

**BEYOND  
BROWN v.**

**BOARD:**

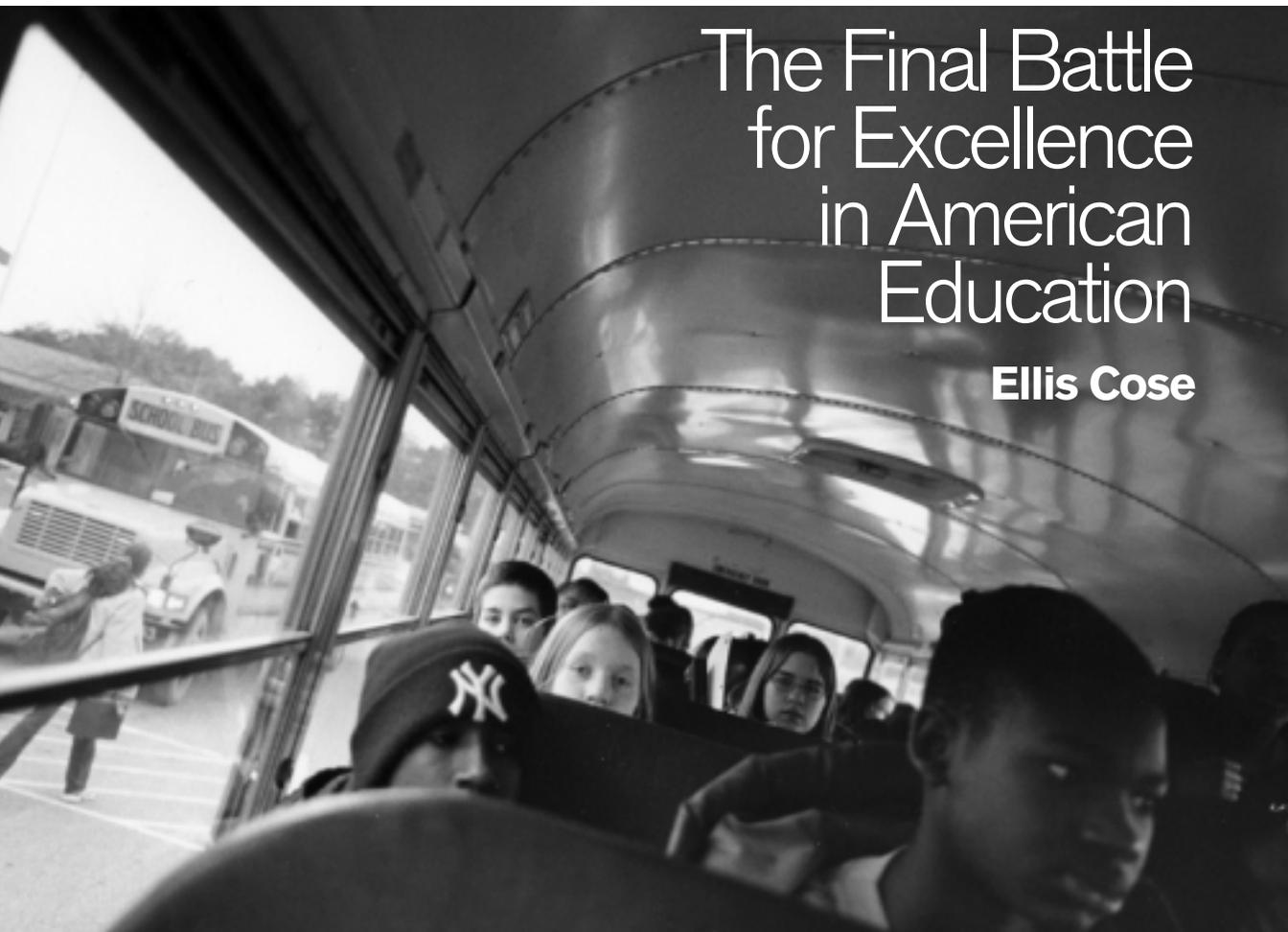
**The Final Battle** Ellis  
**for Excellence in** Cose  
**American Education**



Beyond  
Brown v.  
Board:

The Final Battle  
for Excellence  
in American  
Education

**Ellis Cose**



## Acknowledgements and explanatory notes

### Ellis Cose

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The commentaries woven throughout the report were compiled from edited transcripts of interviews with the respective subjects. Unless otherwise noted, quotations attributed to individuals in the text came from interviews conducted by or for the author. Quotations from legal opinions come from the opinions referenced in the text. All current poll results cited in the text come from a survey conducted for *Newsweek* magazine in January 2004 by Princeton Survey Research Associates. The pollsters interviewed 1,258 adults, consisting of 634 non-Hispanic whites, 298 African-Americans and 282 Hispanics. Overall margin of error for the poll is plus or minus 4 percent. It is also plus or minus 4 percent for the white, non-Hispanic subgroup and plus or minus 8 percent for the African-American and Hispanic subgroups.

## Beyond *Brown v. Board*:

### The Final Battle for Excellence in American Education

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Sometimes history serves as a magnifying mirror—making momentous what actually was not. But *Brown v. Board of Topeka, Kansas*, is the real thing: a Supreme Court decision that fundamentally and forever changed America. It jump-started the modern civil rights movement and excised a cancer eating a hole in the heart of the U.S. Constitution. It forced America to accept the idea—totally foreign to its experience—that all God’s children are fully human. The story of *Brown* is one with full-blown, self-sacrificing heroes who wrestled American apartheid to the mat.

So why is the celebration of its 50<sup>th</sup> anniversary so bittersweet? Why are we

not all joyfully dancing, celebrating our collective release from the bondage of prejudice and inequality? Why as we raise our glasses are there tears in our eyes? The answer is simple: *Brown*, for all its glory, is something of a bust. Yes, it was a judicial coup and a textbook illustration of how to build a case. It was a shining triumph of idealism over tradition, of sense over Southern sanctimony, of good over bad. It was a moral and legal victory that resonated around the world and made its valiant and brilliant architects, quite deservedly, into giants.

*Brown* was so much more than just another lawsuit. “*Brown* led to the sit-ins, the freedom marches ... the Civil Rights Act of 1964. ... If you look at *Brown* as ... the icebreaker that broke up the sea, that frozen sea, then you will see it was an unequivocal success,” declared Jack Greenberg, former head of the NAACP Legal Defense and Educational Fund and one of the lawyers who litigated *Brown*.

Clearly *Brown* altered forever, and for the better, the political and social landscape of an insufficiently conscience-stricken nation. It succeeded, as Greenberg attests, in dramatically shaking

things up and, in the process, of transforming a reluctant America. Yet, measured purely by its effects on the poor schoolchildren of color at its center, *Brown* is a disappointment—in many respects, a failure. Between past hopes and current results lies an abyss filled with forsaken dreams. So this commemoration, this toasting of the heroes of who slew Jim Crow, is muted by the realization that *Brown* was not nearly enough.

“So we created the desegregated system,” noted Lorraine Cortes Vazquez, president of the Hispanic Federation. “But in the long run, did we achieve [our] goals? When we have Latino children ... dropping out in epidemic proportions, I venture to say *no*. When you have 67 percent of ... Latino students in New York City in schools that are low performers, I would venture to say *no*.”

Black Americans, more than any others, agree that the task is far from done. That reflects, as much as anything, their sense that their children are paying the

price of America’s failure to fulfill *Brown*’s promise. While most white and Hispanic Americans (59 percent for each group) think their community schools are doing a good or excellent job, only 45 percent of blacks feel that way, according to an exclusive *Newsweek* poll. That is up considerably from the 31 percent who thought their schools were performing well in 1998, but it means a lot of people are still unhappy with the deck of skills being dealt to black kids.

