

The Evolution of Land-Use Enforcement Related  
to The Religious Storefront Church Movement

By

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## **ABSTRACT**

The implementation of land-use enforcement within the United States has played a historical role in the lives of African-Americans --- in everything from slavery to its impact on black religious values. This evolution of land development can be traced back from its indigeneity during the stone age era unto this day. Over the years, land-use enforcement has been expressed by some as an exploitative way for a regime to gain power toward increasing their own economic and territorial advantages. For others, its ramifications have been accepted as a way of life, used persuasively to ensure the continual reproduction of labor among minority classes. In both cases, African Americans have witnessed many hostile transitions related to land enforcement --- including colonialism, slavery, black laws, Jim Crow, segregation, and discriminatory zoning. Today, zoning inequality remains a problem among minority religious communities.

Overall, the racial force and intensity of zoning outcomes, whether legal or discriminative, are founded upon the evolution of land-use enforcement, even use of its supporting systems of pre-existing government, stratification, and exclusionary zoning. Subject to its hierarchal derivation are the repressive behaviors manifested among those involved in such matters --- and are often triggered by certain internal stimuli resulting in new paradigms of class tension.

During the Great Migration in 1910, onlookers witnessed a dichotomous eruption between black advocates of historical denominations and new minority leadership. High among this list of complaints were concerns based upon the increasing number of Storefront Churches inundating tenancy in historical religious districts worldwide. Through the lens of the Storefront Church movement, this thesis will argue that the impact of both legal and discriminative religious zoning in America is hinged on the evolution of land-use enforcement; and the ethical outcomes of zoning strife is contingent upon one's relative association to pre-existing government, stratification, and exclusionary zoning.

## INTRODUCTION

Over the years, minority religions have not only occupied space in urban cities for the purposes of housing worship service but also to become community havens for social activity, reform, and empowerment. Behind the doors of these repurposed units—often located in poverty-stricken, urban, and deprived neighborhoods—are the leaders of these underdog institutions, who have assisted in helping countless others gain access to housing, employment, education, and spiritual enlightenment. Religion is an instrumental force in society with proven ability to infiltrate minds and develop moral consciences. Theoretically, religion has been established as an effective apparatus of ideology and repression alongside other social agents purposing to produce civility among humankind. Over the years, through use of religion, Storefront Churches have become essential neighborhood cornerstones providing social stability like stucco décor in the superstructure of today's society, each one carrying a unique message, like a piece of rare mosaic tile needed for the completion of an entire wall exhibit.

Regardless of denomination, aesthetic taste, administrative expertise, or liturgical style, religious freedom is a constitutional right. Similar to possessing the right to vote, individuals should be able to enter the edifice location of their religious affiliation without the harassment of law officials or special interest advocates. Through a study on the Storefront Church movement, readers can observe how religious zoning discrimination among minorities has been affected by the evolution of land-use enforcement; and how ethical involvement in the handling of zoning discrepancy is contingent on a skewed perception of preexisting government, stratification, and exclusionary zoning.

## **THE EVOLUTION OF LAND-USE ENFORCEMENT IN THE UNITED STATES**

The implementation of land-use enforcement in the United States has played a historical role in the lives of African Americans in everything from slavery to its effect on black religious values. Between the 10<sup>th</sup> and 19<sup>th</sup> centuries, the U.S. had no established legal framework to apply toward the acquirement of land, zoning disputes, and residential/urban building safety. *“In colonial America, few regulations existed to control the use of land, due to the seemingly endless amounts of it.”*<sup>1</sup> Thus, repressive regimes created a precedence of land use enforcement in the United States built on the underlying systems of preexisting government, stratification, and exclusionary zoning toward their overall goal of advancing their political, economic, and territorial powers.

A cultural turning point for blacks occurred when indigenous land use in Africa began to be transformed into a radical system of colonized enforcement, causing Africans to leave their homeland of West Africa and enter the system of U.S. slavery. Later, *“as society shifted from rural to urban, public land regulation became important, especially to city governments trying to control industry, commerce, and housing within their boundaries.”*<sup>2</sup> However, certain restraints of urbanization continued to be placed on African Americans throughout their socialization in America. Many of these restraints were imposed by the government, resulting in certain deprivations of land-resource equality.

Over the years, the idea of land enforcement evolved in the minds of African Americans; while it was once viewed as the catalyst prompting the existence of slavery, from today’s perspective,

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<sup>1</sup> LII / Legal Information Institute, "Land Use", Wex Legal Dictionary / Encyclopedia, accessed November 14, 2016, [http://www.law.cornell.edu/wex/land\\_use](http://www.law.cornell.edu/wex/land_use).

<sup>2</sup> LII / Legal Information Institute, "Land Use."

land use has increased in fairness but is still in need of reform. *“Land use involves the management and modification of natural environment or wilderness into built environment such as settlements and semi-natural habitats such as arable fields, pastures, and managed woods.”*<sup>3</sup>

Today, land-use enforcement primarily deals with controlling and maintaining the built environment through existing and established zoning laws. Since slavery, African-American communities have continued in their fight against generational injustices and the influence land-use enforcement has had on black religious values.

### **EUROPEAN AND AFRICAN-AMERICAN RELIGIOUS PRECEPTS**

Not all slaves were Christians. Indigenous Africans had their own beliefs predicated on the establishment of their tribal community.<sup>4</sup> Their beliefs involved evocations against premonitions rather than reliance to papal authority and religious law.<sup>5</sup> Since most African religions were monotheistic, the European idea of Christianity was relatable to Africans. For many slaves, however, the idea of submitting to a papal government affected not only the social conditions under which they were forced to live but also their religious culture and personal identity.

During feudalism, between the 9<sup>th</sup> and 15<sup>th</sup> centuries, societal legal customs were forming and the European church functioned as a repressive regime with military backing. As Wilson notes, *“The concept of the church, as it has been understood in the social sense, is one which acquired its full meaning and realization in European feudal society”*<sup>6</sup>--- as there was no separation

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<sup>3</sup> Srijib Basak and Saswati Rudrapal, "Comparative Assessment of the Changing Morphometry of River Dhalai & Land use pattern of Kamalpur Town and Halhuli Village, Tripura, India," *IJSR* 5, no. 5 (2015): 1, accessed November 14, 2016, doi:10.21275/v5i5.nov163629.

<sup>4</sup> Jeffrey K. Padgett, "The Christianization of Slaves in the West Indies," University of Miami Digital Collections, accessed November 14, 2016, [http://scholar.library.miami.edu/slaves/http://scholar.library.miami.edu/slaves/slave\\_trade/individual\\_essays/jeffrey.html](http://scholar.library.miami.edu/slaves/http://scholar.library.miami.edu/slaves/slave_trade/individual_essays/jeffrey.html).

<sup>5</sup> Padgett, "The Christianization of Slaves in the West Indies."

<sup>6</sup> Bryan R Wilson, "Conclusion," in *Religion in Secular Society: Fifty Years On*, translated by Steve Bruce (London: Oxford University Press, 1966), 203.

between church and state. Therefore, the English Church were responsible for disseminating religious council, as well as administrating and imposing social legalities on its minority citizens. As heads of other churches within this elite religious conglomerate, their role in spiritual governance at that time involved carrying out mandates issued by the pope and the English monarchy aiming at repressive religious and state reform. Since the Anglican Church had rule over the 13 colonies, it was insisted by law that colonies like Virginia were to abide under their rule.

Living under this regime meant that the slaves would have to be subject to the religious scrutiny of the slave masters belonging to the English Church. Eventually, due to uprisings, slave families would often be separated linguistically and sent to various plantations in the South to prevent further mutinies due to social expansion. Such separation resulted in a variation of religious customs among slave congregants due to tribal and language barriers. However, some managed to privately preserve their native religious customs by interjecting them into the European liturgies of their plantation.

### **A SCRIPTURAL ACCOUNT OF LAND-USE ENFORCEMENT**

*And the whole earth was of one language, and of one speech. And it came to pass, as they journeyed from the east, that they found a plain in the land of Shinar; and they dwelt there. And they said one to another, Go to, let us make brick, and burn them thoroughly. And they had brick for stone, and slime for mortar. And they said, Go to, let us build us a city and a tower whose top may reach unto heaven; and let us make us a name, lest we be scattered abroad upon the face of the whole*

*earth. And the Lord came down to see the city and the tower, which the children of men builded. And the Lord said, Behold, the people is one, and they have all one language; and this they begin to do: and now nothing will be restrained from them, which they have imagined to do. Go to, let us go down, and there confound their language, that they may not understand one another's speech. So the Lord scattered them abroad from thence upon the face of all the earth: and they left off to build the city. Therefore is the name of it called Babel; because the Lord did there confound the language of all the earth: and from thence did the Lord scatter them abroad upon the face of all the earth.<sup>7</sup>*

The biblical account of the Tower of Babel is perhaps one of the oldest examples of land-use enforcement known. It describes how God created linguistic confusion throughout the world as a measure to control zoning and prevent human production from overstepping His rule. The people did not want to be scattered; however, the decision to thwart their plan of building was motivated by the Lord's observance of the three following factors: 1) their skill in creating brick and using slime for mortar; 2) their motive in using construction to build a city and tower capable of reaching heaven; and 3) and the fact that the entire world was unified both in language and purpose. These elements worried the Lord because of the overall possibility that humankind would soon become alienated from Him. Thus, the divine authority intervened based on the notion that the people's linguistic and creative skill would render them powerful and allow a new nation to arise, since there was "nothing to restrain them from anything they imagined to do."<sup>8</sup>

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<sup>7</sup> "Genesis 11:1-9 KJV - And the whole earth was of one - Bible Gateway," last modified 2016, <https://www.biblegateway.com/passage/?search=genesis+11%3A1-9&version=KJV>.

