the 1972 book's "Mandate for Action" were: (1) having government "play the dominate role in financing and setting up a land trust"; (2) advocating for the stewardship of scarce natural resources, placed in a land trust; and (3) convincing existing communes and intentional communities to "place their land under a common trust umbrella," organized on a regional basis.

homes and then leave them to their own resources.” A good steward did not expect people of limited means to go it alone. The CLT was durably, dependably there to help them succeed.

CONDITIONS OF GROWTH: From Model to Movement

This re-working of the CLT was to have both practical and political advantages for a model that aspired to become a movement. By prioritizing populations, places, and activities recognized as “charitable” under Section 501(c)(3) of the federal tax code, CLTs gained access to financial resources from public agencies and private foundations that were not available to organizations that lacked this exemption.⁶⁵ By prioritizing problems recognized as harmful for constituencies and communities of limited means – including the declining affordability of housing, the deterioration of inner-city neighborhoods, and the displacement of lower-income persons uprooted by market forces or public policies – CLTs gained relevance and acceptance among policymakers and community activists who were struggling to respond to the federal retreat from housing and community development. As new resources and constituencies were drawn to the model, the number of CLTs began to grow.

Urban CLTs formed the leading edge of this expansion. Three years after the founding of the first urban CLT in Cincinnati, community land trusts were started in Syracuse, New York and Burlington, Vermont. By 1990, others had appeared in Durham, North Carolina; Youngstown, Ohio; Albany and Schenectady, New York; Worcester, Massachusetts; and Washington, DC.

One of the most significant CLT start-ups during this period was Dudley Neighbors Inc. (DNI) in Boston. DNI was established in 1989 as a corporate subsidiary of the Dudley Street Neighborhood Initiative (DSNI) for the purpose of acquiring, holding, and developing land for the revitalization of a multi-racial residential neighborhood in the heart of Roxbury. Aside from its subsidiary structure and the lavish funding it was fortunate to receive from private foundations and public agencies, DSNI/DNI was typical of many of the urban CLTs founded in the 1980s and early 1990s in espousing a dual commitment to community empowerment and community development. Its service area was a single, well-defined neighborhood having an historic sociopolitical identity. Its impetus came from the neighborhood’s opposition to a top-down plan for the redevelopment of Roxbury that had been put forward by the City of Boston and local

⁶⁵ Slater King’s brother, C.B. King, had advised the planners of the first CLT to incorporate New Communities as a nonprofit corporation, not as a real estate trust. This practice has continued among CLTs to the present day. Although nearly every CLT is a nonprofit corporation, not all CLTs have secured – or even sought – a 501(c)(3) tax exemption. Most of the early land trusts did *not* seek 501(c)(3) status. One that did, the Sam Ely Trust in Maine, had it stripped away because it was not operated in ways recognized by the Internal Revenue Service as “charitable.” The IRS objected specifically to the assistance Sam Ely was giving to farmers (i.e., private farm businesses). The revocation of its tax exemption precipitated Sam Ely’s collapse.

foundations.⁶⁶ When DSNI/DNI later proposed its own comprehensive plan for the neighborhood's redevelopment, it was the result of a participatory process of organizing and planning that engaged hundreds of community residents over many months. DSNI/DNI, like many emerging CLTs in other cities, viewed affordable housing as only one component of community development, a subset of the CLT's overall mission of transforming the physical, economic, and political life of its place-based community.⁶⁷ When DSNI exhorted the residents of Roxbury to "Take a Stand, Own the Land," it was not only so its CLT could secure buildable sites for affordable housing. It was so a local community, through DNI's long-term control over land and improvements, could control its destiny.

As CLTs started sprouting up in a number of cities, new CLTs were also appearing in rural areas of Massachusetts, Maine, Vermont, New Hampshire, and Washington.⁶⁸ Notably, many of these rural CLTs staked out a service area much larger than the territory served by their urban counterparts.⁶⁹ They conceived of their "community" as being an entire county, region, or, in the case of the first CLTs in Washington state, an entire island.⁷⁰

The Community Land Trust Handbook had spoken rather grandly of a CLT movement. In truth, only a handful of community land trusts actually existed in 1982, the year of the book's publication. Declaring these few CLTs a "movement" was like calling the first green shoots to appear in a muddy field a bumper crop. What was wishful thinking in the early 1980s, however, was becoming a reality by the mid-1990s, as CLTs began spreading across the country.

⁶⁶ The City of Boston later became both a supporter and a partner. The most dramatic evidence of such municipal support was the 1988 decision to grant DNI the power of eminent domain in the Dudley Triangle, aiding in the assembly of smaller, fragmented parcels of land into larger developable sites for the neighborhood's revitalization. See Peter Medoff and Holly Sklar, *Streets of Hope* (Boston: South End Press, 1994).

⁶⁷ DNI was eventually to assemble, hold, and lease lands not only underneath limited equity cooperatives, limited equity condominiums, and rental housing, but also beneath urban parks, commercial greenhouses, a job training center, and a community center.

⁶⁸ One of the first of these rural CLTs to be established, soon after the pioneering efforts of Marie Cirillo and Lucy Poulin, was the CLT in the Southern Berkshires. It was founded in 1980 by Bob Swann and Susan Witt, a year after they left ICE. They also created a companion organization, the E.F. Schumacher Society, which, among its other programs, offered assistance to rural communities in creating CLTs of their own.

⁶⁹ An earlier CLT had done so as well. An extensive service area had been carved out by the Northern California CLT, co-founded in 1973 by Eric Hansch who had moved west after six years on the staff of the International Independence Institute. It was not until the early 1990s that NCCLT reorganized to focus on housing and community development in the Bay Area, rather than purporting to serve all of northern California.

⁷⁰ The San Juan Islands off the western coast of Washington proved to be an especially fertile area for the growth of CLTs. Lopez Island and Orcas Island gave rise to the Lopez CLT and OPAL ("Of People and Land"), both founded in 1989. In later years, CLTs were organized on San Juan Island, Waldron Island, and Lummi Island.