Most blacks feel their schools are insufficiently funded. Only 38 percent think those schools have the resources necessary to provide a quality education. And African-Americans are not alone in their feeling that funding should increase. A majority of the members of all ethnic groups support the notion that schools ought to be funded equitably, that schools attended by impoverished minority children ought to have equivalent resources to those attended by affluent whites. Indeed, most Americans go

**How would you rate the performance of the public schools in your community? Would you say they are doing an excellent job, a good job, a fair job, or a poor job?**

	Excellent	Good	Fair	Poor	Don't know
All races	17	39	25	10	9
Whites	18	41	22	11	8
African-Americans	13	32	31	13	11
Hispanics	15	44	24	8	9

All figures are in percentages

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one giant step further. They say schools should be funded at “whatever level it takes to raise minority student achievement to an acceptable national standard.” Sixty-one percent of whites, 81 percent of Hispanics, and a whopping 93 percent of blacks agree with that statement—which is to say they agree with the proposition of funding schools at a level never seriously countenanced by the political establishment; which is also to say they support (or claim they do) a total transformation of public education in the United States: an educational revolution, in other words.

So now, 50 years after the Supreme Court case that changed America, another battle is upon us—one whose scale and scope are only at this moment becoming clear. Like the barely discernible clouds of an approaching storm, this battle began quietly, somewhere along the margins of public awareness—and now threatens to become something unexpectedly grand, with the future of America’s educationally disadvantaged dangling in the balance.

It began at the intersection of conflicting good intentions, where the demands of politicians and policymakers for high educational standards collided with the demands of educators and children’s advocates for resources. Throw in a host of initiatives spawned, at least

in part, by frustration at low student achievement—vouchers, charter schools, privatization, high-stakes testing—and you have the making of an educational upheaval that may rival *Brown* in its ramifications, that may in some ways be the second phase of *Brown*: a continuation, by other means, of the battle for access to a decent education by those whom fortune left behind.

By why is a second battle necessary? Why didn’t *Brown* solve, for once and for all, the problem of race-based educational failure? To ask the question is to invite a lesson on why stirring pronouncements don’t necessarily yield correspondingly grand outcomes, and of why simple answers to complex problems are almost always incomplete.

“We conclude that, in the field of public education, the doctrine of ‘separate but equal’ has no place. Separate educational facilities are inherently unequal.” On May 17, 1954, when Chief Justice Earl Warren read those now-famous words from the bench, he kindled a raging hope in the hearts of those who had fought to break Jim Crow’s back.

Thurgood Marshall, the NAACP’s top lawyer, predicted that school segregation would perish within five years. By 1963, conjectured Marshall, all forms of segregation in America would be nothing but a memory.<sup>1</sup>



### **Hodding Carter III**

President and Chief Executive Officer of the John S. and James L. Knight Foundation and former Assistant Secretary of State for Public Affairs

“It’s a calamity. Obviously we have to change but the idea of doing it by judicial edict is all wrong,” [Carter’s initial reaction to *Brown*, while a student at Princeton University]. I offer that up because I think that was the moderate reaction in much of the white South. I also offer it up because it was an accurate statement about where I was in 1954. It also needs to be noted that my father [publisher and editor of the Greenville, Miss., *Delta Democrat-Times*], who was to write an editorial two days later saying that this was the law of the land and it needed to be treated as such, though it would take time, had prior to the decision, great Southern moderate that he was, been opposed to a sweeping judicial edict on the subject. So that’s [what] I remember: that my own reaction was fairly conventional, and that my father surprised me by the speed with which he wrote an editorial telling everybody that the decision was right but to keep their shirts on because it was not possibly going to be enforced overnight.

The pressures on my father were tremendous because he had come back from the war in 1945 and written a series of editorials mostly attacking the racial demagogues in Mississippi, for which he won the Pulitzer. He was also to write a series of books, which however conservative they look in retrospect, had already

marked him as a scalawag, the worse sort of betrayer of the heritage.

Within two months [of the Court decision], what became known as the Citizen’s Councils, sometime incorrectly called the White Citizen’s Council because that’s what they were, formed in a neighboring town. He attacked them right away and was promptly labeled a liar by the legislature. And he promptly told them to go to hell. It was war thereafter.

Mind you we had a lot of friends. We had a lot of supporters, even though they didn’t agree with us editorially. We were not busy trying to establish that we were some outsider’s brand of wonderful crusader. These were Southerners talking to Southerners.

In 1956, I gave a talk when I was a Neiman fellow at Harvard to a bunch of Radcliffe students. Its title was supposed to be, “What next for the South?” About that same time Julian Bond, even younger than he was when he showed up 1968 at the Democratic Convention, was talking at Harvard. And I told them if they really wanted to hear the good fire-eating statements they had to go listen to Julian, but that I would say this about the South, that “it was not going to be a great trick getting the South up to the North’s high moral plateau. The trick was going to be when everybody discovered how low that was. And that now the South had acclimated to the Northerners’ morality, would the North still have a taste for moving on.” I got booed. Not many years later, when the federal troops were being deployed around Boston to enforce desegregation, I said, “I want to give a set of remarks that



I gave a few years ago in the same city." This happened to be to the NAACP legal defense fund annual convention, and they gave me a standing ovation, because by that time Martin Luther King had been run out of Chicago, and the nation had turned away from its commitments as expressed as recently as the late 1960s in the Civil Rights Acts.

So where are we today? We have postponed a final reckoning with the reality that race and the mishandling of race has been at the center of the American experience forever. It wasn't just at the center of the Southern experience, but of the American. Having [ended] Jim Crow, we are not far-enough advanced on the question of, "What now?" There is a general feeling in the white community that, "Haven't we already dealt with that?" and in the black, "I'm not sure I want to be a member of that club, in the old integrationist sense."

It took so long to get to the crest of belief and pressure that has so marked the period from the 1950s and 1960s and early 1970s. You had to have a whole new form of looking at man's history. You had to have a whole set of social gospel preachers laying out a whole doctrine about what it was that Christianity had to say about race. You had to have a whole set of new Americans, no longer just WASPS, or Irish-Catholics or whatever. Had to have at least some other notional ideas about the complexity of human relations, the whole arguments about who ought to naturally be on top. Well right now, strangely enough, we have most of the ingredients for a damn good ongoing

discussion, but there is virtually no political will for it.

I used to give a set speech that said, "No racial change has ever come in the United States without presidential leadership." That is not to say that movements did not arise before presidents moved. But as far as actually pushing the ball in a significant way, you had to have a president who was willing to take a major initiative and speak to the question. Other than that, things tended to be extremely difficult.

George Wallace's old great remark about the limousine liberals is now just a fact. The leadership class basically has abandoned the public schools. And when the leadership class ducks out, you don't have to worry about whether [schools] are integrated or not, you just have to know that the amount that is really going to go into making them of mutual benefit to everybody is going to be severely diminished.

I think that this nation is going to be fundamentally altered for the worse if we essentially accept as a given that an integrated society is no longer achievable or desirable. The issue is now beyond black and white, it's all about what kind of a society we are going to have of Asian, African, South African and all of the other permutations. You can have a nation eternally divided by these kinds of racial and other breakdowns, but it won't be the United States of America or the conception that drove the United States of America, however imperfectly, for so many decades and centuries.

Interview by ANNA LISA McCLELLAND

Paul L. Brady, then a student at Topeka’s Washburn University School of Law, was equally thrilled. His aunt, Lucida Todd, was a driving force behind the suit; and had volunteered her daughter, Nancy Jane, as a plaintiff. “I thought it was a great new day,” Brady recalls.

“Free by 63” was the popular slogan that summer, especially at gatherings of the NAACP. “American values, we thought, would prevail over racial prejudice,” said Brady. Jesse Milan, immediate past president of the Kansas State NAACP, was a graduate student at Kansas University. In the aftermath of the decision, he recalled, optimism knew no bounds. “Some folks thought we had arrived. [They thought], ‘Now we’re going to get our just due,’” said Milan. “They’re still waiting,” he ruefully added. Something—actually a lot of somethings—went wrong. What seemed such a glorious victory back then appears, in retrospect, to have been merely a stage (albeit a momentous one) in a campaign much

longer and more convoluted than any of the combatants conceivably could have imagined.