<sup>8</sup> Genesis 11:7 KJV

It was also possible that the citizens could decide to create a new form of divine government that excluded the former divinity because of the lack of a language barrier. To control the zoning of city and tower construction from a people oblivious to the current rule, a system of linguistic stratification was created and zoning dispersions were enforced. From this scriptural account, we can observe the nature of land-use enforcement and the supporting correlation between preexisting government, stratification, and exclusionary zoning.

### **INDIGENEOUS COLONIZATION**

Now to a more historical account, the indigenous societies were the first to be affected by land-use enforcement during the world's transition towards civilization and development of city/states. Indigenous people are those who were born in the natural environment of a geographical location and are considered the original inhabitants of specific uncultivated parcels of land dating back to precivilization and precolonization. Indigenous people, even nomads, were those who depended on the ecosystems of specific and/or territorial stretches of land for sustenance, spirituality, communion, and refuge. Then, around the 15th century, European governments began widening their borders in other parts of the world to create city-states enforced by their governments' provincial power and legal systems based on ideologies of dominant and subservient rule, public and private property, and even hierarchal systems of right and wrong. According to Zig-Zag, author of *Colonization and Decolonization: A Manual for Indigenous Liberation in the 21st Century*, when an army tries to take over another group's land, the result of these colonial undertakings produces actual combat, even a physical, bloody, and

violent war in which one forcibly tries to dominate the life of another.<sup>9</sup> Overall, such domination describes colonial rule, which is defined as “*the practice of invading other lands & territories, for the purpose of settlement and/or resource exploitation.*”<sup>10</sup> Colonialism in United States occurred in 1492–1763.

## **DEFINING THE SYSTEM OF LAND-USE ENFORCEMENT**

Land-use enforcement comprises three different systems. First, *preexisting government* is defined as an established authoritative assembly that is historically positioned to impose sanctions on others who either came into existence after and/or those who are subject to one’s reign of power or influence. According to Zig-Zag, author of *Colonization and Decolonization: A Manual for Indigenous Liberation in the 21<sup>st</sup> Century*, preexisting government is responsible for the “*recon*”<sup>11</sup> mission associated in the process of colonialism. That is, the government aims to “*map out new lands or regions and gather intelligence.*”<sup>12</sup> This use of intelligence ultimately serves to provide a regime with a powerful and strategic head start to either establish, remain, or advance in power through the manipulative use of information. Second, *land-use stratification* is the combined use of law and ideology to divide powerless citizens into classes, categories, and layers to prevent insurrection concerning territorial control. Third, *exclusionary zoning* is when sanctions are enforced by preexisting government to prevent certain classes of people from residing in a certain demography. Moreover, stratification is used by preexisting government to justify the intentions of exclusionary zoning through the formulation of guilt inflicted upon all society dispensed through the mirror image of ideological and repressive exposure. Historically,

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<sup>9</sup> Zig Zag, *Colonization and Decolonization: A Manual of Indigenous Liberation In The 21st Century* (Vancouver: Warrior Publications, 2014), 01.

<sup>10</sup> Zig-Zag, *Colonization and Decolonization*, 01.

<sup>11</sup> Zig-Zag, *Colonization and Decolonization*, 01.

<sup>12</sup> Zig-Zag, *Colonization and Decolonization*, 01.

the idea of land-use is good in and of itself. However, exploitation is the only possible outcome when systems of preexisting government, stratification, and exclusionary zoning come into play. These systems make up the components involved in the illegal undermining of land-use enforcement. Today, through continual legal dissipation of these underlying systems, certain violence and hostilities are increasingly avoided. Land-use enforcement is now subjectively defined as the enforcement of regulations pertaining to decisions concerning development, implementation, zoning, and occupancy.

### **THE FUNCTIONAL USE OF STRATIFICATION**

Over the years, stratification through land-use enforcement has been known to play an integral role in accomplishing greater labor production among workers. In Marx's view, stratification is built on the divide between the owner of the means of production and the workers. Greater labor is then achieved from the workers. Due to material lack, the workers focus on greater production to survive. Today, the functional use of stratification in land-use enforcement supports certain categorical distinctions in society, allowing citizens the freedom to make personal choices through its preexisting offering to differentiate between the value systems of all social participants involved. For example, through age distinctions, one can choose a lifelong partner suitable for themselves. All societies are built on their citizens' involvement in production and those who can survive the challenges we face in society resiliently. Challenges such as lay-offs, deductions in pay, the requirement of union membership, and the need for more education. To accomplish this, "*ideological and repressive state apparatuses*"<sup>13</sup> must systematically join

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<sup>13</sup> Louis Althusser, Frederic Jameson, and Ben Brewster, "Lenin and Philosophy and other Essays," *Ideology and Ideological State Apparatuses*, 2001, 85-126, accessed November 14, 2016, <http://www.jstor.org/stable/j.ctt9qgh9v>

forces to manifest these outcomes, that is, to civilly encourage the citizens' involvement under governmental oversight.

Stratification depends upon an evolving preexisting government because "*in every society of any size, some form of organized government develops due to the need for an agency capable of exercising overall social control.*"<sup>14</sup> Although labor is essential for land use towards overall productivity in society, preexisting government ensures that labor's output is built on a cohesive historical foundation. One in which, the infrastructure of past achievement is built upon toward the forming of a more cohesive superstructure. Thus, the idea of general stratification is to ensure that based on classifications, categories, and layers, everyone participates on some level of interchange in society's labor force.

## **REPRODUCTION OF LABOR**

It is the overall purpose of society to ensure that citizens are active "*in social positions and induce them to perform the duties of these positions; and once in these positions, the desire to perform the duties attached to them.*"<sup>15</sup> Moreover, people with certain skills are needed in certain types of positions for the practical reason that they have the ability to fulfill these roles.

Therefore, skill-level stratification is necessary in society. Systems of stratification are then justified in the "*reproduction of labor power.*"<sup>16</sup>

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<sup>14</sup> Elgin F. Hunt and David G. Colander, "The Functions and Forms of Government," in *Social Science; an Introduction to the Study of Society* (New York: Macmillan, 1955), 252.

<sup>15</sup> Althusser, Jameson, and Brewster, "Lenin and Philosophy and other Essays," 85-126.

<sup>16</sup> Althusser, Jameson, and Brewster, "Lenin and Philosophy and other Essays," 85-126.

## **EXPLOITATION**

In *Ideology and the State*, Althusser wrote that an essential condition of reproducing labor is to not only convince individuals to reproduce their skills, but also to persuade them to reproduce their subjection to the ruling ideology or practice of this ideology. This is founded on the ideal that through such subjection, a “*provision is made for the reproduction of the skills of labor power.*”<sup>17</sup> Therefore, the use of stratification is considered a functional necessity in the reproduction of labor.

The idea of exploitation identified in the systemic social imposition of requiring individuals’ skill and submission in accepting an outcome based on an ideology that enforces not only their participation but also subservience in the continual reproduction of labor. Preexisting government suggests a rule based on one perspective of reign; however, in dealing with multicultural diversity, one group does not always accept another group’s legal systems. Thus, there is a conflict between the government’s expectation of freedom and social order from society and how perspectives differ from one group to the next, one territory to the next, one denomination to the next, and so on.

## **STRATIFICATION**

The zoning tensions that black churches experienced during the Great Migration in 1910 was not the result of a simple zoning squabble; rather, it had to do with their conditioning from stratification systems imparted during the era of rural land-use unto labor and territorial divide:

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<sup>17</sup> Althusser, Jameson, and Brewster, "Lenin and Philosophy and other Essays," 85-126.