How did this happen? How did a hothouse flower with unusual characteristics of ownership, organization, and operation become widely established? Many things combined to nurture such growth, so it is difficult to say definitively why this fledgling movement was able to thrive, but a handful of factors were arguably the most important: the cultivation and dissemination of a standardized set of CLT definitions, documents, and practices; the cross-pollination among CLT practitioners of seminal ideas and productive techniques; the fertilization of CLT development through an increase in public investment and private financing; the demonstrated resiliency of CLTs in the face of a fluctuating political and economic conditions; and the continuing hybridization of the CLT, invigorating both the model and movement.

CULTIVATION

The spread of CLTs across the land did not happen by accident. It was a consequence, in part, of an intentional strategy of developing a clear and consistent message about what a CLT is, how it is structured, who it serves, and what it does – and then disseminating that message far and wide via books, films, training materials, and model documents. The strategy’s architect, early on, was the Institute for Community Economics. Over time, other actors came to play a larger role, eventually eclipsing ICE.⁷¹

ICE produced the first books about the CLT: *The Community Land Trust: A Guide to a New Model of Land Tenure in America* (published the same year as the International Independence Institute changed its name to the Institute for Community Economics); and *The Community Land Trust Handbook*. In 1985, ICE introduced the CLT to a much wider audience through *Common Ground*, a narrated slide show about the Community Land Cooperative of Cincinnati. In 1998, ICE commissioned a video documentary entitled *Homes and Hands: Community Land Trusts in Action*, featuring CLTs in Durham, North Carolina; Albuquerque, New Mexico; and Burlington, Vermont. The images and stories presented in these productions were clearly designed to persuade an audience of the model’s practicality and worth, but they served another function as well. They were not only promotional; they were also educational, instructing the audience in the particular features and purposes of the model described in the 1982 *Handbook*. They created a common understanding of what it meant to be a CLT.

⁷¹ Several other organizations gradually got into the game, proposing model documents and best practices of their own. The E.F. Schumacher Society, founded by Bob Swann and Susan Witt, developed model documents that were somewhat different than ICE’s, focusing on rural CLTs. In 1990, Chuck Matthei left ICE and founded Equity Trust. Its publications focused on the application of CLTs to agricultural lands and the evolving partnership between CLTs and CSAs (“Community Supported Agriculture”). Regional coalitions of CLTs emerged in the Pacific Northwest and in Minnesota in 1999 and 2003 respectively, each of them promoting standardized systems for operating a CLT and documenting its performance. In 2005, Florida Housing Coalition established a “Florida CLT Institute” to promote CLT development in the Sunshine State. The next year, in 2006, the National CLT Network established its own academy to research, develop, publish, and teach best practices for CLTs.

ICE also turned its attention to producing technical materials for a very different audience: lawyers who were working with CLTs. Employing the same approach it had used in writing *The Community Land Trust Handbook*, ICE pulled together a team of specialists and generalists to produce a set of model documents and standard procedures for incorporating CLTs, leasing land, designing resale formulas, and a dozen other legal and technical details pertaining to the organization and operation of a CLT. These materials were collected in *The Community Land Trust Legal Manual*, published in 1991. A second edition, revising and updating the original, was published in 2002.⁷²

Critical, too, to inculcating a common conception of the model was the CLT definition that was incorporated into federal law in 1992. With passage of the National Affordable Housing Act (NAHA) in 1990, cities and states began using pass-through funds from the federal government to support the projects and operations of what NAHA called “Community Housing Development Organizations.” CLTs not only had an interest in securing their eligibility for this funding, they also wanted to make sure that the way in which a CLT was defined in federal law was consistent with the way that most CLTs, after 1982, were defining themselves. Not trusting the federal bureaucracy to describe fully and accurately the essential elements of ownership, organization, and operation that had been laid out in *The Community Land Trust Handbook*, a decision was made by a small group of CLT advocates to beat HUD to the punch. They asked Congressman Bernie Sanders, whose administration had initiated and supported the Burlington Community Land Trust when he was mayor of Burlington, Vermont, to insert their definition of a community land trust into the Housing and Community Development Act of 1992.⁷³ Sanders shepherded this amendment through Congress, seeing it signed into law without modification.

In more recent years, the most significant contribution to the cultivation of common standards – and *higher* standards – for explaining, organizing, and operating CLTs was made by the National CLT Academy, established in 2006. The Academy had two purposes: to provide comprehensive training on theories and practices unique to CLTs, setting a high standard for

⁷² Although many attorneys lent their expertise to this project, David Abromowitz, a Boston attorney who had advised DSNI, served as the *Manual's* principal legal advisor. Abromowitz must be given much of the credit for the model ground lease's careful and equitable balancing of the interests of homeowner, landowner, and lender. The overall editor for both editions of the *CLT Legal Manual* was Kirby White.

⁷³ Congressman Sanders had invited Tim McKenzie, director of the Burlington Community Land Trust, to testify before his House Subcommittee in Spring 1992. McKenzie's testimony about the BCLT's success in creating permanently affordable homes was well-received, convincing Sanders there might be an opening for some sort of federal legislation supportive of the CLT model – especially if it had no budgetary impact. When asked by Sanders for suggestions, McKenzie brought the City of Burlington's housing director, John Emmeus Davis, into the conversation. After consulting ICE, McKenzie and Davis urged Sanders to propose a statutory definition of the CLT to make it easier for CLTs to receive federal funding and technical assistance under the HOME program. Sanders readily agreed, but then discovered that he had only a few days to get something into the hopper. A one-page definition of the “community land trust” was drafted overnight by McKenzie and Davis, reviewed by ICE, and sent off to Sanders' office two days later. Their definition was inserted by Sanders into Section 212 of the Housing and Community Development Act of 1992 and approved by Congress with no changes (*Congressional Record - House*, October 5, 1992: H11966).

practitioner competence; and to support research and publication on best practices emerging from the field. The most important vehicle for the latter was the Academy's production of *The CLT Technical Manual*, published in 2011, which carefully revised and significantly expanded the legal manuals previously produced by ICE. The Academy was not only concerned with the nuts and bolts of making a CLT work, however; it also tried, in its courses and publications, to cultivate a common understanding of the history and values underlying the CLT, reminding proponents and practitioners of where the model had come from and why it was structured that way.⁷⁴

None of these efforts made every CLT look and act exactly the same. Increasing the clarity and consistency of the message, materials, documents, and practices of the nation's CLTs did not prevent the movement's diversification. But it did provide public officials, private lenders, and community activists outside of the movement with a sharper picture of how a CLT was structured, how it was different from other models of tenure, and how its projects might best be funded and financed. It also provided practitioners inside the movement with a common vocabulary for exchanging information about what worked well – and what did not – in a model of tenure that continued to be a work-in-progress.