On that day in May when the walls of segregation fell there were actually two decisions, involving five separate cases—in South Carolina, Virginia, Delaware, Kansas and Washington, D.C.—all of which came collectively to be known as “*Brown*.” Instead of abolishing segregation straight away, the justices sought advice on how—and when—desegregation was to come about. So *Brown* spawned what came to be known as *Brown II*—a decision in May 1955 that provided neither a timetable nor a plan. Instead, it ordered the South—a region filled with the most obstructionist politicians imaginable—to proceed with “all deliberate speed.” And it advised the lower courts, which would oversee compliance, to show “a practical flexibility in shaping remedies and a facility for adjusting and reconciling public and private needs.” All deliberate speed, as

**From what you know, would you say the public schools in your community have the funding and other resources they need to provide a quality education, or not?**

	Yes	No	Don't know
All races	52	41	7
Whites	56	38	6
African-Americans	38	54	8
Hispanics	46	44	10

All figures are in percentages

SOUTH

CAROLINA

# PIONEERS IN DESEGREGATION

Nineteen members of this congregation were plaintiffs in the case of Harry Briggs, Jr. vs. R. W. Elliott, heard in U. S. District Court, Charleston, in 1952.

Although this court refused to abolish racial segregation in S. C. schools, this case, with others, led to the U. S. Supreme Court's 1954 landmark decision desegregating public schools.



Ruby Nell Bridges, age 6, escorted by U.S. deputy marshals from a newly desegregated elementary school in New Orleans in November 1960.

we now know, was seen by the South as an invitation to stall and gave opportunistic politicians a chance to mobilize against the very notion of integration. That mobilization, in some places, left black students worse off, at least initially, than they have been in the bad old days. But something more was wrong.

The decision rested on an assumption that simply wasn't true. That assumption, buried in the core of the decision, was that formal, state-mandated segregation was the root of all evil, or at least the root of all that ailed poor black schoolchildren (including their feelings of inferiority)—and that once it was ended “equal educational opportunities” would be the result. Time, of course, has proven how elusive such opportunities can be—just as it has proven how difficult meaningful integration can be to achieve.

This is not to say things have gotten no better since 1954. For black school children, particularly in the South, there is no comparison between now and then. Still, Thurgood Marshall's hope—the hope of one America, the hope of

educational parity, the hope, as Justice Warren put it, that the opportunity for an education would be “made available to all on equal terms”—still awaits realization. And there is little possibility that realization will come soon.

A half century after Marshall made his bold prediction, school segregation is far from dead. Instead, according to political scientist Gary Orfield and his colleagues at Harvard University, it has experienced a resurgence. After the initial and lengthy period of determined and often violent resistance, the country slowly, if grudgingly, accepted the ruling of the Supreme Court. Substantial progress was made in ending the state of racial apartheid in America's schools. But since the early 1990s, despite the continued growth of integration in other sectors of society, black and Latino children are increasingly likely to find themselves in classes with few, if any nonminority faces.<sup>2</sup>

The shift is due, at least in part, to Supreme Court decisions that essentially undermined *Brown*. In 1974 (*Milliken v. Bradley*), the Court ruled that white suburbs were not obliged to admit black kids from the inner city. And in 1992 (*Freeman v. Pitts*), the Court decided that local school boards should be released from court supervision as quickly as possible. Even if they were not in full

compliance with desegregation orders, local authorities could begin to reassert control. Justice Anthony Kennedy's opinion also questioned the very point of integration: "Racial balance is not to be achieved for its own sake. It is to be pursued when racial imbalance has been caused by a constitutional violation. Once the racial imbalance due to the de jure violation has been remedied, the school district is under no duty to remedy imbalance that is caused by demographic factors."

Desegregation efforts, inevitably, lost much of their steam. "At the beginning of the twenty-first century, American public schools are now twelve years into the process of continuous resegregation. The desegregation of black students, which increased continuously from the 1950s to the late 1980s, has now receded to levels not seen in three decades," wrote researchers Erica Frankenberg, Chungmei Lee and Gary Orfield in a 2003

report entitled "Schools: Are We Losing the Dream?"<sup>3</sup>

Orfield made that point bluntly during an interview: "If you understand *Brown* as being what the Supreme Court had decided by ... the late 1960s and early 1970s—which is full disestablishment of the segregated school systems, elimination of all aspects of segregation, achieving integration whether or not you had to cross over residential boundaries—that's what *Brown* meant in the South in the early 1970s when we began to reach the peak of integration, *that's* gone. The Supreme Court in the last 15 years, starting in 1991 has said desegregation isn't a long-term goal. It's a temporary punishment for whites. After you do it for a while you can resegregate your schools and we won't hold you accountable, even if it's foreseeable, unless you say you intended to do it."

For most black parents, of course, *Brown* was never just about integration

**In order to improve education in low-performing public schools where minority student achievement is well below average... Would you favor increasing school funding to whatever level it takes to raise minority student achievement to an acceptable national standard?**

	Yes, favor	No, do not favor	Don't Know
All races	68	26	6
Whites	61	33	6
African-Americans	93	6	1
Hispanics	81	12	7

All figures are in percentages



**Elaine Jones**

Outgoing president, NAACP Legal Defense and Educational Fund

**Y**ou know, I was in elementary school when *Brown* was decided. They shut down the schools of Virginia for a while right after the decision. They had to open up churches for us. We would go there and have classes and we did that for about a month. I haven't seen that in the history books. But that's what happened in '54, between the two decisions. We knew something had happened—all the adults walking around, whispering, carrying on. Something momentous had taken place. I wasn't quite sure what it was, but I knew it affected the schools. And so I knew something was wrong with the system. And somehow I felt that I could change it.

I went to law school because I had come from the South, from Norfolk. I remember the segregated water fountains. I was a little girl growing up in that. And all the policemen were white, walking down the streets with guns on their hips. Blacks would go down to the police station, never [to be] heard from again. And, although your parents decided to shelter you, it really was an oppressive environment.

I was looking for some lawful way to change the system. And I thought that courts could do it, maybe. Also, I had gone to court as a young girl around the age of 12 and had won a case against a

dentist. I came home from school one day—I had a toothache and I went to the dentist; he gave me full-mouth X-rays and I went on home. Later he sent a bill that my parents declined to pay, because they said he had no permission from any adult to do a thing to me.

We went down to court, and I never will forget it. The lawyer for the dentist was there, and I stood up. The judge asked me, "Young lady, did you have permission to go to the dental offices?" And I had a moment of indecision. I wondered, "Should I lie?" 'Cause if I had said, "Yes," I thought it would make me look good for the court. That would look more obedient. And if I said, "No, I didn't have permission," it would look like I was rebellious, a bad girl. I decided to tell the truth. And then [the judge] said, "Does every child that walks into this office have a full thing of X-rays? This is on him."

After college, I wanted a break. That's why I went to the Peace Corps. I went to Turkey for a couple of years. I applied to law school from Turkey. My idea was, I was going to apply to the University of Virginia [in Charlottesville], knowing that I would be rejected. Virginia, like most other states, would pay your way to go to an out-of-state university if you qualified to go to the state university [and were rejected for racial reasons]. And they called my bluff. That's how I ended up in Charlottesville [Virginia].

[In the 1950s] black people had no way of voting. We couldn't have impacted the political system in any way because



we didn't have the vote. The executives did not care we were locked out. And so the only place you had a shot in this free government system we had was the court. And even the courts were not welcoming. That's what was so brilliant about the strategy—to make white men in America who are privileged have some sense of duty; to believe that you could go into a segregated court system and make a change. And to believe that so firmly, because judges went to law school and you knew they could understand lack of equality. That was why you had all those cases. They were law-school cases.