*If they are different on race, we call that racial stratification. If some nationality groups rank higher than others, that's called ethnic stratification. When rich kids rank higher than poor kids on something like SAT scores, that's called class stratification. Gender stratification occurs when men rank higher than women on something or women rank higher than men on something else. When the members of some religious groups have more access than members of other faiths due to things like good educations, good jobs, and good incomes, we call that religious stratification.*<sup>19</sup>

Social division between slaves was fostered by purposeful separation. Field slaves remained in the field, and house slaves remained in the slave owner family's house. There were different ideologies affecting each type of slave based on where he or she was living. Slaves residing in the house would rarely be punished in the same manner as those who lived in the fields. Moreover, house slaves had certain social obligations in which they served as an example of obedience, expressing to the field slaves the need to respect and obey their masters based on their kindness and to avoid their wrath. In addition, house slaves had more access to European culture and ideals; when they embraced these things, special treatment was used as a reward. They would often be offered perks, such as better living conditions, food, opportunities to travel, better fabrics and clothing, and other incentives.

Those who lived in the field often had harder work, stricter punishments, unwanted sexual intrusions, and fewer rewards for service. Separation among slaves helped to enforce class

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<sup>19</sup> Davidson, James D. and Pyle, Ralph E., *Ranking Faiths: Religious Stratification in America* (Lanham, MD: Rowman & Littlefield Publishers, Inc, 2011), vii.

injustice between them. Lighter-skinned slaves were often placed in the house, whereas darker-skinned slaves were most often placed in the field; this enforced ideals of caste stratification. Although education was restricted for all slaves, house slaves had more learning opportunities and access to books in American culture than field slaves did.

Overall, the acceptance of the preexisting government—that is, the reverence of those who had led the slaves into bondage—would be forged into a motivation system to continue the reproduction of labor. Some would be placed in the system of motivation by reward or motivation by fear, but in general, continual obedience and contentment were the desired outcomes.

## **RACIAL AND ETHNIC STRATIFICATION**

Plantations thrived on the racial and ethnic divide between slave owners and slaves, as well as the division between upper and lower classes.

### RACIAL AND ETHNIC STRATIFICATION

<b><u>UPPER CLASS</u></b>	<b><u>LOWER CLASS</u></b>
<ul style="list-style-type: none"> <li>• Racism</li> <li>• Ethnocentrism</li> <li>• Classism</li> <li>• Sexism</li> <li>• Anglo - Protestantism</li> </ul>	<ul style="list-style-type: none"> <li>• Slavery</li> <li>• Estate</li> <li>• Class</li> <li>• Caste</li> </ul>
<p><i>Emphasizes the superiority of being rich, white, Anglo-Saxon, being male — and Anglican, Congregationalist, or Presbyterian</i></p>	<p><i>Emphasizes inferiority based on age, race, ethnicity, class, religion, male/female, economic, and class differences</i></p>

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Figure 1 – “Racial and Ethnic Stratification: Upper Class/Lower Class” --- Source: Compiled from both Davidson, James D., and Pyle, Ralph E. *Ranking Faiths: Religious Stratification in America* and <http://www.sociologyguide.com/social-stratification/index.php>.

The lifestyle ideologies of the white upper class, also known as the elite, reinforced the ideals of racial and ethnic superiority; in contrast, the enforced lifestyle ideologies of the black lower class reinforced the idea of racial and ethnic inferiority:

*In addition to passing laws and creating ideologies that favored their members in virtually all areas of social life, the dominant faiths developed recurring patterns of behavior—or customs—which maximized their access to important resources and restricted other groups access to them. With their laws and ideologies firmly in place, elites assumed that they were more entitled to these resources than others were. To make sure that happened, they developed a set of customs that would make power, privilege, and prestige the sole possessions of religious elites. Chief among these customs was the development of private and exclusive social organizations, groups, and social networks in which membership was limited to elites. These entities included family networks, local congregations, privately owned businesses and church-related colleges and universities. In and through these segregated settings, elites were able to enhance their access to resources.<sup>20</sup>*

Ethnic and racial stratification can be observed in relation to the Storefront Church movement from the perspective that white elite religions that prevailed after the Civil War were still divided from black society, and those who belonged to them still viewed as upper class religionists. Due to segregation, they had minimal association with blacks, who were considered second class citizens.

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<sup>20</sup> Pyle and Davidson, "Ranking Faiths: Religious Stratification in America," 57-58.

## CLASS STRATIFICATION

Class stratification was also implemented from one black slave to another. Although the authenticity of the following speech is still in question by many scholars, according to Final Call, --- it “was said to have been delivered by Willie Lynch, a British slave owner in the West Indies, on the bank of the James River in the colony of Virginia in 1712,”<sup>21</sup> which reads,

*Take this simple little list of differences and think about them. On top of my list is age, but it’s there only because it starts with an a. The second is color or shade. There is Intelligence, size, sex, sizes of plantations, status on plantations, attitude of owners, whether the slaves live in the valley, on the hill, East, West, North, South, have fine hair, course hair, or is tall or short.*<sup>22</sup>

Although the intricacy of this system is clarified in the letter, according to Lynch, the aforementioned differences were guaranteed to create a stratification system among slaves on plantations. The goal of using such exploitation was to benefit property owners, allowing them to acquire more land by indoctrinating slaves. Lynch also affirms that “*black slaves after receiving this indoctrination shall carry on and will become self-refueling and self-generating for hundreds of years, maybe thousands.*”<sup>23</sup> The result was long-lasting behavioral changes and fostered ideals that slaves and slave owners both continued to espouse. As Lynch also comments,

*I shall assure you that distrust is stronger than trust and envy stronger than adulation, respect or admiration. Don’t forget, you must pitch the old black male vs. the young black male. You must use the dark skin slaves vs. the light skin slaves, and the light skin slaves vs. the dark skin slave. You must use the female*

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<sup>21</sup> FinalCALL.COM NEWS, "Willie Lynch letter: The Making of a Slave," last modified May 22, 2009, [http://www.finalcall.com/artman/publish/Perspectives\\_1/Willie\\_Lynch\\_letter\\_The\\_Making\\_of\\_a\\_Slave.shtml](http://www.finalcall.com/artman/publish/Perspectives_1/Willie_Lynch_letter_The_Making_of_a_Slave.shtml).

<sup>22</sup> FinalCall.com News, "Willie Lynch Letter," 1.

<sup>23</sup> FinalCall.com News, "Willie Lynch Letter," 1.

*vs. the male, and male vs. the female. You must also have white servants and overseers [who] distrust all Blacks. But it is necessary that your slaves trust and depend on us. They must love, respect, and trust only us. Gentlemen, these kits are your keys to control. Use them. Have your wives and children use them, never miss an opportunity. If used intensely for one year, the slaves themselves will remain perpetually distrustful.*<sup>24</sup>

## **RELIGIOUS STRATIFICATION**

Religious stratification is inherently different from the old paradigm of social stratification (slavery) described earlier; instead of wanting to systematically maintain economic control through fueling disturbances between the social dichotomy of house and field slaves, it hinged on the tensions of a larger political framework between private owners and the government:

*Ideologies are values and beliefs that justify social arrangements. Several ideologies prevailed in the colonies: racism, ethnocentrism, classism, sexism, and Anglo-Protestantism. These ideologies emphasized the superiority of being rich, white, Anglo-Saxon, male—and Anglican, Congregationalist, or Presbyterian. They explained why rich, white, male, liberal Protestants were entitled to power, privilege, and prestige and people of more modest means, people of color, people of other ancestries, women, evangelical Protestants, and non-Protestants were not.*<sup>25</sup>

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<sup>24</sup> FinalCall.com News, "Willie Lynch Letter," 1.

<sup>25</sup> Pyle and Davidson, "Ranking Faiths: Religious Stratification in America," 56.

In a journal article titled “The Origins of Religious Stratification in Colonial America,” Pyle and Davidson incorporate D. L. Noel’s theory on “*the origins of ethnic stratification (slavery) in the American colonies*”<sup>26</sup> and use it as a “*compelling point of departure*”<sup>27</sup> to understand this system of religious stratification.

According to Davidson and Pyle, there are three components that determines whether a religious stratification system is at work, namely “*religious prejudice, competition, and differential power.*”<sup>28</sup> Briefly, “*religious prejudice identifies who the religious minorities are likely to be; competition offers the incentive for their subordination; and differential power promotes a structure of religious inequality.*”<sup>29</sup> Noel states that “*when all three of these conditions are present, religious inequality will become institutionalized in the form of religious stratification.*”<sup>30</sup>

During the 15<sup>th</sup> and 16<sup>th</sup> centuries, religious prejudice “*was widespread during the early years of colonization.*”<sup>31</sup> As Pyle and Davidson state, “*Catholics were most often the targets of religious prejudice.*”<sup>32</sup> Later In 1759, “*Reverend Jonathan Mayhew denounced Catholics as blind and furious zealots out to butcher Protestants.*”<sup>33</sup> This is an example of blatant denominational prejudice; and one can discern the use of such among African-Americans against their minority religious community.