CROSS-POLLINATION

Peer-to-peer exchanges were essential to turning an untested, experimental prototype into a mechanism that was widely adopted and fully operational. The audacious pioneers who started dozens of CLTs in the 1980s and 1990s were, in many respects, making it up as they went along. They crafted legal documents, designed resale formulas, arranged mortgages, sold homes, and adopted policies and procedures for a form of tenure with virtually no track record. They learned by doing. And they learned from one another.

Some of their communication was indirect, information they gleaned about each other's programs and procedures by reading *Community Economics*, a newsletter published and distributed by ICE from 1983 to 1996.⁷⁵ The stated purpose of this publication was to “strengthen the connections between the theory and practice of community economics,” but it also strengthened the connections among far-flung CLTs. In an average year, two or three issues were mailed out to hundreds (and later thousands) of people across the United States, many of whom were at some stage of planning, organizing, or operating a CLT.

⁷⁴ The CLT Academy was a joint venture of the National CLT Network and the Lincoln Institute of Land Policy. The co-chairs of its founding board were Lisa Byers, the Network's president, and Roz Greenstein, representing the Lincoln Institute. John Emmeus Davis served as the Academy's dean until 2012, when the Academy's programs were absorbed into two newly created departments of the National CLT Network.

⁷⁵ The “editorial coordinators” for *Community Economics*, over its 14-year run, were Kirby White and Lisa Berger.

This was a model and movement in flux. As ICE observed in the newsletter's maiden issue, published in the summer of 1983, things were changing so rapidly that it was hard for anyone to keep abreast of the latest developments; hence the need for *Community Economics*:

“Since finishing work on *The Community Land Trust Handbook*, we at ICE have been concerned with the need for some regular, ongoing publication to carry news of CLTs and related developments in the area of community economics. The *Handbook* brought the record on CLTs more or less up to date as of Autumn 1982, but now there are new developments to report – new groups, new interest, and new issues being confronted by established CLTs as they expand their programs.”

Many issues of *Community Economics* profiled a particular CLT. Every issue carried news of resources that local CLTs were discovering, projects they were developing, or programs they were designing, information with relevance for CLTs in other communities. For fourteen years, this newsletter pollinated the movement with new ideas, helping local CLTs to learn from the mistakes and successes of their peers.

Inter-organizational learning among CLT practitioners also happened directly at national conferences convened every few years by ICE. The first conference was held in 1987 in an African American church in Atlanta, a fitting venue since the country's first CLT had been organized in southwest Georgia by veterans of the civil rights movement.⁷⁶ One of those veterans, John Lewis, who had attended the first planning sessions for New Communities, was on hand to remind the conference's participants of the CLT's roots, while applauding how far the model had come. The main business of the Atlanta conference, however, like all that followed, was the face-to-face exchange of stories, ideas, and technical information among people who were trying to get organizations and projects off the ground. Everyone had something to learn and, because the model itself was so new, anyone with more than a year of CLT experience had something valuable to teach.

Every two or three years thereafter, ICE convened another national conference, drawing together hundreds of CLT practitioners from across the United States and, on occasion, from other countries as well.⁷⁷ The 2003 conference in Syracuse, New York was ICE's last. When ICE abruptly canceled the 2005 conference that had been scheduled for Portland, Oregon because of a budgetary shortfall, an *ad hoc* coalition of CLT executive directors, funders, and consultants

⁷⁶ An earlier conference had been hosted by ICE at Voluntown, Connecticut in 1983, but it could hardly be called a “national CLT conference” since only a few CLTs existed at the time and none was represented in Voluntown. This was more a gathering of community organizers, housing professionals, and ICE staff who were interested in starting CLTs. ICE always pointed to the 1987 conference in Atlanta, therefore, as having been the first national conference of CLTs.

⁷⁷ ICE convened a total of nine national CLT conferences from 1997–2003. They were held in Atlanta, Georgia (1987); Stony Point, New York (1988); Burlington, Vermont (1990); Cincinnati, Ohio (1993); Washington, DC (1996); Durham, North Carolina (1997); Saint Paul, Minnesota (1999); Albuquerque, New Mexico (2000); and Syracuse, New York (2003). The lead role in coordinating most of these conferences was played by Julie Orvis, the longest-serving member of ICE's staff (1987-2005).

stepped forward to fill the vacuum.⁷⁸ They revamped the costly conference that ICE had planned, transforming it into a grassroots gathering of CLT practitioners sharing information and best practices in a series of peer-to-peer workshops. They also set aside half a day for CLT leaders from around the country to confer about a possible future without ICE, since it looked like this national organization, which had provided so much support for CLTs in the past, was winding down.

Beginning with the conference in Portland, the nation's CLTs in effect took control of their own movement. This meant not only assuming responsibility for organizing future conferences, where practitioners could continue to learn from one another. It also entailed creating a new corporate structure for ensuring regular communication and coordination among hundreds of organizations scattered across the United States. At the end of the Portland conference, a steering committee was elected and charged with the task of drafting bylaws for a new national association of CLTs. One year later, in Boulder, Colorado these bylaws were refined and ratified by representatives from 51 CLTs. The National CLT Network was formally incorporated in June 2006.⁷⁹

This greatly intensified the interaction and communication among the country's CLTs. Under the auspices of the National CLT Network, there was now an annual gathering of CLT practitioners.⁸⁰ These national conferences included day-long trainings and half-day seminars offered by the National CLT Academy, along with membership meetings, faculty meetings, and board meetings for the Network and the Academy. The Network's contribution to facilitating the flow of information and ideas among CLT practitioners was not confined to these annual conferences, however. The boards and committees of the Network and the Academy, made up predominantly of staff members and board members from local CLTs, met frequently throughout the year. The Network's listserv and website provided other ways for CLTs, old and new, to ask questions, solve problems, and share techniques. The same function that *Community*

⁷⁸ Among the many white knights who rode to the rescue of the 2005 conference were Allison Handler and her staff at the Portland Community Land Trust, several leaders from the regional CLT coalitions that had started in the Pacific Northwest and Minnesota, several of the partners from Burlington Associates in Community Development, and Roz Greenstein from the Lincoln Institute of Land Policy. Drawing on Lincoln's resources, Greenstein provided critical financial and logistical support for the Portland conference. One year later, she helped to fund the National CLT Academy and then served for three years on the Academy's board.