So I went to law school because I wanted to be like Thurgood Marshall. I got temporarily sidetracked because I got a job offer with Mr. [Richard] Nixon's law firm paying \$18,000 dollars a year, which was big money. The average nonprofit job was paying \$7,000, \$7,500. So I initially accepted that job my third year; and then I felt guilty about it, because I knew that was not why I had gone to law school. And so finally around Christmastime I reneged, I told them I would not be coming. I was jobless. And the [law school] dean told me to come to New York, and see his friend Jack Greenberg [the head of the NAACP Legal Defense and Educational Fund]. It was 1970.

I came to New York for that interview, I went into the offices, and no one was there; it was about midday. I wondered what was going on. I sat there for about an hour, found out they'd had a bomb scare.

This [country] could have gone for the separate but equal. So that part of *Brown* worked—in business, in lots of places it has worked. And we can celebrate. [But] public education, 50 years later [remains segregated].

If this country wants to stay at the top of its game, and continue to be the leading nation in the world, you can't do it if we don't educate our kids. These black and brown kids are going to be the majority.

We have to find a way [to motivate people] and that's the challenge in 2004. We have to find a way of getting this issue on the lists of most Americans. The first question we've got to ask as a nation is, "Do we still believe in government education?" I don't know the answer to that, but we need to discuss it across this country, in every school district. And we can't leave it to the educators and the principles and the policy writers to have this discussion.

Interview by ELLIS COSE

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for “its own sake”—though blacks strongly support integration. (Some 89 percent of blacks, 83 percent of Latinos and 66 percent of whites find “increasing racial diversity and integration” to be important goals.) Instead, it was about recognition of the fact that unless their children went to school with the children of the whites who controlled the purse strings, everything the school provided for their children would be lacking—including the education their children would receive.

Most blacks are no longer convinced that their kids necessarily do better in integrated schools. Some 57 percent of black parents said the schools’ racial mixture makes no difference, significantly more than the 41 percent who said that in 1988. But blacks—and Hispanics—still see a strong connection between integration and school quality. Fifty-nine percent of blacks, 52 percent of Hispanics and 49 percent of whites agree that it will be impossible to provide equal educational opportunities for all “as long as children of different races in this country basically go to different schools.” And over 60 percent of blacks and Hispanics—but less than one-third of whites—believe more “should be done to integrate schools throughout the nation.”

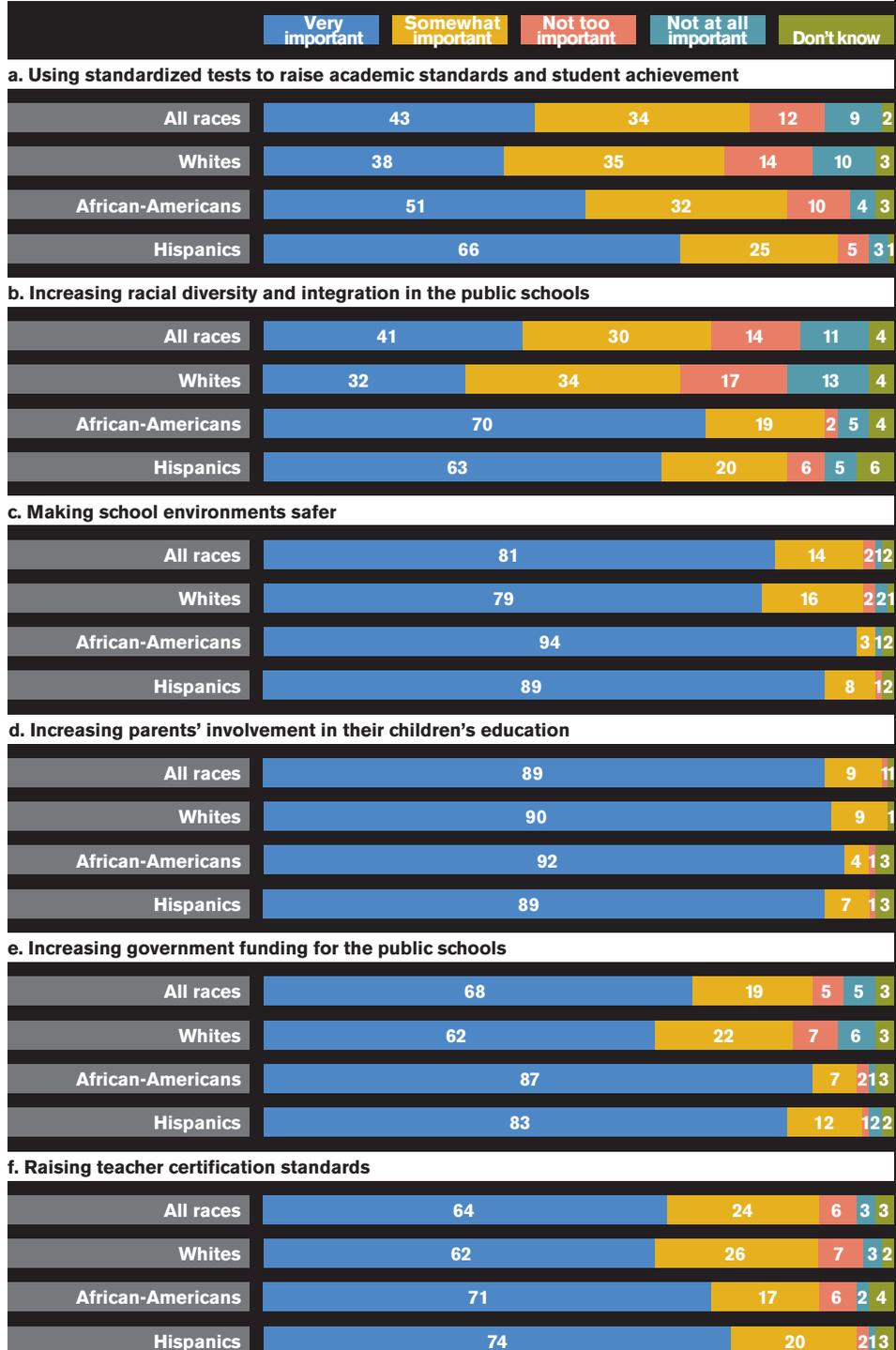
Behind *Brown* was the hope that when the dust finally cleared, black

students—and not just the occasional exception—would finally leave education’s ghetto behind. “Most of us believed, or pretended to believe, that if children of all races and classes sat in the same classrooms or if schools in different communities and neighborhoods received equal financing ... the gaps in educational outcomes among children of different races, classes and cultures could be closed,” observed Peter Schrag in “Final Test.”<sup>4</sup>

Today it’s harder to believe any of that. Harder to believe that school integration will succeed. Harder to believe that the so-called achievement gap will close anytime soon. Indeed, when asked what will happen to the achievement gap between blacks and whites and between Hispanics and whites over the next 10 years, roughly half of respondents of all races told *Newsweek’s* pollsters that it will be about the same as it is now. If that prediction turns out to be accurate, it will be to America’s eternal shame. But there is little hard evidence with which to argue against it.

By virtually any measure of academic achievement, blacks, Puerto Ricans and Mexican-Americans are, on average, far behind their white and Asian-American peers—“generally one standard deviation or more,” concluded The College Board, after a review of performance on

Please tell me how important you think each of the following is to improve the nation's schools.



All figures are in percentages



**Angelo Falcon**

Senior policy executive, Puerto Rican  
Legal Defense and Education Fund

**W**hen you look at the level of segregation you have today, in many ways it's worse than it was when that decision was rendered. [The *Brown* decision] kind of shows you the limits of the role of the courts. So there's a lot of symbolism there, but I see a tremendous reversion in terms of school segregation.

The idea that somehow you have this silver bullet decision and that all these things just flow out of it is clearly not the way to go. There have to be different approaches depending on the setting, depending on the historical circumstances, and also understanding that these issues now are not simply black

and white. You have Asians, you have Latinos that are also part of the equation. And so that kind of complicates the issue—where you have questions having to do with people's language rights or other cultural questions.

Also even within the school system, you see resegregation occurring within school buildings. You start having gentrification of a neighborhood and all of a sudden they start in a school that didn't have one a gifted and talented program, and oh, it just happens to be white kids, and the rest of the school is black or Latino.