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<sup>26</sup> Donald L. Noel, "A Theory of the Origin of Ethnic Stratification," *Social Problems* 16, no. 2 (1968): xx, accessed November 14, 2016, doi:10.1525/sp.1968.16.2.03a00030.

<sup>27</sup> Pyle and Davidson, “*Ranking Faiths: Religious Stratification in America,*” 33.

<sup>28</sup> Pyle and Davidson, “*Ranking Faiths: Religious Stratification in America,*” 33.

<sup>29</sup> Pyle and Davidson, “*Ranking Faiths: Religious Stratification in America,*” 34.

<sup>30</sup> Pyle and Davidson, “*Ranking Faiths: Religious Stratification in America,*” 34.

<sup>31</sup> Ralph E. Pyle and James D. Davidson, "The Origins of Religious Stratification in Colonial America," *Journal for the Scientific Study of Religion* 42, no. 1 (March 2003): 60, accessed November 14, 2016, doi:10.1111/1468-5906.t01-1-00161.

<sup>32</sup> Ralph E. Pyle and James D. Davidson, "The Origins of Religious Stratification in Colonial America," *Journal...*, 60.

<sup>33</sup> Pyle and Davidson, “*Ranking Faiths: Religious Stratification in America,*” 45.

An additional prerequisite for stratification is “*competition over scare rewards.*”<sup>34</sup> As Pyle and Davidson note, “*Competition for groups must be understood in relation to their political resources.*”<sup>35</sup> They show that “*in colonial times, more powerful groups used subsidies and suppression to limit competition with less powerful groups, and less powerful groups resisted.*”<sup>36</sup> Some of the scare resources over which mainstream and minority institutions come into conflict are manpower, land use, political favors, media and publications, social services, monetary collections and donations, accolades, prestige, and overall support and attention. In most cases, one group tries to dominate another by withholding certain advantages. Signification is what some individuals verbally do to others to put them in their place by focusing their attention on some kind of personal deficit such as run-down tennis shoes. Perhaps one will say to the other, while wearing a pair of the most recent Air Jordans, that they need to go burn their shoes. The intent in these cases, is draw one’s mind towards self-assessment of material possessions. In similar ways, mainstream religious groups of the past also used signification to maintain territorial influence by emphasizing the condition of often run-down tenements possessed by Storefront Churches, including comparison of edifice aesthetics.

The use of differential power is necessary in determining if religious stratification is in play. That is, the use of a group’s size, its level of organization, and its control of resources used to forge a social order that reflects their values and interests.<sup>37</sup> According to Pyle and Davidson, “*Religious prejudice and competition by themselves are no guarantee of religious stratification.*”<sup>38</sup>

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<sup>34</sup> Pyle and Davidson, “*Ranking Faiths: Religious Stratification in America,*” 46.

<sup>35</sup> Pyle and Davidson, “*Ranking Faiths: Religious Stratification in America,*” 46.

<sup>36</sup> Pyle and Davidson, “*Ranking Faiths: Religious Stratification in America,*” 46.

<sup>37</sup> Pyle and Davidson, “*Ranking Faiths: Religious Stratification in America,*” 49.

<sup>38</sup> Pyle and Davidson, “*Ranking Faiths: Religious Stratification in America,*” 49.

However, “*The dominant faiths during the colonial period benefited from superior economic and political resources, and they used kinship ties, patronage arrangements, and the intervention of foreign governments to institutionalize their growing advantages.*”<sup>39</sup> Today, some organizations thrive on having political connections that gloss over the injustice one inflicts to maintain power. As Pyle and Davidson note, “*with prejudice as their justification, competition as their incentive, and differential power as their means, they transformed emergent inequality into a more permanent system of stratification.*”<sup>40</sup> One can see how each form of stratification weighed heavily during the merging of both African-American mainstream and minority denominations.

### **THE EMANCIPATION PROCLAMATION AND THE CIVIL WAR**

After three years of continual war, in 1863, Abraham Lincoln signed the Emancipation Proclamation, declaring that all slaves located in the rebellious states were now free. However, those slaves living in states that had not seceded the Union were not counted among the liberated; therefore, slavery remained constitutionally legal in other parts of the United States. Although the Emancipation Proclamation did not end slavery everywhere, it did mark a hopeful time in American history, inspiring slaves everywhere to consider the possibility of impending freedom.

Today, African Americans view slavery as perhaps the worst period of injustice in U.S. history. From 1501–1865, beginning when they set foot in Jamestown, slaves in the US began their long road towards ultimate and legal freedom. Through some of their own memories, they were

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<sup>39</sup> Pyle and Davidson, “*Ranking Faiths: Religious Stratification in America,*” 49-50.

<sup>40</sup> Pyle and Davidson, “*Ranking Faiths: Religious Stratification in America,*” 50.

constantly reminded how their homeland of Africa and their history as separate nations of people was interrupted due to being sold into slavery. Later, segregation laws continued to place restrictions on the slaves' freedom and confined most of them to plantation life, unless they were sold to another owner, until the end of the Civil War. *"Inherent in the institution of slavery were certain social controls, which slave owners amplified with laws to protect not only the property but also the property owner from the danger of slave violence. The slave codes were forerunners of the black codes of the mid-19th century."*<sup>42</sup>

Not until after the Civil War would slaves everywhere in the United States have a right to freedom. At first, *"when the U.S. Constitution was signed on September 17<sup>th</sup> 1787, it did not contain the essential freedoms now outlined in the Bill of Rights"*<sup>43</sup> due to the belief that such information was not necessary. After much deliberation, finally *"the Bill of Rights was adopted, of which the first ten amendments went into effect on December 15<sup>th</sup> 1791."*<sup>44</sup>

## **THE FIRST AMENDMENT**

The First Amendment states that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."<sup>45</sup> If we did not have this amendment, religious minorities could be persecuted, required to submit to the government's idea of religion, and/or be unable to speak or

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<sup>42</sup> The Editors of Encyclopedia Britannica, "Slave Code | United States History | Britannica.com," Encyclopedia Britannica, accessed November 14, 2016, <https://www.britannica.com/topic/slave-code>.

<sup>43</sup> "About the First Amendment | First Amendment Center – news, commentary, analysis on free speech, press, religion, assembly, petition," accessed November 14, 2016, <http://www.firstamendmentcenter.org/about-the-first-amendment>.

<sup>44</sup> First Amendment Center, "About the First Amendment."

<sup>45</sup> First Amendment Center, "About the First Amendment"

publish opposing views. The amendment therefore allowed the Storefront Church movement to abound and maintain its existence based on the rights associated with the establishment and free exercise clauses added to the first amendment.

The First Amendment offered tremendous security to newly freed slaves concerning religion and government's now limited ability to insist on national religious observance. After the implementation of this new legislation, religion could now be used to restore and preserve individuals culture, and this represented an opportunity for blacks to evangelize the idea of becoming a part of other established religions in their communities. The addition of the establishment and free exercise clauses to the First Amendment provided freedom to celebrate the past and make plans for the future. First, the establishment clause restricted the government from "*sponsoring, supporting, or actively involving itself with a particular religion.*"<sup>46</sup> For religious organizations, this clause meant that if zoning suits occurred, the government would have to remain neutral throughout the handling of such cases in court, supporting the ideals of impartiality. Second, the free exercise clause provided backup measures for the establishment clause, preventing the government from reneging on the duty to protect religious liberties.

## **THE HISTORY OF ZONING**

The need for zoning laws, particularly in the African-American religious communities of the United States was brought to the forefront during the onset of the Great Migration in 1910, when black populations flooded into certain residential and urban areas. The black community was

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<sup>46</sup> Frederick R. Steiner and Kent S. Butler, "Zoning Regulation," in *Planning and Urban Design Standards* (Hoboken, N.J.: John Wiley & Sons, Inc., 2007), 352.

aware that these new laws would be formed on the same unjust principles experienced under slavery, segregation, *the black codes*, and *Jim Crow*. This corroborated the idea that African Americans were still being treated as minorities in this country in relation to land-use equality.

As Steiner and Butler comment, “*Derived from nineteenth-century German zoning laws, zoning in the US was first envisioned as a tool primarily to protect the health and safety of residents of single-family homes.*”<sup>50</sup> Prior to 1920, zoning officials congregated to make decisions on the architectural advancement and safety of both residential and urban districts. One consideration was the tall buildings and skyscraper’s aerial impact on smaller buildings alongside their shared space. Legislation was also being created to provide security to other forms of real estate, such as parks, school districts, lake and water properties, and other public spaces, to maintain the beauty, value, and property of both public and private space. Before the creation of zoning laws, private owners took matters in their own hands when it appeared that minority tenancy would affect the property value of a neighborhood and/or driving the market price down. When this occurred, minorities often experienced anonymous threats, vandalism, and violence from private property advocates who were relentless in forcing minority owners to yield to the practice of exclusionary zoning.