⁷⁹ The Network's board was drawn from every region of the United States. Regional representation was a factor in choosing the executive committee as well. The Network's first president was Lisa Byers (OPAL CLT, Washington state); the vice president was Jim Mischler-Philbin (Northern Communities CLT, Minnesota); the secretary was Dannie Bolden (Gulf County CLT, Florida); and the Network's treasurer was Dev Goetschius (Housing Land Trust of Sonoma County, California).

⁸⁰ Following the Portland conference in 2005 and the Boulder conference in 2006, the Network convened national conferences in Minneapolis, Minnesota (2007); Boston, Massachusetts (2008); Athens, Georgia (2009); Albuquerque, New Mexico (2010); Seattle, Washington (2011); Burlington, Vermont (2012); and Cleveland, Ohio (2014).

Economics had once served through the infrequent distribution of a printed newsletter was now done regularly and instantaneously via the Internet.

Outside of the Network, cross-pollination occurred in other ways as well. The E.F. Schumacher Society, founded by Bob Swann and Susan Witt in 1980, and Equity Trust, founded by Chuck Matthei in 1990, maintained websites and brokered connections among a different set of grassroots organizations. Most were not members of the National CLT Network, but many were either structured as CLTs or engaged in applying land leasing and other components of the CLT model to conserving open space, preserving farmland, or promoting community-supported agriculture. Peer-to-peer communication among CLTs was also spurred by the rise of regional CLT networks in the Pacific Northwest, Minnesota, and Colorado. While maintaining close ties to the National CLT Network, these regional networks operated independently: forging connections among their members; advocating for changes in state policy; sharing information about organizational policies, procedures, and administrative systems; and raising the standard of practice for every CLT in their region.⁸¹

In the early years of the movement, no one had had any real experience in starting or operating a CLT, except those intrepid souls who were actually doing it. Nearly every pioneer was learning something worth sharing with those who were blazing a similar trail. Nobody was an “expert,” so everybody was. That remained somewhat true, even as the movement matured. A cadre of professional CLT consultants gradually arose, but they were never a substitute for CLTs swapping information with one another, directly or indirectly. The real experts remained those who were governing or running CLTs day to day. Keeping them connected has been an essential ingredient in the movement’s growth.

FERTILIZATION

Every CLT requires an abundance of financial resources to acquire land, to develop housing (and other buildings), to create affordability for low-income people, and to sustain the operations of a nonprofit organization with stewardship responsibilities lasting close to forever. The lack of money, both equity and debt, was an impediment to CLT growth in the early years. The greater availability of public grants and private loans supporting CLTs and their projects has been an inducement to growth in more recent years.

Unable to access capital from more conventional sources, the first CLTs were forced to resort to what *The Community Land Trust Handbook* had once described as the “miracle theory” of finance:

“Appropriate financing relies upon prior financial planning to match particular types and sources of funds with particular needs and uses for funds. Miracle financing awaits the lucky arrival of adequate funds to meet immediate needs: like manna from heaven, such funds may be

⁸¹ The Northwest CLT Coalition was established in 1999, the Minnesota CLT Coalition in 2000, and the Colorado CLT Coalition in 2008.

urgently needed and patiently awaited, but hardly expected or prepared for. The latter cannot, of course, be lightly dismissed. Considering the remarkable accomplishments of numerous grassroots groups operating on shoestring budgets with little hope of long-term financial support, the miracle theory of finance must be credited with many good works and substantial social progress. Miracles do happen.”⁸²

Very few of the first CLTs got started without an occasional dose of “miracle financing” from a wealthy individual, a local church, a national religious order, or a faith-based charity like the Campaign for Human Development.⁸³ At ICE, Chuck Matthei was quick to recognize how important such small infusions of cash could be in nurturing the growth of CLTs. Instead of attempting to assemble large pools of capital from private investors, as ICE had tried to do with little success in the 1970s, Matthei looked for a way that small loans, offered at low rates of interest by socially-motivated individuals or institutions, could be mobilized to help CLTs get their first projects off the ground. In 1979, soon after becoming ICE’s executive director, he established a revolving loan fund at ICE for the purpose of accepting no-interest and low-interest “social investments” that could be re-loaned to local CLTs. The fund was modest in scale. By 1983, its assets totaled \$643,590. It had made 45 loans to CLTs, limited equity housing cooperatives, worker-owned businesses, and community service groups. The average loan size was only \$14,302.⁸⁴ By the end of 1985, its assets had doubled, but the size of an average ICE loan remained relatively small, only \$26,065.

Despite their modest size, these loans often made a critical difference to start-up CLTs, helping them to acquire their first parcel of land or to rehabilitate their first house, while building the new organization’s credibility with public funders and private lenders. Just as important, ICE’s own experience in building and managing its in-house loan fund – and seeing the impact these timely loans could make on seeding and supporting local CLTs – persuaded Matthei to expand ICE’s technical assistance program beyond CLTs. Using ICE’s revolving loan fund as their model,⁸⁵ Matthei and other staff from ICE began working with coalitions of social investors and community activists to establish a variety of community development loan funds, including ones in New Hampshire, Boston, and Philadelphia. In 1985, ICE convened a national conference of community development loan funds, attended by representatives from 35 nonprofit lenders.

⁸² *The Community Land Trust Handbook* (1982), 181.

⁸³ Nearly all of the first CLTs counted pastors, priests, nuns, or former nuns among their founders and leaders. This certainly contributed to the faith that was regularly put in the miracle theory of financing. Perhaps it also accounted for the frequency with which such miracles seemed to occur.

⁸⁴ *Community Economics*, no. 1 (Summer 1983): 3.

⁸⁵ As ICE’s revolving loan fund grew larger and more complex – and as ICE’s technical assistance to community loan funds increased – staff other than Matthei played a larger and larger role. For over a dozen years, from 1981 to 1993, as ICE’s revolving loan fund grew from \$45,000 to \$12 million, the fund’s main manager was Sr. Louise Foisey. Other members of ICE who contributed the most to ICE’s work with community investment over the years were Sr. Corinne Florek, Greg Ramm, Mary O’Hara, Raylene Clark-Gomes, and the former president of ICE’s board, Michael Swack.