What you have to do is just find ways of factoring in these new developments, these issues, in a fresh perspective. Most of the court cases having to do with school equity these days have had to do with finance. It's been around that issue of trying to make sure that basically urban school systems within the state get their equitable share of the

the SAT exam (which it administers to college-bound juniors and seniors). The report went on to note that whites and Asians were three times as likely to score at or above the mean on the math section of the test as blacks, and twice as likely to score at or above the mean as Hispanics. "To the extent that the SAT is a measure of high-school preparation, then there are clearly significant differences among the ethnic groups and the education they are receiving," concluded

The College Board.<sup>5</sup>

Editors of a Brookings Institution publication entitled "Bridging the Achievement Gap" were blunter in their assessment: "The difference in educational achievement between white students, on the one hand, and African-American and Hispanic students, on the other, is large and persistent. In the last decade it has gotten worse. The average black or Hispanic student, in elementary, middle or high school, currently

funding. But the issues go way beyond that at this point to the level of individual schools in terms of effect on race. And most of those decisions don't deal with the issue of race. And, just like they did in back in '54, you need to deal with the issue of race head on.

Right now all these people [are] writing about black, Latino relations, and how blacks and Latinos are competing. But to me what's fascinating was first of all that people like Thurgood Marshall had written friend-of-the-court briefs in support of the *Mendez [v. Westminster]* decision. It turns out that Mendez actually rented his farm from a Japanese couple who had just been interned. And [the *Mendez* case] is kind of a reminder of that these are issues, horrible issues, affecting the black community but also many other communities that now are becoming dominant parts of American society in many ways.

If you look at the top 10 largest cities in the country, nine of them have a "majority minority population." That means that if a place is 60 percent black and Latino, the school system is like 80 percent black and Latino. In that sense, you have some new challenges.

There were a lot of political agendas that talked about the importance of separation, independence. We talked about community control of the schools in black and Latino neighborhoods. So there was that sense of really being critical of the integration movement and saying, it hasn't worked; so we've really got to build these communities as are. And if there's a poor black community or poor Puerto Rican community, we've got to find ways to make that community work. What we're seeing now is, over a long period of time, how hard that is to do.

Interview by ANNA LISA McCLELLAND



achieves at about the same level as the average white student in the lower quartile of white achievement."<sup>6</sup>

No one fully understands why that pattern persists. Clearly no single factor explains it. A range of things, from bad prenatal care to intellectually destructive neighborhood or home environments, have been implicated. But certainly one reason for the difference in achievement is that blacks (and Puerto Ricans and Mexican-Americans) do not, for the most

part, go to the same schools, or even the same types of schools, as do the majority of non-Hispanic whites. They are more likely to go to schools such as those found in parts of rural South Carolina; schools that, were it not for the American flags proudly flying over the roofs, might have been plucked out of some impoverished country that sees education as a luxury it can barely afford.

Take a tour of Jasper County and you will find a middle school with a drain-

pipe in the corridor, which occasionally spills sewage into the hallway. You'll find labs where the equipment doesn't work, so children have to simulate, rather than perform, experiments. You'll find walls ruined by mold and moisture and buildings where "the infrastructure is so poorly done our computer systems are down more than they are up" said Marva Tigner, curriculum specialist.

In nearby Clarendon County, conditions are not much better. Were Thurgood Marshall to find himself in Clarendon County today, "he would think [*Brown*] had been reversed," state Sen. John Marshall told a visitor in December 2003. "There are a couple of nice buildings, but you get outside and there're no decent playgrounds. You're talking about teachers who are limited to five sheets of paper a day for mimeograph work. You're dealing with books that are 10 years behind the times" or, worse, simply not to be had, observed

Joseph A. DeLaine Jr., whose father, Joseph Sr., led the battle that put Clarendon County on the civil rights map.

The story of DeLaine and Clarendon County is the story of a bona fide hero and of an epic struggle that eventually led to a case called *Briggs v. Elliott*, the lead case and the most dramatic of those that collectively became *Brown v. Board*. Before that case could be won, there was a heavy price to be paid—and DeLaine more than paid it.

To gain some sense of what DeLaine went through, one need read only the opening passage of Richard Kluger's "Simple Justice," the sweeping chronicle of America's most famous civil rights case.

"Before it was over, they fired him from the little schoolhouse at which he had taught devotedly for ten years. And they fired his wife and two of his sisters and a niece. And they threatened him with bodily harm. And they sued him on trumped-up charges and convicted

**Do you agree or disagree with the following statement: As long as children of different races in this country basically go to separate schools, it will not be possible to provide equal educational opportunities for all.**

	Agree	Disagree	Don't know
All races	52	43	5
Whites	49	47	4
African-Americans	59	35	6
Hispanics	52	42	6

All figures are in percentages



him in a kangaroo court and left him with a judgment that denied him credit from any bank. And they burned his house to the ground while the fire department stood around watching the flames consume the night. And they stoned the church at which he pastored. And fired shotguns at him out of the dark. But he was not Job, and so he fired back, and called the police, who did not come and kept not coming. Then he fled, driving north at eighty-five miles an hour over country roads, until he was across the state line. Soon after, they burned his church to the ground and charged him, for having shot back that night, with felo-

nious assault with a deadly weapon, and so he became an official fugitive from justice."<sup>7</sup> As DeLaine's son related during an interview for this report, even the insurance money that should have been paid for the destruction of DeLaine's home was seized to settle the libel judgment that never should have been allowed.

So it is more than tragic that Clarendon County is again in court, refighting the battle for access to a decent education that Clarendon's children, and all the children of *Brown*, presumably won a long time ago. Today's court battles may be more symbolic than determinative, more important for what they portend



**Joseph A. DeLaine Jr.**

Retired marketing and advertising executive for Hoffmann LaRoche and son of Joseph A. DeLaine Sr., the minister who was the driving force behind *Briggs v. Elliott*

[ Joseph DeLaine senior] was forced to leave [Summerton] and take a church in a neighboring county...which was in the town of Lake City, South Carolina. That church provided a parsonage and required that the pastor live there. So, he split his residency between Summerton and Lake City. It was just after that occurred [in 1951] that the home in Summerton was burned. And when the house burned, the fire department refused to put the flames out, saying it was 20 feet across the town line. When my father went to collect the insurance on the house, it had already been paid to settle this [libel] judgment [to a corrupt school principal DeLaine had insisted be fired].

When the second Supreme Court decision came down, which was the one that said "with all deliberate speed"—there was also the development of the White Citizens Council, which sort of replaced, in a sense, the KKK. The secretary of the White Citizens Council for the state was an attorney from Summerton who also represented the Elliott faction in *Briggs v. Elliott*. And he came to Lake City.

Over the next two or three months, there were a series of [attacks] against the church parsonage where my father was residing. And in one case, a license number of a car was recorded and

reported to the police. The police told my father, "Preacher you don't know how to read. Buy yourself some glasses. This number, this license plate, is invalid."

It was not an invalid license number. The situation culminated around the first of October 1955. Then a letter arrived giving my father 10 days to leave town or die. In that letter it said, "If you don't leave, the same thing will happen to you that happened to the black postmaster in town." And they were referring to a case, I believe, in 1898 when a black postmaster was assigned to Lake City and he refused to resign. He was forced to watch his house burn, while some of his children burned in the house. And then he was shot. So this was to be a reminder of what they could do.

Seven days after that letter arrived, the church adjacent to the parsonage went up in flames. And it was arson: The first accusation was that my brother loved to play with matches. However, my brother was away in his first year of college at that point. The report that was given to the FBI was that the people in the church were fighting among themselves and one group burned the church to spite the other group. Three days after the church burned, there was ... I guess we can call it a posse, a delegation, or what have you, appeared about midnight shooting around the house. This subsided, and on the third time that the volley of shootings occurred, my father shot back. And it is alleged by news reports that he injured three people.