“In 1916, New York City was the first to adopt a citywide zoning ordinance”? Then, in the 1920s, “*the U.S. Department of Commerce produced the Standard Zoning Enabling Act, which laid the foundation for zoning laws in most of the country.*”<sup>54</sup> Later that decade, those involved

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<sup>50</sup> Steiner and Butler, “Zoning Regulation,” 364.

<sup>54</sup> Steiner and Butler, “Zoning Regulation,” 364.

with supporting the development of local zoning boards overcame a major hurdle when the courts ruled on the *Village of Euclid (Ohio) v. Ambler Realty Company* case.<sup>55</sup> This ruling would enable the practice of zoning enforcement in municipal districts; by 1930, all states were governed by zoning laws.<sup>56</sup> In the next five decades, other zoning strides were accomplished, “including the *Landmark Preservation Ordinance (1968)*, *Lakefront Protection Ordinance (1973)*, *a Townhouse Standards amendment (1998)*, and the *Strip-Center Ordinance (1999)*.”<sup>57</sup>

### **ZONING MEASURES AMONG RELIGIOUS URBAN DEVELOPMENT**

According to the Religious Land use and Institutionalized Persons Act, the intent of religious zoning is to “impose a number of safeguards and requirements on local government that impact religious uses.”<sup>58</sup> These safeguards include the following:

- The zoning law or its application cannot substantially burden religious exercise without compelling justification pursued through the least restrictive means;
- The zoning law cannot treat religious uses less favorably than nonreligious assemblies and institutions;
- The law cannot discriminate based on religion or religious denomination; and
- The jurisdiction cannot totally or unreasonably restrict religious uses.

These mandates are in place to preserve and protect the citizens, architecture, and landscape in a religious jurisdiction by enforcing the applicable land-use regulations. This ensures that the public can safely benefit from the resulting beautification, programming, economic development,

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<sup>55</sup> "Zoning," Encyclopedia of Chicago, accessed November 14, 2016, <http://www.encyclopedia.chicagohistory.org/pages/1401.html>.

<sup>56</sup> "Zoning," Encyclopedia of Chicago

<sup>57</sup> "Zoning," Encyclopedia of Chicago

<sup>58</sup> U.S. Department of Justice Civil Rights Division, "Statement of the Department of Justice on the Land-Use Provisions of the Religious Land Use and Institutionalized Persons Act (RLUIPA)," last modified September 22, 2010, [https://www.justice.gov/sites/default/files/crt/legacy/2010/12/15/rluipa\\_q\\_a\\_9-22-10\\_0.pdf](https://www.justice.gov/sites/default/files/crt/legacy/2010/12/15/rluipa_q_a_9-22-10_0.pdf).

and religious and secular involvement. Moreover, zoning is the vehicle that provides residents and visitors with safe, aesthetically pleasing, lawful access to religious edifices, businesses, and participation throughout its overall vision of economic and social exchange.

### **AMICUS-BASED DISCRIMINATION**

An amicus curiae is an advisor to the court; it is also defined as the actual brief or an attachment added to the court record stating the advisor's impartial stance toward the case. Such briefs are often submitted voluntarily and are to be provided by reputable sources from the community at large and/or experts in the subject of the case. Meanwhile, amicus-based discrimination can be defined as the use of an advisor's social position to influence the court and/or a brief attachment to manipulate the case to achieve a certain outcome. Such amicus-style discrimination can be used outside of the courts to influence zoning officials through means of petition, publishing, media, word-of-mouth, protest, slander, and other actions.

According to Drake and Cayton, "*If we analyze the complaints which middle-class people make against storefronts, it is obvious that it is not size alone that repels them.*"<sup>59</sup> Rather, these people are responding to what they consider indecent church administration and behavior. However, such behavior is often judged from the perspective of the individuals' religious doctrine and code of conduct. In other cases, religious leaders reacted when they heard that "*ministry provided many disadvantaged African Americans with an attractive alternative to the low-paying, menial jobs of the larger economy.*"<sup>60</sup> As a result, an accusation was published in the *Black Metropolis*

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<sup>59</sup> S. C. Drake and H. R. Cayton, *Black metropolis: A study of Negro life in a northern city* (Chicago, IL: The University of Chicago Press (Chicago and London), 2015), 672.

<sup>60</sup> R. L. Boyd, "The Storefront Church ministry in African American communities of the urban north during the great migration: The making of an ethnic niche," *The Social Science Journal* 35, no. 3 (1998): 324, accessed November 14, 2016, doi:10.1016/s0362-3319(98)900027

concerning the financial gain of Storefront Church preachers with a view to persuading individuals to stop giving to them. Although *“the gains were usually small, the perquisites were not to be scorned, for churches lavished gifts of food, money, and clothing on their preachers.”*<sup>61</sup> These tokens of love given to these ministers by laity were judged by advocates of mainstream denominations as work of the devil, symbolizing a character flaw in those leaders who would accept them. Overall, *“the willingness of storefront ministers to accept these rewards led critics to charge that the former were mainly racketeers, exploiters, and charlatans.”*<sup>62</sup>

Another criticism was sparked by the *“social and psychological support”*<sup>63</sup> these Storefront Churches offered to many African Americans during the Great Migration. In a journal entitled *The Storefront Church Ministry in African American Communities of the Urban North During the Great Migration: The Making of an Ethnic Niche* --- the writer, Mr. Robert L. Boyd, commented that *“ministers of these churches were often condemned by political activists for propagating another-worldly focus that diverted the attention of lower-class African Americans away from pressing economic and social problems.”*<sup>65</sup> The more often these leaders were found offering spiritual healing to their congregants, the more they were accused of preaching false doctrines and causing their members to retreat in denial. Another dispute related to storefront ministers’ ability to attract lower-class migrants away from the established churches. In response, *“the pastors of these old-line churches denounced the storefront ministers as unsophisticated jack-leg preachers”*<sup>66</sup> while *“mainstream pastors often found it necessary to imitate their*

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<sup>61</sup> Boyd, “The Storefront Church ministry in African American communities of the urban north during the great migration,” 324.

<sup>62</sup> Boyd, “The Storefront Church ministry in African American communities of the urban north during the great migration,” 324.

<sup>63</sup> Boyd, “The Storefront Church ministry in African American communities of the urban north during the great migration,” 329.

<sup>65</sup> Boyd, “The Storefront Church ministry in African American communities of the urban north during the great migration,” 328.

<sup>66</sup> Boyd, “The Storefront Church ministry in African American communities of the urban north during the great migration,” 324.

*storefront competitors in order to hold the masses.*”<sup>67</sup> According to the legislation, none of these complaints were grounds for zoning-related land-use enforcement.

### **RELIGIOUS ZONING DISCRIMINATION**

Whether a denomination is considered mainstream or minority, they both “*must apply for the same permits, follow the same requirements, and go through the same land-use processes as other land users.*”<sup>68</sup> Therefore, unless a church congregation is cited as not following the outlined legal policies related to land-use compliance, complainants do not have legal grounds for issuing zoning citations. Therefore, to discriminate, one must formulate other strategies and carry out covert manipulation to create zoning burdens irrelevant or atop basic legal concerns. When racists resort to land-use scheming, most often, ideology based on class or religious stratification is whispered in the ears of governing officials to persuade them revise the policy; otherwise, such individuals may insist that a certain burdensome policy be mandated. In some cases, relocation is insisted as the only way to produce resolution. However, the inability to resolve technical concerns related to the property is often a cover up in which legal enforcement is used to exclude minorities from certain neighborhoods based on class or religious stratification.

### **CORRUPT ZONING OFFICIALS**

When occupants violate land-use laws, private owners consult zoning officials to determine the legitimacy of the infraction and issue a citation when necessary. These zoning officials represent the laws established by the current government, and they have the responsibility to inform

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<sup>67</sup> Boyd, "The Storefront Church ministry in African American communities of the urban north during the great migration," 324.

<sup>68</sup> U.S. Department of Justice Civil Rights Division, "Statement of the Department."

tenants of both the law and their rights. However, when under the persuasion of stratification ideology, officials can intentionally or unintentionally make discriminatory decisions motivated by the idea that, as a representative of a specific class—whether ethnic or religious—it is their duty to prevent underserved citizens from using land in another way so that their related affiliations remain in power. In other cases, certain zoning officials are more concerned with maintaining their position to gain illegal gratuities from political and economic leaders responsible for certain land-use jurisdictions. These officials will take bribes, offers, and deals to maintain job security, increase opportunities, and obtain associated favors.

According to U.S. Congress, minority religions are often harmed by the corruption of zoning officials who make certain property more advantageous for secular purposes than religious ones. Thus, minority religions often find themselves trapped in trying to prove their good intentions and show that they are not defiant but rather victims of discrimination. In these cases, smaller congregations find it hard to avoid court costs once prosecuting officials and litigants team up, utilizing their historical precedence, knowledge of preexisting laws, and class prominence as supporting factors to put forward the supposed zoning infraction of the newer tenancy.