Out of this conference emerged the National Association of Community Development Loan Funds (NACDLF), chaired by Matthei for its first five years.⁸⁶

Community loan funds (as Matthei called them) and community land trusts developed on parallel tracks, complementing and supporting each other. CLTs were never the only beneficiaries of these alternative financial institutions, but they got loans when they needed them, especially during the years when start-up CLTs were having difficulty obtaining funding from local governments, which they were often fighting, or to obtain financing from local bankers who were initially uncomfortable making loans for houses on leased land.

Two breakthroughs occurred in the early 1990s that somewhat eased both difficulties. The 1992 amendments to the National Affordable Housing Act did more than provide a standard definition of CLTs. They cracked open the door to federal funding. After 1992, many more CLTs were able to receive designation as a “Community Housing Development Organization” (CHDO). Many more were able to receive funding from the federal HOME program for their operations and their projects.⁸⁷ Equally important, federally supported technical assistance was made available to CLTs for the first time.⁸⁸ In November 1994, the U.S. Department of Housing and Urban Development (HUD) awarded ICE a three-year \$470,000 technical assistance grant. With these funds (and with two later TA grants from HUD), ICE

⁸⁶ NACDLF joined together with the National Federation of Community Development Credit Unions, several community development banks, and a number of other organizations to create the Community Development Financial Institution Coalition in 1992, aimed at securing federal support for CDFIs. The Coalition changed its name to the National Community Capital Association in 1996 and to the Opportunity Finance Network in 2006.

⁸⁷ Toward the end of 1992, HUD’s department of Community Planning and Development distributed a circular (HUD 21B) to “All Regional Administrators, All Field Office Managers, All Regional Directors for CPD, All CPD Division Directors, All HOME Coordinators, and All HOME Participating Jurisdictions,” declaring that “HOME funds may be used by CLTs. CLTs may also receive HOME funds for administrative and technical assistance for operating assistance and organizational support.” The circular went on to say that “Community land trusts are, perhaps, one of the most effective means of ensuring permanent affordability of resident ownership simply because the trust maintains ownership of the land.”

⁸⁸ In addition to providing a definition of the CLT, Section 212 of the Housing and Community Development Act of 1992 bestowed three benefits on CLTs that were unavailable to other nonprofit housing developers. A CLT could receive CHDO designation and HOME funding even if it did not yet have a “demonstrated capacity for carrying out activities assisted with HOME funds” or was unable to “show one year of serving the community.” Furthermore: “Organizational support, technical assistance, education, training, and community support under this subsection may be available to . . . community groups for the establishment of community land trusts.” This opened the door for federal assistance to CLTs that were just getting underway.

seeded CLTs in several states where none had existed, nurtured dozens of CLTs that were just getting started, and helped many existing CLTs to become more productive.⁸⁹

Around 1992 as well, at the request of local CLTs and at the urging of ICE, Fannie Mae began developing riders to be used in combination with CLT ground leases. This boosted confidence in the CLT among private lenders and made mortgage financing more widely available for resale-restricted homes on land leased from a CLT. Even when a banker did not use Fannie Mae's rider or take advantage of the special loan product that Fannie Mae later developed for CLTs, there was less resistance to backing a model that Fannie Mae had recognized as a reasonable and bankable approach to homeownership.⁹⁰

As crucial as these changes at the federal level have been in nourishing the growth of CLTs, most of the action in boosting CLT productivity in recent years has come from policy changes and new sources of financial support at the *municipal* level. Local government, here and there, has become an enthusiastic partner. This was not always the case. Relations between cities and CLTs, for most of the CLT's early history, were chilly, to say the least. As *The Community Land Trust Handbook* once described it: "Most interaction between CLTs and municipal officials has been marked by benign indifference, with neither party doing more than is minimally required to meet whatever legal obligations each might have with regard to the other." Their actual relationship was often stormy and strained. In many neighborhoods like the West End of Cincinnati, the main impetus for starting a CLT had been to protect the community against municipal priorities, projects, or plans. The same people who played the lead role in organizing a CLT had spent years fighting City Hall before the CLT appeared. Hostilities did not cease when the CLT came along.

Opposition to local government has remained a motivating factor in many low-income communities, especially in communities of color, where CLTs have continued to be erected as an institutional barrier against market pressures made worse by the actions or indifference of City Hall. Over the last decade, however, a counter-trend has emerged. There are now an increasing number of cities, counties, and towns where CLTs receive political support from municipal leaders, administrative support from municipal staff, and financial support from municipal

⁸⁹ Some assistance was provided by ICE's own staff, principally Jeff Yegian, who was based in Boulder, Colorado. Most of the on-site technical assistance offered to CLTs from 1994 to 2004, however, under ICE's TA contracts with HUD, was provided by Burlington Associates in Community Development. After HUD – and ICE – withdrew from the field, the partners in this national consulting cooperative continued to assist new and mature CLTs. By 2013, over 100 CLTs had received some degree of direct TA from Burlington Associates. Many others benefitted indirectly by having access to educational documents and technical materials posted on the Burlington Associates website and freely shared with the public under terms of the Creative Commons.

⁹⁰ Fannie Mae released a model lease rider for CLTs in 2001. As part of the same package, Fannie Mae also published *Guidelines on the Valuation of a Property Subject to a Leasehold Interest and/or Community Land Trust*. This document provided assistance to lenders and appraisers in valuing CLT transactions.

coffers.⁹¹ In these places, the CLT has become a partner of local government – an ally rather than antagonist.

This signaled a seismic shift in municipal policy. Instead of allowing homeownership subsidies to be pocketed by homeowners when reselling their assisted homes, a common practice in the past, many municipalities began looking for ways to lock those subsidies in place. Instead of allowing the affordability of publicly assisted homes to lapse, many municipalities began looking for ways to make affordability last. This has made the CLT, along with several other forms of resale-restricted, owner-occupied housing, favored recipients of municipal largess – and has helped the sector to grow.⁹²

SPECIALIZATION

Finding themselves in a crowded organizational landscape, forced to compete with other nonprofits for public funding, private donations, and local constituents, the organizers of many new CLTs confronted two essential questions: What services are not already being provided by another nonprofit organization? What can a CLT do better than anybody else?