Anyway, he fled and, of course, with help, ended up in New York. There are many stories as to how he got out. Most of them were false to protect people who helped him leave. Now, the people we know [who helped are] one lawyer and the other was the president of the Forest County NAACP, both of whom lived in Florence [South Carolina].

The state of New York had heard about the case and indicated that they would not honor extradition. He was then given the task of starting a new church in Buffalo, New York. So, when I came home from Korea, I met them in Buffalo, New York. And he had picked up some members. Three-fourths of them were from the South, and he had pastored their parents or even some of them in earlier years in the South.

In the meanwhile, a Calvary Church in Brooklyn that had a lot of members from South Carolina had been requesting him as pastor from the time he first came to New York. Each time, it was pushed over and ignored. And so he was finally told that he would be given that church. When the announcement came out, he didn't get it. He got a church in New Rochelle, New York, with about 12 members. After that, he was assigned to the Calvary Church that had been requesting him for two years or better. He stayed there until his retirement in 1970. And then he moved to Charlotte.

I believe he had cancer at the time and knew it. But we didn't know it. And he wanted to get my mother closer to

her family. What he had done is purchase a lot next door to her brother in Charlotte and then requested that I see that a house be built there for them. So that was the motivation to come to Charlotte; that's as close as he could get to South Carolina.

We firmly believe if it hadn't been for what daddy did at the time—he and Thurgood Marshall and Judge [Julius Waties] Waring—we possibly, in this country, would still be in a segregated state. All those men helped to set a stage for the Supreme Court to take a certain action. After that, other people started taking action. Even though we [his three children] did not attend integrated schools, I think there are some tremendous benefits that we have had because of the *Brown* decision. I don't think that any of the three of us ever would have acquired the positions or jobs that we had if it were not for the *Brown* case.

Interview by JOHN BRITTON





Harry Briggs was the lead plaintiff in the *Briggs v. Elliott* lawsuit, the most dramatic of the cases that collectively became *Brown v. Board*.

than for what they directly accomplish. They may signal a crucial shift in the dialogue about what access to decent education truly means, and about what the state is obliged to provide. But before we consider today's legal combat more deeply, let us reflect for a moment on where we, as a society have been.

The saga of Clarendon County began with a simple request for a school bus. Clarendon County's white schoolchildren already had 30 buses at their disposal. Though black children outnumbered whites by a margin of nearly three to one, they had not a single bus. They had to get to school as best they could, which often meant walking miles through the mud. DeLaine thought the situation absurd. So one summer day in 1947, DeLaine and a black farmer paid a visit to the authorities to make a formal request. *Could they please have a bus to transport the farmer's child and other black children to the black school in Summerton?*

No, they were told, a bus was out of the question; so a suit was filed, and subsequently dismissed on a technicality. DeLaine, however, refused to give in. In

1949, the blacks of Clarendon County filed yet another suit, one with even broader demands. This time, with the help of the NAACP's Thurgood Marshall, they asked not just for buses, but for equivalent facilities—as the doctrine of “separate but equal” supposedly guaranteed. Also they put forth not just one plaintiff, who might be easily intimidated or disqualified; they went with several.

Given the custom of ordering plaintiffs alphabetically, it fell to Harry Briggs to lead the list of those suing Roderick W. Elliott, chairman of the school board. For his trouble, Briggs, a Navy veteran and a mechanic, was fired. His wife lost her job as well; and the couple eventually was driven out of town. Other plaintiffs suffered similar reprisals as the good whites of Clarendon County, feeling enraged and let down, set out to teach the troublemakers a lesson. But the federal judge, Julius Waties Waring of the Eastern District of South Carolina, turned out to be sympathetic. Waring urged Thurgood Marshall to broaden his complaint—indeed, to fundamentally refashion it and attack Jim Crow outright.<sup>8</sup>

After hearing the Constitutional challenge to “separate but equal” the three-judge panel opted in June 1951 not to overrule the *Plessy v. Ferguson* precedent. Waring wrote a sharp dissent:

"I am of the opinion that all of the legal guideposts, expert testimony, common sense and reason point unerringly to the conclusion that the system of segregation in education adopted and practiced in the State of South Carolina must go and must go now.

*"Segregation is per se inequality."*

"As heretofore shown, the courts of this land have stricken down discrimination in higher education and have declared unequivocally that segregation is not equality. But these decisions have pruned away only the noxious fruits. Here in this case, we are asked to strike its very root." The Supreme Court clearly drew upon that withering dissent when in 1954 it, in effect, declared Waring right.

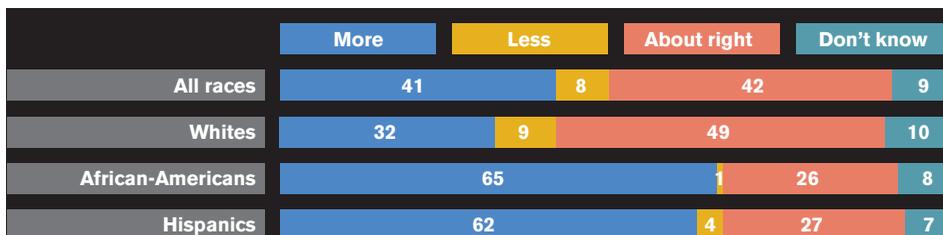
The history of America's journey to that decision is one written in shattered lives, pain and tears. It is a history that makes Clarendon County's present all the more heartbreaking. It is a present that has still not quite closed the ruptures of the past. It is a present in which

school superintendents from across rural South Carolina thought they had no choice but to sue the state.

William Singleton, superintendent in Jasper County, is an outspoken, heavy-set black man who been an educator in the area for three decades. He left Jasper County in the early 1960s and returned in 1974 to a place that, in some respects, was not so different than it had been under Jim Crow.

Blacks (and the growing numbers of Latinos moving into the area) go one way and whites, for the most part, go another. "Eighty to 85 percent of the whites are in Heyward Academy," he said, "Only the folks who could not afford it are here." Thomas Heyward Academy, founded in 1970 and named for a South Carolina judge who signed the Declaration of Independence, now accepts children of all races and endorses the concept of "diversity." But it sprung up, like so many others, when desegregation was forced on the South. (In South Carolina

**Do you think more should be done or less should be done to integrate schools throughout the nation, or are the current efforts about right?**



All figures are in percentages



**Donald E. Graham**

Chief executive officer and chairman of the board, The Washington Post Company

[Brown] was clearly one of the triumphant moments in the United States. The decision, in retrospect, was the country at its best. What followed wasn't. I was 11 at the time. While I remember it, my memories aren't very clear. My parents were thrilled by the decision. My dad was a Southerner and came from Florida, but he invested a tremendous amount of time in trying to mobilize people to pressure President Eisenhower to enforce the [desegregation] decision at the time of Little Rock. And he was just terribly disappointed by what happened.

I was just getting out of college and going into the military in the late 1960s, the time of the passage of the Civil Rights Act of 1964. We are less far down the road to an integrated society than I thought we would be at that time in important ways. And the society has changed more than anyone thought it would in

schools, that was not until the fall of 1970.) Such schools, once labeled segregation academies, were part of a process that, as Singleton puts it, "didn't create a dual system, but continued with a dual system." And the result, he said, has been "a steady decline of the education system in Jasper County."

1968. I don't have a clue what statistics tell us about the rates of intermarriage, but one senses there is a lot of it. It is becoming a much more diverse country on all levels. The situation of low-income African-Americans is much worse than I [would] had thought.

Thirty-five years ago [following service in Vietnam], I was a policeman in Northeast Washington, D.C. The *Post* is a family company and I am family, and I thought I might be spending some of the rest of my life here so I wanted to see the city. I knew I didn't understand the city very well and I wanted to try to understand it from someone's point of view other than a newspaper person's. [Being a cop] was a very good way to learn and I worked with some pretty good people, too. I was there 17 months.

I drove a scout car around neighborhoods with very high drug rates, very substantial drug traffic, heavy instances of single-parent families, and very poor public schools. Quite a few [of those families] succeeded. The folks moved out, but a child growing up in those neighborhoods still faces the same things.