### **EXCLUSIONARY ZONING**

Exclusionary zoning, the idea of utilizing zoning ordinances to exclude certain types of people from a given community, was not necessary during slavery and segregation. Black laws and Jim Crow laws were in place to make sure that blacks were separated from whites. Although black codes and Jim Crow law varied from state to state, one example of a black code enforced that “race was defined by blood; the presence of any amount of

black blood made one black. In contrast, one example of Jim Crow law stated that “seats on all buses were to be segregated by race.” As long as African-American religionists stayed segregated, there was no need for land-use enforcement to intervene in their conflicts. A turning point related to racial housing discrimination happened in the case of *Buchanan v. Warley 1917*, a Louisville city ordinance restricted a property purchase to certain black minorities and was brought before a judge. He ruled in favor of the black couple because he found that the decision to refuse the sale involved exclusionary zoning and infringed on the right to liberty. This case, along with racial segregation catapulted the use of ordinances toward the prohibition of property sales, enabling sneakier tactics towards ridding minorities from certain demography. Such means of subtler exclusion often involved corruption such as bribes of zoning officials. Overall, the use of preexisting government, stratification, and exclusionary zoning supported the idea of land-use enforcement toward zoning discrimination based on religion, and this represented an impetus toward religious strife in the African American community in 1910–1970.

### **RLUIPA LEGISLATION**

The Religious Land Use and Institutionalized Persons Act (RLUIPA) was signed into law in 2000 by President Clinton. Congress thought this act was necessary due to increasing numbers of zoning cases against minority religions and small groups. Thus, it was considered that legislation should be created to protect the rights of these minority institutions. Thus, the Department of Justice began enforcing laws to safeguard against burdensome claims of discrimination. These included the following:

- “• *Protection against unequal treatment for religious assemblies and institutions: Section 2(b)(1) of RLUIPA provides that religious assemblies and institutions must be treated at least as well as nonreligious assemblies and institutions;*
- *Protection against religious or denominational discrimination: Section 2(b)(2) of RLUIPA prohibits discrimination “against any assembly or institution on the basis of religion or religious denomination”;*
- *Protection against total exclusion of religious assemblies: Section 2(b)(3)(A) of RLUIPA provides that governments must not totally exclude religious assemblies from a jurisdiction;*
- *Protection against unreasonable limitation of religious assemblies: Section 2(b)(3)(B) of RLUIPA provides that government must not unreasonably limit “religious assemblies, institutions, or structures within a jurisdiction.”*<sup>69</sup>

## **THE IDEOLOGY OF MOTIVATION AND REWARDS**

Motivation can only be used as a driving tool for the reproduction of labor if “*a society [has,] first, some kind of rewards that it can use as inducements, and second, some way of distributing these rewards differentially according to positions.*”<sup>70</sup> Thus, “*the rewards and their distribution become a part of the social order and [this] gives rise to stratification.*”<sup>71</sup> Once individuals are convinced to offer their skills and submit to labor participation, a reward system is then necessary to conceal the conditions of exploitation while at the same time offering incentives for

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<sup>69</sup> U.S. Department of Justice Civil Rights Division, “Statement of the Department.”

<sup>70</sup> Davis, Kingsley and Moore, Wilbert E., “Some Principles of Stratification,” *American Sociological Review* 10, no. 2 (1945): 243, accessed November 14, 2016, doi:10.2307/2085643.

<sup>71</sup> Davis, Kingsley and Moore, Wilbert E., “Some Principles of Stratification,” 243.

continually contributing to the reproduction of labor. Therefore, to keep slaves and/or workers compliant, preexisting government must use motivations as a tool to control people who are naïve concerning their freedoms to make them perpetually submissive to the reward ideology. However, slave owners encountered resistance and was more stern to those slaves' who demonstrated more understanding concerning their true right to freedom. In these cases, a different motivation system was created based on obedience and punishment.

### **THE IMPACT OF MOTIVATION AND REWARDS**

In 1910, the battle waged between mainstream and minority African-American denominations, both sides struggled to motivate each other toward the pursuit of joining visionary forces.

However, to do so, meant that one side or the other had to yield against the principles they fought so hard to overcome. To them, there was no reward big enough to cause one side to compromise their principles through affiliation. For example, the minority churches were not impressed by the beautified edifices of the larger ones, and the mainstream churches were vexed by the décor of the smaller ones. The larger church expressed embarrassment concerning the expressive preaching styles of the minority assembly, and the smaller assembly was bored to death by the lackluster sermons of the larger church. While the larger church considered fashion to be important to church attendance, the smaller church thought that individuals should come as they were. With each difference in social and cultural beliefs, individuals gravitated to the ideology of one side or the other.

Unification is based on shared motivations and rewards. However, use and acceptance of such motivations and rewards varied greatly between the perspectives of black members of

mainstream and minority denominations. Divisive attitudes did not emerge due to sharing urban religious space; rather, it arose through the use of demographics that separated ideals with distance. Systems that included the use of stratification, demographics, and segregation led to distrust.

### **VARYING DISPOSITIONS TOWARD RELIGIOUS EXPRESSION**

There were different opinions within the black community as to how much their religious practices should resemble those in Europe. Freed slaves had a different outlook on Americanized culture than those who remained enslaved until the Civil War. Those that were unfree often felt the maintain allegiance to their original ancestral customs, at least what they knew of them, and they were not willing to leave them behind completely. As an example, Sambol-Tosco notes that *“West African societies, the largest source for American slaves, shared a belief in a Supreme Creator, a chief deity among lesser gods, to whom they prayed and made sacrifices.”*<sup>72</sup> and *“made music and dance vital components of their worship practices.”*<sup>73</sup> Furthermore, *“enslaved men and women kept the rites, rituals, and cosmologies of Africa alive in America through stories, healing arts, song, and other forms of cultural expression, creating a spiritual space apart from the white European world.”*<sup>74</sup> At the same time, there were *Africans and African descendants working in the early modern Atlantic commercial system who were exposed to the world of European Christianity as early as the fifteenth century, when Portuguese missionaries came to the coasts of Africa. Some slaves, therefore, brought Christian beliefs with them when they*

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<sup>72</sup> Sambol-Tosco, Kimberly, "Slavery and the Making of America. The Slave Experience: Religion | PBS," accessed November 14, 2016, <http://www.pbs.org/wnet/slavery/experience/religion/history.html>.

<sup>73</sup> Sambol-Tosco, "Slavery and the Making of America,"

<sup>74</sup> Sambol-Tosco, "Slavery and the Making of America,"

*were thrust into slavery. Others converted in America. During the seventeenth century blacks in the Dutch New Netherlands and Spanish Florida baptized their children and were married by the church. In part, this participation in the dominant European religion reflected (and helped bring about) a colonial society in which blacks were more fully integrated and enjoyed greater rights than later generations of slaves would.*"<sup>75</sup>Overall, there were some blacks that did not find offense in adapting to European religion.

Religious immersion in the European doctrine was instrumental in establishing the foundations for mainstream African-American religions. As a result, congregants maintained different perspectives on religious styles. Most often, their worship styles fell between one of two extremes, either overly conservative or overly expressive. Conservative liturgies involved reading from hymn books, minimal clapping, and/or oral expression. On the other hand, expressive worship tended to involve more spontaneity, longer service durations, and certain mystical forms of worship. The expressive style of worship was more preferred by those migrants who sought to maintain their roots in Africa's cultural and historical religious legacy.

## **THE RELIGIOUS IMPACT OF THE GREAT MIGRATION**

The minority religious movement began with "the widespread movement of African Americans in the 20th century from rural communities in the South to large cities in the North and West."<sup>76</sup>

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<sup>75</sup> Sambol-Tosco, "Slavery and the Making of America,"

<sup>76</sup> Dan Kopf, "The Great Migration: The African American Exodus from The South," Priceonomics, accessed November 15, 2016, <https://priceonomics.com/the-great-migration-the-african-american-exodus/>

By 1910, significant changes were already taking place among black mainstream religious denominations, particularly in the North. As Boyd notes, “*these churches were becoming increasingly secular as African American communities were being transformed.*”<sup>77</sup> Such transformation was partially due to “*the changing class structure*”<sup>78</sup> within these communities. As a result, “*those in rising professional and upper classes—the Black Bourgeoisie—tried to break away from the traditional culture of lower-class African Americans.*”<sup>79</sup> Ultimately, these geographical changes placed a demand on society to create a new ethnic niche to satisfy minority religions. The Storefront Church community stepped up to fill this void by creating a new competitive economy between historical and minority religious groups.