The answer to both questions, for a growing number of CLTs, was the long-term stewardship of resale-restricted, owner-occupied housing. The CLT, like many other nonprofits, would attempt to acquire land, do development, and organize communities; it would help to boost low-income households into homeownership. But the CLT would then continue to do what most other developers would not: preserve affordability, promote repairs, and prevent foreclosures long after these homes were purchased, a trio of responsibilities that CLTs came to call the “three faces of stewardship.”

This was a narrowing of the more expansive mission originally envisioned for the CLT. As the 1972 book had put it, “The community land trust is . . . chartered to hold land in stewardship for all mankind present and future.” After publication of the 1982 book, however, with its greater emphasis on affordable housing, neighborhood revitalization, and urban populations threatened with displacement, CLTs began increasingly to prioritize low-income families, a much smaller

⁹¹ John Emmeus Davis and Rick Jacobus have documented a diverse array of municipal support for CLTs, including: seed money for planning a CLT; donations of city-owned property, grants of municipally-controlled funds, and low-interest loans for developing CLT projects; capacity grants for sustaining CLT operations; and equitable assessments in valuing and taxing a CLT’s resale-restricted homes. See: Davis and Jacobus, *The City-CLT Partnership: Municipal Support for Community Land Trusts* (Cambridge MA: Lincoln Institute of Land Policy, 2008).

⁹² For an early attempt to describe community land trusts, limited equity cooperatives, and resale-restricted houses and condominiums as a “sector,” emphasizing the similarities among these models over their organizational and operational differences, see John Emmeus Davis, *Shared Equity Homeownership: The Changing Landscape of Resale-restricted, Owner-occupied Housing* (Montclair, NJ: National Housing Institute, 2006).

subset of “all mankind,” and to operationalize stewardship more in terms of preserving the affordability, quality, and security of housing for present and future generations.

This specialized niche allowed CLTs to differentiate themselves from competing nonprofits in a dense urban ecology. It allowed the movement to grow, at least in areas where public and private subsidies were sufficient to close the affordability gap between the price of available homes and the incomes of prospective homebuyers – and where the providers of those subsidies actually *cared* about the future affordability and sustainability of the housing they had helped to create. Many did not. Indeed, during the early days of the CLT movement, very few public officials at the federal, state, or municipal level gave much thought to what might happen down the road to affordable housing they had subsidized, especially if that housing was owner-occupied. The Institute for Community Economics and local CLTs were to play a significant role in changing these perceptions and policies. But they had a lot of help, not only from allies like the National Housing Institute and, later, the Lincoln Institute of Land Policy and the Ford Foundation, but from a changing political and economic climate in which stewardship was seen to matter more and more.

With the presidential election of Ronald Reagan in 1980, the federal government beat a hasty retreat from the field of affordable housing, repudiating a national commitment to a “decent home and suitable living environment for every American family” that had been regularly endorsed by both political parties since the Housing Act of 1949. The deterioration of affordable housing and other symptoms of disinvestment afflicted many residential neighborhoods. Homelessness, largely invisible since the Great Depression, reappeared with a vengeance. At the same time, affordability controls began expiring on thousands of units of publicly subsidized, privately owned rental housing built nearly two decades before under federal programs like 221(d)(3) and Section 8. These so-called expiring use projects provoked a new awareness of the social cost of failing to require long-term affordability in housing produced with public funds.

The mid-1980s was also a time when the price of owner-occupied housing began a steep 20-year climb, even as household incomes stagnated for the bottom three quintiles of the population and mortgage interest rates rose to historic heights. A new phrase entered the lexicon of public policy, the “affordability gap,” referring to the widening chasm between housing prices and household incomes.

As affordability became the nation’s predominant housing issue, affecting both rental housing and homeowner housing, the confidence placed in traditional tenures was somewhat shaken. They seemed increasingly incapable of protecting and preserving affordable housing, especially in inflationary markets with overheated prices. The CLT, by contrast, was specifically designed and uniquely positioned to do what market-driven models could not. As Chuck Matthei declared at the first National CLT Conference in Atlanta in 1987: “No program, public or private, is a true or adequate response to the housing crisis if it does not address the issue of long-term affordability. It’s time to draw the line politically. This is a practical challenge that confronts

policy makers; it's the practical challenge that confronts community activists; and, happily, it is a practical challenge that the community land trust model has an ability to meet.”

For the first time, both policymakers and community activists were listening. Municipal officials, in particular, became increasingly receptive to the argument that government could not afford to put more and more resources into closing the affordability gap, if this investment was going to be quickly lost.⁹³ Permanent affordability began to look like a prudent course of action, a policy more fiscally responsible and politically defensible than previous governmental practice. As preservation rose higher on the public agenda, particularly in places where market prices were soaring, the number of CLTs began to grow.

To the surprise of many observers, the same proved true in cold markets as well. Both in places where the affordability gap was not growing wider and in times when housing prices were plummeting, the number and acceptance of CLTs continued to rise. The reason was not hard to see. CLTs did not disappear after selling a resale-restricted home. They stood behind the deal, backstopping homeownership opportunities they had worked so hard to create. They prevented deferred maintenance; they screened against predatory lending; they intervened in cases of mortgage default, arresting the slide toward foreclosure.

That was the promise anyway. CLTs had argued since the early 1980s that they did a superior job of preserving affordability when markets were hot. By 2006, directors and teachers from the newly formed National CLT Academy were arguing that CLTs are also effective in preventing deferred maintenance and reducing foreclosures when markets are cold. There was an abundance of anecdotal evidence giving credence to these claims and, in some cities and states, this was enough to convince public officials, private lenders, and community activists to throw their weight (and their money) behind a CLT. But in other places – and in national policy circles – quantitative evidence was required if skeptics were to be persuaded that CLTs were doing what they promised to do; even more, that their commitment to “counter-cyclical stewardship” produces a better outcome for low-income people being boosted into homeownership through public subsidies and private donations.⁹⁴

Beginning in 2003, a series of data-based evaluations began to appear that closely examined, over a span of many years, the performance of portfolios of resale-restricted, owner-occupied

⁹³ These resources were not only monetary. During the 1980s and 1990s, a growing number of cities and counties adopted inclusionary housing programs that either mandated or incentivized the set-aside of affordable units as a condition of municipal approval for residential developments proposed by private developers. Most of these programs initially required developers to maintain the affordability of inclusionary units for only ten to fifteen years. When these short-term affordability controls lapsed, however, and municipal officials helplessly watched hundreds of formerly affordable homes being resold for prices beyond the reach of low-income or moderate-income people, many municipalities began requiring longer periods of affordability and became more receptive to working with CLTs and other forms of shared equity housing.