Singleton would love to be able to lure teachers from nearby Beaufort County (home to Hilton Head's array of fancy eateries and resorts), but notes that Beaufort can pay \$2,500 to \$8,000 more. "We do not get a whole lot of money from the county," he pointed out, and the district has to rely on the state for nearly

An article in *The Washington Post* by Michael Dobbs showed that even if you rank the performance of black and Hispanic children in large Eastern city school systems, if you compare New York and Philadelphia and Baltimore and Washington, we are dead last—by a not inconsiderable amount—in the performance of fourth-grade students in reading and math tests given to all these kids. The D.C. public schools present a particularly discouraging situation.

D.C. is particularly interesting because the city has the largest public charter system for its size in the United States. I think between 15 to 20 percent of public school kids are now in charters. The students enter not by a test or other selective examination, but randomly. So, if you are running a charter, you have to accept public school kids applying randomly. But the waiting lists for charter schools tell you that parents are very eager to get their kids into these experimental, some of them very high-performing charter schools.

My personal efforts have all been geared to helping D.C. kids get greater

access to college and get greater likelihood of graduating from college. We are not a state. So up until five or six years ago, D.C. kids were the only kids in America with no [state] universities to enroll in. Congress passed a bill a few years ago that said that D.C. kids would be permitted to enroll in Maryland and Virginia state universities, and the federal government would in effect allow them to go at in-state tuition and pay the difference. I have worked with a group of business people to create a big scholarship fund so public school kids could go and take advantage of that. It seems to me that as you look at helping low-income folks maximize their chance for success in society, helping to get the kids educated seems a big piece of it. [With this fund] we could conceivably triple the rate of college graduation among D.C. public school kids, and that would be meaningful. It probably does in some sense go back to my days of riding around in the police car. You scratch your head and say, "What on earth could somebody do to really help large numbers of people, particularly kids in these circumstances?"

Interview by ANNA LISA McCLELLAND

three-fourths of its budget.

"The folks in power are not giving the school district the kinds of dollars it needs to recover," said Singleton. Consequently, "poor black children are still hurting. They've been stifled for years." And there is little hope, unless the school can help them, that their lives will be

much better than those of their parents. There is typically "not a lot of help from the home, not a lot of reading material. ... [The parents] don't come to PTA meetings. ... The whole political system is saying, 'I'm not giving you anything because you're not doing anything with what you have.'"

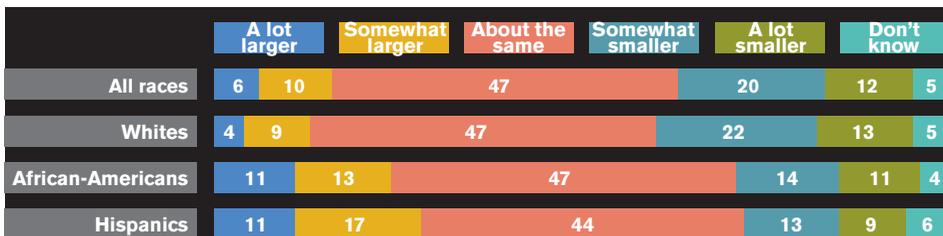


Ray Rogers, a superintendent in the Dillon County school district, has been an educator in rural South Carolina since the early 1970s. Over time he has grown increasingly distraught as he has seen his children lag behind those in wealthier districts: “We don’t have the space. We don’t have the teachers. When you’re at the bottom of the pay scale in the state, what is there to attract them?” His children, most of whom hail from impoverished, single-parent households, were in need of more, not less help, than their affluent peers. Yet, “we felt like we were falling further and further in debt, with the state mandating certain things for the districts and we didn’t have the funds to cover the mandates. ... In rural districts, disadvantaged areas, we don’t have the tax base you can call on to supplement the things you need. One main thing I need is buildings and more classrooms. When you go a school in a 107-year-old building, that speaks volumes.”

So Rogers and his similarly situated superintendents went to the state legislature and pleaded for more resources; but those talks led nowhere: “The only hope we felt we had was the opportunity to have the courts intervene in our behalf.”

In November 1993, those school superintendents took the state to court. The districts they headed—going, alphabetically, from Abbeville to Williamsburg, with Clarendon, Jasper and more than 30 others in between—were largely black, rural and among the poorest in the state. Lawyers for the plaintiffs made a bold, though increasingly common, argument. The state, they said, had a responsibility to give those poor districts considerably more than it was giving them—more even than it was giving their richer cousins. Since those students were deprived in every area of their life, more was required to make them whole; and the state, having set standards it expected children to meet,

**Looking ahead 10 years or so, do you think the academic achievement gap between white students and African-American students will be larger, smaller or about the same?**



All figures are in percentages



Beulah Roberts, Clerk of the Manning County Court, in front of Liberty Hill A.M.E. Church in Summerton, S.C., unofficial headquarters for plaintiffs in the *Briggs v. Elliott* case. Roberts, the first black official elected countywide in Manning County, S.C., is a cousin of J. A. DeLaine, the renowned Clarendon County civil rights leader.

was responsible for giving them the wherewithal to meet them. The state, in other words, was required do whatever it took to give them a decent education.

The superintendents lost the first round; but the state Supreme Court, in April 1999, handed down an opinion that kept their hopes alive. Although the Court tossed out several of the arguments, it agreed with the contention that the state was obligated to do right by its students.

The legislature itself, said the Court, had acknowledged the need to “guarantee to each student in the public schools of South Carolina the availability of at least minimum educational

programs and services.” And the opinion laid out the broad parameters of what that might mean:

“We define this minimally adequate education required by our Constitution to include providing students adequate and safe facilities in which they have the opportunity to acquire:

“1) the ability to read, write, and speak the English language, and knowledge of mathematics and physical science;

“2) a fundamental knowledge of economic, social, and political systems, and of history and governmental processes; and

“3) academic and vocational skills.”



**J. Paul Reason**

Admiral, U.S. Navy (retired)

I certainly rejoiced when the *Brown* decision was handed down. It changed what was going to happen to me personally, where I was going to go to school [in Washington, D.C.] and who I was going to attend school with. So, it had significant meaning to me. It was very real and very much personal. It changed my life.

Had I followed the path laid out for me, I would have gone from Mott Elementary School to Banneker Junior High School and then to Dunbar High School where my sister had preceded me and where my mother, who was a graduate of Dunbar back in the '20s, had taught several years. The decision took me off of that path. I see that as a watershed event that made me into a person that I might not have been had this decision not taken place.

[Without *Brown*] I suspect that I

It is a sign of how much, in some respects, attitudes have changed in the South that the state's largest law firm is on the side of the plaintiffs. In the old days they would have been figuratively tarred and feathered, as was Judge Julius Waring—the sympathetic jurist in the early days of *Briggs v. Elliot*, who was shunned and subsequently run out of

would not have had the exposure that has taken me down the path that led me to be a four-star admiral in the United States Navy. My first appreciation of the fact there was a Navy—[and that] it was a highly technological environment that required engineers, physicist, chemists and so forth to operate—I gained all that knowledge at McKinley Technical High School. For one example, my physics teacher had been a naval officer in World War II. And, as he taught physics, the building blocks of engineering, all of his examples were keyed to his experiences as a naval officer. Floatation, steam generation, power generation, electrical generation—not in terms of a power company but in terms of doing it yourself—making your own electricity; all of that I learned at McKinley Tech. And as a result of going to McKinley, I became focused on engineering physics and math. So it changed my life.

I think for me desegregation has been a necessary step to integration, and for me it has led to integration. I live my life as a person in an integrated society. Not

town. But Nelson Mullins Riley & Scarborough, which has taken on the case pro bono, remains a pillar of South Carolina's establishment.

During a conversation in the offices of the law firm that bears his name, Richard Riley, former governor of South Carolina and former U.S. secretary of education, remarked on the irony of the case being

everyone does. But this is America. They don't have to.