### **THE RELIGIOUS STORE FRONT MOVEMENT**

The Storefront Church first got its name because of leaders and congregations choosing to inhabit space within old and sometimes thriving commercial districts for religious purposes instead of retail ones. Traditionally, services were held in storefront locations found in various minority urban districts, but churches located in homes, funeral parlors, old warehouses, and other mixed-use facilities soon emerged among the storefront religious community as well. These minority religious dwellings were usually led by African-American and immigrant leaders of various denominations and faiths. Due to such an enormous increase in the number of urban churches worldwide, the Storefront Church was soon established as an actual global religious movement with the purpose of offering alternative spiritual liberation for African Americans and other minorities.

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<sup>77</sup> Boyd, “The Storefront Church ministry in African American communities of the urban north during the great migration,” 322.

<sup>78</sup> Boyd, “The Storefront Church ministry in African American communities of the urban north during the great migration,” 322.

<sup>79</sup> Boyd, “The Storefront Church ministry in African American communities of the urban north during the great migration,” 322.

This movement's heyday began during the onset of the Great Migration in 1910, and it influenced society greatly until 1970. The legacy continues today. The Storefront Church movement initially began in response to the multitudes of immigrants and blacks who moved to the North to share some of the considerable economic resources made available to local black residents. Newly freed migrants from the South sought equality while participating in America's labor force. They headed north to seek economic relief from the poor rural conditions associated with plantation living. Once they settled there, however, zoning and racial tensions would segregate these relocated travelers to alternative dwellings in run-down, poor, crime-infested neighborhoods. Lacking social reform as lower-class citizens, they wanted to attend a church service where perhaps they could find the hope, social connections, and job leads needed to excel.

According to McRoberts' *Streets of Glory*, the

*urban black church growth was caused by three things: 1) The Great Migration, during which millions of southern Blacks moved to urban, usually northern centers. 2) Their continued exclusion from the political, economic, and associational institutions of white society, which forced Blacks to establish parallel institutions in their own areas, and 3) Class and cultural differentiation within the Black populace.*<sup>80</sup>

However, "the established African American churches in the urban North thus failed to satisfy those African American migrants who were looking for the traditional or other-worldly religious

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<sup>80</sup> O. M. McRoberts, "Changing the World," in *Streets of glory: Church and community in a Black urban neighborhood* (Chicago, IL: University of Chicago, 2003), 100-121.

*outlook they had known back in the South.*”<sup>81</sup> Instead, they were met with a number of concerns related to attending church in the north, including the unfamiliarity of “*scholarly sermons*”<sup>82</sup> and the lack of “*improvisational singing, shouting, and other forms of active participation and demonstrative enthusiasm.*”<sup>83</sup> Next, they complained of being “*snubbed by dicty upper-class members who looked down on the migrant’s shabby clothes and Southern grammar.*”<sup>84</sup> There were others who “*had belonged to small, rural churches where the members intimately knew one another and found warm and sympathetic relationships.*”<sup>85</sup> Yet, in the north, migrants began to notice that there were distinct social differences between what the historical churches and migrants expected of each other.

Migrants “*often felt anonymous and alienated in the larger churches of the urban North.*”<sup>86</sup> Overall, they “*were generally dissatisfied with the established churches of African American communities in the North,*”<sup>87</sup> as the “*religious life they had known in the south remained unmet.*”<sup>88</sup> Thus, “*an ethnic niche arose in northern cities for those African Americans who could satisfy the special religious demands of the southern migrants, namely, demands for churches that stressed fundamentalist beliefs, the demonstrative expression of faith, and intimate association among congregants.*”<sup>89</sup> This took the form of a Storefront Church phenomenon that was “*planted in the African American communities of the urban North.*”<sup>90</sup>

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<sup>81</sup> Boyd, “The Storefront Church ministry in African American communities of the urban north during the great migration,” 322.

<sup>82</sup> Boyd, “The Storefront Church ministry in African American communities of the urban north during the great migration,” 322.

<sup>83</sup> Boyd, “The Storefront Church ministry in African American communities of the urban north during the great migration,” 322.

<sup>84</sup> Boyd, “The Storefront Church ministry in African American communities of the urban north during the great migration,” 322.

<sup>85</sup> Boyd, “The Storefront Church ministry in African American communities of the urban north during the great migration,” 322.

<sup>86</sup> Boyd, “The Storefront Church ministry in African American communities of the urban north during the great migration,” 322.

<sup>87</sup> Boyd, “The Storefront Church ministry in African American communities of the urban north during the great migration,” 323.

<sup>88</sup> Boyd, “The Storefront Church ministry in African American communities of the urban north during the great migration,” 323.

<sup>89</sup> Boyd, “The Storefront Church ministry in African American communities of the urban north during the great migration,” 323.

<sup>90</sup> Boyd, “The Storefront Church ministry in African American communities of the urban north during the great migration,” 323.

## **STOREFRONT CHURCH TENANCY**

At this time, an increase in the number of minority denominations began to emerge, as well as continual growth of formerly organized African-American mainstream institutions. Many of the minority denominations rented out storefronts or offered services in residential homes, funeral parlors, and other places offering low-cost overhead to their assembly. Through the vehicle of the Storefront Church movement, the value of this market began to emerge, which included more relatable worship, theological careers for the uneducated, the creation of various social services, employment referrals, entrepreneurial investments, mortician services for minorities, and most of all, *“the purchasing power of several hundred thousand people solidly massed in one compact community.”*<sup>91</sup> Neighborhoods were being inundated with small new churches that attracted the attention of members of the old established churches, thereby creating factions between mainstream and minority denominations.

Ten years after the beginning of the Great Migration, the number of minority denominations was almost triple that of the former established churches. From the advocacy perspective of the mainstream African-American denominations, this was foolishness; in their view, such an increase in minority church assemblies did not help leaders to establish greater political and economic influence for the community at large.

## **AFRICAN-AMERICAN BIAS TOWARDS MINORITY RELIGIONS**

Special interest advocates, politicians, and elite members of the mainstream denominations began spreading their opinions on tenancy and administrative issues related to the influx of new minority institutions occupying shared space in the urban and religious landscape. Their critiques

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<sup>91</sup> Boyd, “The Storefront Church ministry in African American communities of the urban north during the great migration,” 325.

began shortly after many immigrants and southerners began settling in certain religious jurisdictions. The rise of the storefront movement, the increase of new minority denominations, and the creation of a new economic niche caused tensions for existing and larger black denominations. An obvious class divide could be observed between special interest advocates, politicians, and African-American members of mainstream denominations on the one hand and the leaders of the Storefront Church minority movement on the other. During this time, when African Americans was migrating to the North seeking spiritual renewal and economic development, religion in the black community was divided between a separatist perspective divided between an untraditional type of right- and left-wing conflict. Case building and verbal slander against these minorities increased through the effective use of persuasive media, publications, and oral misrepresentation:

*They are here today and gone somewhere else or gone entirely tomorrow. They are housed in rented quarters, a store, the floor of a private dwelling, or even the large room of a flat; and remain as long as the rent can be met or until a move is made, perhaps to other quarters. Doubtless some of the founders of these excess churches are sincere, though ignorant; but it is certain that many of them are parasitical fakers, even downright scoundrels, who count themselves successful when they have under the guise of religion got enough hard-working women together to ensure them an easy living. This little-church movement has also given rise to many cults and much occultism.<sup>92</sup> However, today, none of these accusations would fit the traditional concerns of zoning that generally includes issues of parking, frontage, or safety.*

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<sup>92</sup> James Weldon Johnson, *Black Manhattan* (New York, NY: Atheneum, 1968), 163-164.

In 1930, James Weldon Johnson, a prominent American author, educator, lawyer, diplomat, songwriter, and civil rights activist, identified the leaders of Harlem New York's minority Storefront Churches as possibly sincere or corrupt, ignorant, and negligent. In *Black Manhattan*, Johnson offers his take on the black minority church scene in response to certain "*critics of negroes, especially negro critics*"<sup>93</sup> on issues related to administration and zoning of Storefront Church congregations. In this writing, Johnson observes that "*there were something like a hundred and sixty colored churches.*"<sup>94</sup> He suggests that "*a hundred of these could be closed and there would be left, in fact, just about the number of churches that are regularly organized and systematically administered and that could be adequately supported.*"<sup>95</sup> His critique is based in part on his observation that "*the superfluous one hundred or more were ephemeral and nomadic, belonging to no established denomination and within no classification.*"<sup>96</sup> Like most phenomenon, however, the motives of what appears unusual, such as the amount of churches popping up all over the place, is often questioned.

One should note that none of these complaints support the notion that there were actual zoning infractions on the part of the minority groups. Rather, they exposed hierarchal concerns over land use, including why pre-existing government demanded that they should share a religious landscape, the subliminal and overt use of class and religious stratification, and the need for case building toward exclusionary zoning. Rants like Johnson's were often used and disclosed in

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<sup>93</sup> Johnson, "*Black Manhattan*," 163.

<sup>94</sup> Johnson, "*Black Manhattan*," 163.