⁹⁴ The argument that CLTs and other forms of resale-restricted, owner-occupied housing can be equally effective in hot markets and cold markets was introduced in John Emmeus Davis, “Homes That Last: The Case for Counter-Cyclical Stewardship,” *Shelterforce* (Winter, 2008); repr. *The Community Land Trust Reader* (2010).

housing held by CLTs.⁹⁵ Two issues loomed the largest in these studies, testing the proposition that CLTs are effective in both hot-market and cold-market situations: Do community land trusts preserve affordability for low-income households who are hoping to buy CLT homes in the future, while allowing households who choose to sell their CLT homes a fair rate of return and an opportunity to build wealth? Do CLTs enhance security for low-income homeowners, reducing the incidence of mortgage foreclosure, while allowing mobility for homeowners who want to leave the CLT?

These studies answered in the affirmative, providing hard data that the specialized focus on the post-purchase stewardship of owner-occupied housing, adopted by many CLTs, was delivering the goods. CLT homes were less likely to be lost over time. That was true when hot markets threatened affordability. That was true when cold markets threatened security of tenure. Even during the mortgage meltdown of the Great Recession, starting in 2008, CLT homeowners experienced far fewer defaults and far fewer foreclosures compared to the dismal performance of homeowners holding conventional mortgages for market-rate homes. The model's documented success, showing that stewardship works, has helped the movement to grow.

HYBRID VIGOR

In plant breeding, when two species with very different characteristics are combined, resulting in an increase in size, yield, and performance, that salubrious result is known as “hybrid vigor.” Something similar has happened in the development of CLTs. Both the model and the movement are hybrids. The model was created by selecting favorable characteristics of ownership, organization, and operation from different strains of social change and combining them to form a new breed of tenure. The movement has prospered by mixing uses and merging agendas, bringing together organizational characteristics and political interests that are usually separate – and sometimes at odds. Over time, hybridization has brought into dominance the most productive and sustainable characteristics of the model and helped the movement to thrive.⁹⁶

⁹⁵ See John Emmeus Davis and Amy Demetrowitz, *Permanently Affordable Homeownership: Does the Community Land Trust Deliver on Its Promises?* (Burlington, VT: Burlington Community Land Trust, 2003); John Emmeus Davis and Alice Stokes, *Lands in Trust, Homes That Last* (Burlington, VT: Champlain Housing Trust, 2010); Emily Thaden, *Outperforming the Market: Making Sense of the Low Rates of Delinquencies and Foreclosures in Community Land Trusts* (Portland, OR: National CLT Network, 2010); Kenneth Temkin, Brett Theodos, and David Price, *Balancing Affordability and Opportunity: An Evaluation of Affordable Homeownership Programs with Long-term Affordability Controls* (Washington, DC: The Urban Institute, 2010); Rick Jacobus, “Best of Both Worlds,” *Shelterforce* (32, 2010: 32-35); and Emily Thaden, *Stable Homeownership in a Turbulent Economy: Delinquencies and Foreclosures Remain Low in Community Land Trusts* (Cambridge, MA: Lincoln Institute of Land Policy, 2011).

⁹⁶ This analogy is evocative but not exact, since a hybrid in the breeding of plants is a one-generation phenomenon. Hybrids cannot breed true. The mixing of traditions and agendas in the CLT, by contrast, has produced a model that can be reproduced across many generations.

Hybridization continues, altering the CLT in significant ways. These changes have been spurred by four developments: decentralization of the support structure for CLTs; diversification in the application of CLTs; municipalization in the formation of CLTs; and regionalization in the area served by CLTs.

Decentralization

Over a forty-year period, the Institute for Community Economics went from being the center of the CLT universe to becoming one star among many and, finally, to being broken into pieces and propelled into orbit around brighter bodies. By 2008, ICE's most important intellectual property, including *The CLT Legal Manual* and the *Homes & Hands* video, had been conveyed to Equity Trust; its revolving loan fund had been transferred to the National Housing Trust; its archives had been boxed and mailed to the E.F. Schumacher Society, and its preeminent role as promulgator CLT standards, convenor of CLT conferences, and national clearinghouse for news and research about CLTs had been taken over by the National CLT Network. Technical assistance for new and existing CLTs, moreover, once the exclusive purview of ICE, was now being provided by a wide assortment of national intermediaries, regional coalitions, private consultants, and even a few of the larger CLTs. With so many different organizations now saying what a CLT is – and how it should be organized and operated – there is no longer one version of the model, but many.

Diversification

Although Swann and his co-authors in 1972 had envisioned multiple applications for their new model of land tenure, the CLT came to be used most widely for the development and stewardship of affordable housing. Single-family houses, in particular, predominated among the early CLTs, since a majority of them were located in rural areas. As the model moved into city and suburb, however, its applications and activities became more diverse. The CLT was applied to other types and tenures of housing, including multi-unit condominiums, limited equity cooperatives, nonprofit rentals, homeless shelters, and manufactured housing in resident-owned parks. It was also applied to non-residential projects, acquiring and leasing land under mixed-use buildings, community gardens, commercial greenhouses, urban farms, social enterprises, and social service facilities.⁹⁷ Meanwhile, in the countryside, the CLT is being applied in novel ways as well: supporting farming, forestry, and conservation; mixing community supported agriculture with community ownership of land; and mixing affordable housing with the preservation of farmland, wetlands, and open space.

Since form follows function, these new applications have re-shaped the CLT. Some CLTs, for example, have been doing rental projects where the CLT owns and manages *both* the land and building. Conversely, some CLTs have become involved with residential (or commercial)

⁹⁷ See Greg Rosenberg and Jeffrey Yuen, *Beyond Housing: Community Land Trusts and Urban Agriculture and Commercial Development*. (Cambridge, MA: Lincoln Institute of Land Policy, 2013).

condominiums where the CLT owns *neither* the land nor the building, holding instead an affordability covenant on units sprinkled throughout a larger residential complex. As the ways in which the CLT is applied have grown more diverse, so have the ways in which the CLT is structured, especially in the ownership and operation of real property.

Municipalization

As the level of support from local government for CLTs has increased, the role played by municipalities in the life of a CLT has changed. Instead of waiting passively for a CLT to form, there are a number of cities where municipal officials have taken the initiative in starting one. Involved from the outset in planning and designing the CLT, city hall has sometimes been reluctant to let go, unwilling to be relegated to minority status in choosing the board and guiding the organization after it is established. Municipal support in some cities has also changed the CLT's mission and role. Where a local government has backed a CLT primarily for the purpose of serving as the long-term steward for affordable homes created by the investment of municipal funds or the imposition of a municipal mandate like inclusionary zoning, the municipality may not want the CLT to diffuse its focus by doing community development as well. It may not want the CLT to do the kind of grassroots organizing that can occasionally lead to a neighborhood's residents fighting the same local government that is funding the CLT. City-CLT partnerships have sometimes produced CLTs, in other words, that are operated and structured much differently than CLTs in the past.

Regionalization

Twenty years ago, the territory served by the typical CLT was a single inner-city neighborhood or, in more rural areas, a single valley, island, village, or town. Today, an increasing number of CLTs, old and new, are staking out a much larger service area. They acquire lands, develop projects, and draw members from an area encompassing an entire city, county, or region. A couple of CLTs have even organized themselves on a state-wide basis, coordinating and supporting the development of local CLTs across an entire state.⁹⁸ As their territory expands, CLTs multiply their opportunities for acquiring land, building housing, and cultivating the kind of public and private partnerships that can help to bring a CLT to scale.

This can also cause a CLT's connection to community to become stretched and thinned, however. Organizationally, the CLT may retain an inclusive membership and a popularly elected three-part board, structures designed to keep the CLT accountable to the constituency it serves. Operationally, however, a CLT whose membership is spread over a metropolitan area containing millions of people or over a three-county region covering hundreds of square miles is going to have a different relation with its "community" than a CLT that is focused on and accountable to a single neighborhood or town. Size matters, affecting what a CLT is and does.

⁹⁸ These state-wide CLTs are the Diamond State CLT in Delaware and the Community Housing Land Trust of Rhode Island.

Decentralization, diversification, municipalization, and regionalization have accelerated the pace of experimentation that has been going on among CLTs since the very beginning. Hybridization has improved their performance and raised productivity. Hybrid vigor has helped the CLT to spread. On the other hand, while it has clearly been a boon for the movement, too much hybridization could become a bane for the model, diluting or extinguishing characteristics that have made the CLT unique. Three challenges loom the largest in this regard:

- *Keeping the “C” in CLT*: Will there still be a place for community in the organizational structure of the CLT – or will the heightened influence of local government or the expanded territory served by a CLT reduce the active voice of local residents in governing the CLT – or remove altogether noisy, messy democratic elements like a broad-based membership and an elected board?
- *Keeping the “L” in CLT*: Will land still matter – or will a narrowing focus on affordable housing, in general, and the stewardship of owner-occupied housing, in particular, cause CLTs to ignore other uses of land or to abandon land leasing altogether in favor of selling the land and using contractual mechanisms like deed covenants to preserve affordability?⁹⁹
- *Keeping the “T” in CLT*: Will the CLT still espouse an operational preference for serving and empowering the disadvantaged, holding lands in trust, keeping homes affordable, and protecting security of tenure for people with limited resources – or will the Gandhian legacy of trusteeship be lost in a frenetic scramble to increase the scale and broaden the appeal of the CLT?

A contest for the soul of the community land trust is contained in these questions, a contest that decentralization, diversification, municipalization, and regionalization have made more acute – and more urgent. How they are answered in the years ahead will determine whether the CLT of tomorrow still resembles the model of today.

Not all of the changes swirling around the CLT compel it away from what it has been, however. Some coax it back, returning the model to its roots. In the 1980s and 1990s, as CLTs began devoting more and more of their limited resources of time, money, and land to developing owner-occupied housing, there was a narrowing of the CLT’s original mission. In more recent years, however, there has been a broadening in both the application of model and in the implementation of stewardship, imposing on the CLT a panoply of responsibilities that go beyond controlling the price and managing the resale of owner-occupied homes.¹⁰⁰ These

⁹⁹ This was one of Bob Swann’s abiding concerns: “Creating perpetually affordable housing is a good idea. The only thing is that there is a danger of losing track of the land itself.” See the interview with Bob Swann conducted by Kirby White in *Community Economics* (Number 25, 1992), 3-5.

¹⁰⁰ The case for a stewardship regime that encompasses more than the allocation of equity and the preservation of affordability can be found in John Emmeus Davis, “More Than Money: What is *Shared* in Shared Equity Homeownership?” *Journal of Affordable Housing & Community Development Law* (Spring/Summer, 2010).

expanded responsibilities re-focus the CLT on doing the job it was designed to do: holding land for a variety of purposes; protecting the affordability, condition, and security of buildings with a variety of uses; preserving the public's investment; and capturing socially created land gains for the public good.

The revival of interest in the CLT among communities of color is another recent development with the potential for reminding CLTs of where they came from, what they should do, and who they should serve. When a CLT is formed by residents of an African American or Hispanic American community to resist market forces or government policies that threaten the loss of minority-owned lands and a community's historic identity, the CLT returns to a cause that animated its earliest days: serving simultaneously as a bulwark against displacement, a tool for development, and a vehicle for empowering communities defined, in part, by their relation to place.¹⁰¹

In sum, there are internal changes and external pressures that are pushing the CLT toward a future where the model may come to look very different than it does today. At the same time, there are new applications and old constituencies that are pulling it back toward the vision and values of the model's pioneers, reinvigorating elements of ownership, organization, and operation that have long embodied the "classic" CLT. This is a familiar story, for the community land trust has seldom stood still. Experimentation helped it to grow. Adaptation helped it to spread. It continues to evolve. A long time coming, the CLT still has a long way to go.

¹⁰¹ It is not only communities of color where CLTs are being organized to protect lands, promote development, and preserve the identity of place-based communities. It is here, however, where market forces and public policies tend to take the greatest toll, especially in African American communities on valuable lands that are proximate to an expanding downtown or situated beside a river, lake, or ocean.