<sup>95</sup> Johnson, "*Black Manhattan*," 163.

<sup>96</sup> Johnson, "*Black Manhattan*," 163.

amicus briefs. Moreover, the motive of Johnson's complaint was historically rooted in the old system of land-use enforcement.

### **ATTITUDES TOWARD STOREFRONT CHURCHES TODAY**

Today, it would be safe to assume, by the amount of remaining storefront churches located in urban neighborhoods today --- that there remains a large remnant of church attendees who do not step foot into what one would consider a mega/mainstream religious assembly or even a sacred institution half its size. Rather, there are those who are willing travel to enter New Macedonia M.B.C., or perhaps The Gift of God C.O.G.I.C. on Chicago's south side to worship in a poorly or magnificently remodeled storefront edifice. Behind these walls, there is what these people describe as dynamic and Holy Ghost-filled singing and preaching. Participation most often leads to a celebrative, culminating fellowship between members and visitors, complete with Sunday dinner offered in the makeshift banquet hall, which is usually a glorified space designated in the basement or a small room in the back of the church amid foldup tables and chairs. While this example generally describes how practitioners derive contentment from their ritual religious activity, however, there are outsiders who associate this same experience with poor and ill-run leadership to advance their agenda of garnering the upper-hand of support. For some,

*The word 'church' [...] conjures up an image of a structure somehow set apart.*

*We imagine a regal architecture, its spires towering above the roofs of quaint single-family dwellings or competing nobly with secular temples of downtown commerce. In our imaginations, the church may be set apart from its surroundings by some physical buffer, such as a neatly kept lawn, or a wrought iron fence. Rarely do we think of churches as being an integral part of street*

*life*.<sup>97</sup> Similar to what it is like to admire a new abstract painting in the Art Museum, to appreciate certain religious differences means that one should research, ask questions, even visit to understand its unique phenomenon within society.

Individuals who grew up in the suburbs or a rural location may not have known as much about attending church in a storefront as city dwellers. Granted, they may have attended a religious service held in a home, farmhouse, or commercial space; however, this is not the same as attending service in an urban Storefront Church district at the typical 11 AM or at the nightly broadcast hour. Going to church in a fast-paced city, such as Chicago, Harlem, or Detroit, could cause an elite outsider to associate these members with certain kinds of stigma due to church fellowshiping in a poor, deprived neighborhood.

Storefront Church communities were often known for their violence, vandalism, and crime. For example, a congregant attending service in the ghetto can run the risk of stepping out of the church sanctuary and stepping over a dead body perhaps lying on the sidewalk.<sup>98</sup> This can give rise to the idea that minority churches are ineffectual—that while churchgoers were shouting, praising God, and acting the fool inside their menial edifice with loud music and tambourines, a person was being gunned down outside due to gang violence or muggings on the church's doorstep. Such irony is then used to distort an honest assembly's true religious intent while

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<sup>97</sup> McRoberts, "The Street," 81.

<sup>98</sup> The Daily Beast, "Boy Gunned Down in Front of Chicago Church," accessed November 14, 2016, <http://www.thedailybeast.com/cheats/2016/06/19/boy-gunned-down-in-front-of-chicago-church.html?via=desktop&source=copyurl>.

offering a religious aristocrat justification to remain alienated, discriminate against that church, and discourage others from storefront or minority church engagement:

*Through progressively more detailed simulations of conventional churches, the storefronts mount an esthetic of inscriptions and designs ranging between naïve representation and graffiti. The facades are painted, papered, curtained, or sheathed, and generally embellished with biblical iconography. The windows contain potted plants, or pictures. And the colors of paint used to conceal the wear and tear of time, inadvertently accent the architectural detail of a bygone day. But even the most shabby stores are emblazoned with neo-logistic sect names, sect names, signs listing the order of services, and posters listing references to biblical passages.<sup>99</sup>*

Most often, a minority religious community is made up of similar, various, or even opposing denominations. It is nothing new to attend service on a block where in the distance, churchgoers can see the architectural beauty on the edifice steeples of old, and between silent pauses, they can hear the emanating sounds of piano coming from the Baptist church, the organ from the COGIC congregation, the verbal energy from the COPTIC assembly, or the prayers uttered in unison from the Mosque. Furthermore, these sects may speak in various languages, wear different garbs and vestiges, and represent diverse cultures and/or backgrounds. Cities are often inundated with perhaps 40 different Storefront Churches in a one-mile radius within the same urban community. Naturally, this would raise zoning concerns for the dominant assembly, elite members, and proud

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<sup>99</sup> Collins, Herbert "Store Front Churches," *Negro American Literature Forum* 4, no. 2 (1970): 66, accessed November 14, 2016, doi:10.2307/3041354.

constituents, as well as all onlookers who perceive unique, new, risky, and diverse organizations as baffling.

## **MINORITY RELIGIOUS DISCRIMINATION IN THE 21<sup>ST</sup> CENTURY**

Today, land-use discrimination among minority religions operates under a new dispensation—one in which zoning laws are used as a discriminatory safeguard against the possibility of terrorism in the Muslim community: *“Muslim Mosques and schools are particularly vulnerable to discriminatory zoning actions taken by local officials, often under community pressure.”*<sup>100</sup>

One *“troubling statistic”* creeping out from less than half a decade ago corroborates the *“conclusion that there is particularly severe discrimination faced by Muslims in land use.”*<sup>101</sup>

According to Treene, *“There were 28 hate crimes reported against Muslims in 2000, compared to 1109 reported against Jews the same year.”*<sup>102</sup> As Treene comments, *“Immediately after the terrorist attacks on September 11, 2001, a sharp rise in hate crimes occurred against Muslims and Arabs, as well as against those perceived to be Muslim or Arab, including Sikhs and South Asians.”*<sup>103</sup>

The Department of Justice states that religious discrimination is still a big problem today. There has been an increase in cases in which zoning suits were filed since this legislation was signed in the year 2000. *“Since September 2010, the Department of Justice opened forty-five RLUIPA land-use investigations, filed eight RLUIPA lawsuits involving land use, and filed eight amicus*

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<sup>100</sup>U.S. Department of Justice, “Update on the Justice Department’s Enforcement of the Religious Land Use and Institutionalized Persons Act: 2010–2016,” last modified July 2016, <https://www.justice.gov/crt/file/877931/download>.

<sup>101</sup> U.S. Department of Justice, “Update.”

<sup>102</sup> Treene, Eric, “Zoning and Mosques,” last modified 2015,

[http://www.americanbar.org/content/dam/aba/administrative/state\\_local\\_government/zoningandmosques.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/administrative/state_local_government/zoningandmosques.authcheckdam.pdf).

<sup>103</sup> Treene, “Zoning and Mosques.”

*briefs in privately filed RLUIPA land-use cases to inform the court about the law's provisions.*"<sup>104</sup> According to the Department, all of which has *"reinforced the conclusion that minority groups have faced a disproportionate level of discrimination in zoning matters, reflected in the disproportionate number of suits and investigations involving minority groups undertaken by the Department."*<sup>105</sup>

Whether legal or discriminative, racial force and intensity of zoning outcomes between litigants and zoning officials is founded upon the evolution of land-use enforcement. Land-use enforcement, in the sense that before there was a governing social agency to deal with zoning concerns among the African-American community, there were black codes, Jim Crow, and other forms of segregations that forced the cohesion between both mainstream and minority black churches. For centuries, minorities have fallen to the side of the spectrum where unfair labor exploitation abounded the most. Certain repressive apparatuses during slavery, such as the English Church, used their power to support land restraints to ensure that minorities would continue to participate in the seemingly endless involvement of land-use development. As if lower wages wouldn't be enough, exclusionary zoning insisted that no matter how hard one worked to excel in life, fair housing was seemingly an uncontrollable matter of racism.

On the other hand, ideological systems such as schools, particularly of higher education, insisted through stratification, that those who were capable of issuing land restraints were worthy to do so because of their racial and ethnic class. Justified by the acquirement of the finer things in life, those of the upper classes considered themselves right through association. Therefore, whether

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<sup>104</sup> U.S. Department of Justice, "Update."

<sup>105</sup> U.S. Department of Justice, "Update."

legal or discriminative, the racial force and intensity of zoning outcomes between minority litigants; and between litigants and zoning officials were often-times based on their experience and relative association to the evolution of land-use enforcement captured in these three inner dialogue questions.

The first, being whether or not one's experience with pre-existing government protected them or made them vulnerable associated to their land-use inheritance. Second, whether one's experience with stratification made them feel justified or disapproved from their own perspective of land-use ideology. Finally, if the use of exclusionary zoning allowed them or disallowed them equality towards land-use advantages. Depending upon how far the pendulum swings toward land use enforcement's impartation of ideology or repression, determines the ethical outcomes of zoning strife, which is moreover contingent upon one's relative association to pre-existing government, stratification, and exclusionary zoning.

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