I have reared two children. But I have moved 30 times in the last 40 years. I have lived on every coast north and south, east and west. Each of my children went to five high schools. So I probably have a better sample size than many, and my children always attended integrated schools and desegregated schools. It doesn't mean there was not racial tension from time to time, but they always attended schools that were desegregated by *Brown* and schools that, while they attended them, were integrated.

I think that maybe individual Americans have placed too little emphasis on the fact that high-quality education must be delivered to every student, no matter who they are. Now, cause and effect, I am not sure. But I know that, across the board in this nation, we need higher-quality education; we need more people demanding higher-quality education. Whether the lack of that quality or the seeming having room to improve is as a result of some emphasis on integration?

tried in the same (albeit renovated) courthouse where *Briggs v. Elliott* began. There was, he said, "a hole in the system and the hole is these poor areas of South Carolina—the very areas where *Brown* came up. If *Brown* had been 100 percent successful we wouldn't have this situation."

He went on to talk about a conversation with Elijah Cummings, who had

I don't think so. I think it is something unto itself that has to be improved. The quality has to be improved. We have to try harder; we have to spend more money. We have to have better teachers; we have to make our children better students.

We're a better nation because of *Brown*. We are a nation that is much less hypocritical today than it was. In the Navy for 35 years I lived in an integrated society. *Brown* allowed me to go into that society already able to function without any impediment. Had there been no *Brown*, I probably would have spent the first year or so acclimating to living on a ship with people from every walk of life, every race, color, nationality, state of the Union—you name it. They are all thrown there together, and there is no place to go. I was able to be very effectively functional in that environment from the very first minute I was there. Some of my time after that was helping others assimilate to that environment. But because I went to integrated schools, I was ready to go the minute I stepped aboard.

Interview by OLIVER W. CROMWELL

volunteered to testify in the case. Cummings, as a child, had been classified as learning disabled (because he talked too much, Cummings later said), but had gone on to become a Phi Beta Kappa graduate of Howard University, a lawyer, a congressman from Baltimore and head of the Congressional Black Caucus. On the day he was sworn in, as Riley recalled



it (and Cummings confirmed), Cummings was accompanied by his parents, who were originally from Manning, South Carolina, which is where *Briggs v. Elliott* began. “When I was sworn into Congress,” said Cummings, “this was, of course, the most exciting day in my family’s and my entire life ... I was up there and my father was up there. And I’d never seen him cry, tears were flowing down his face.” When Cummings remarked upon the tears, his father turned to him and said, “Son, when I was watching you being sworn in. It just dawned on me what I could have been.”

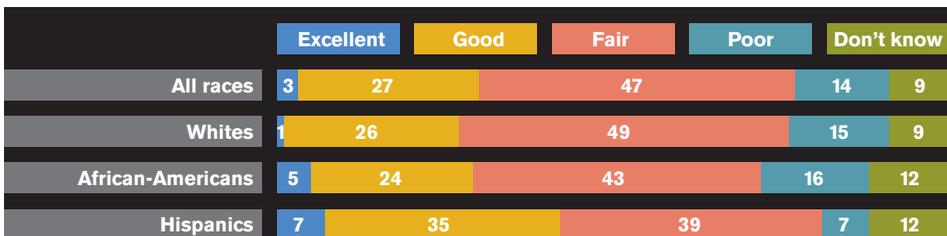
“[His father] had grown up in the system,” said Riley. “The schools were inadequate and he dropped out in the fifth grade, sixth grade and got the heck out of there. ... And that to me, that’s kind of our case really: what those kids could be if they had the right kinds of resources ... if they got educated, if they had educated parents, if they had all the other constraints on them [removed]. ...

If they had ... summer school programs and small classes and quality teachers, quality buildings.”

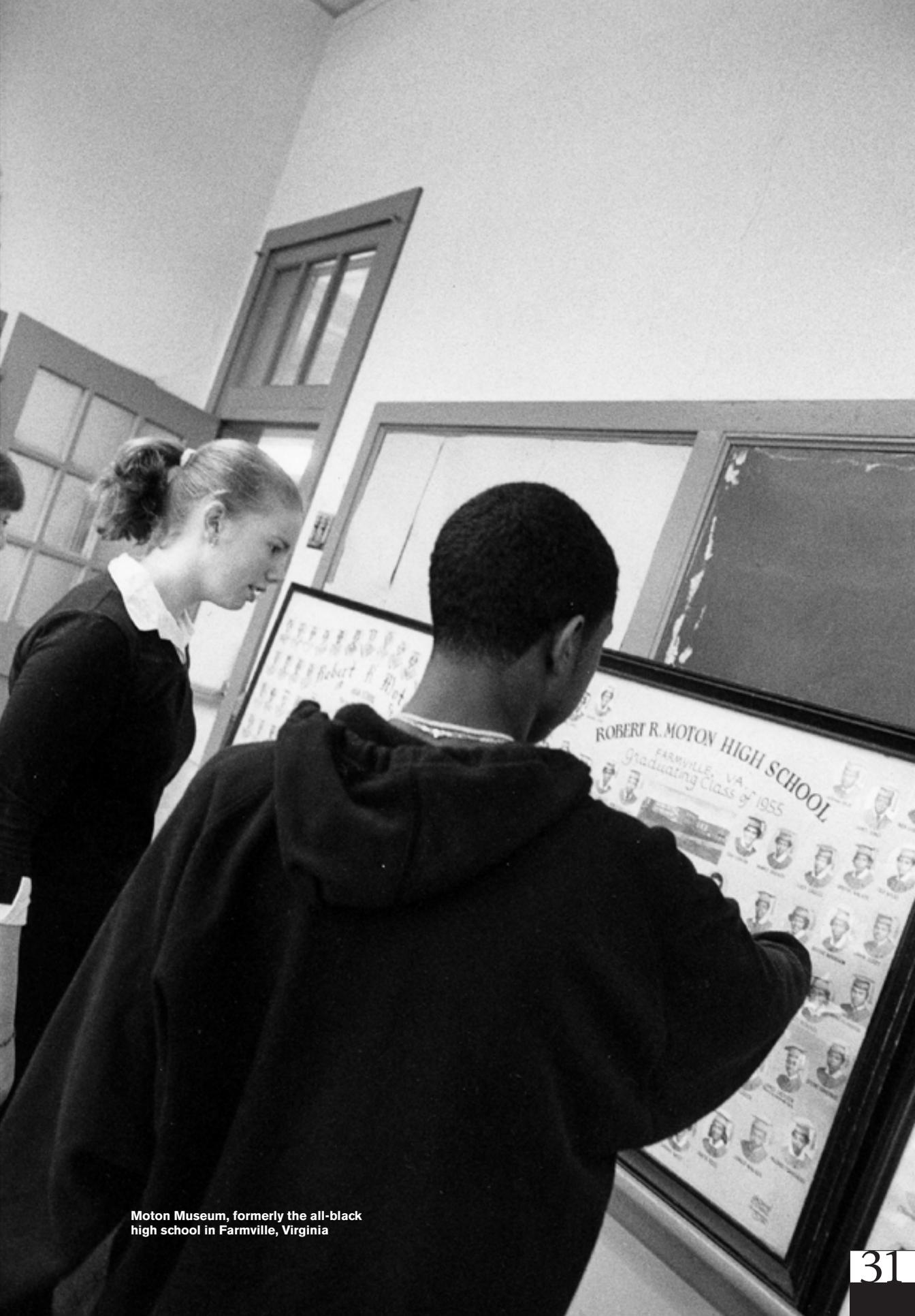
Riley’s law partner, Steve Morrison, thought the state was culpable in multiple ways. Instead of integrating its school system, as *Brown* had decreed, South Carolina maneuvered to keep segregation alive. It structured school districts in such a way that blacks were largely lumped together into relatively small districts that were overwhelmingly poor and black. Having clustered black students together, the state then “systematically neglected to adequately fund those districts.”

“The whole idea of standards is accountability at the other end of that,” said Morrison. “You can’t give people less than adequate resources over a period of a decade and then suddenly impose a standard and expect them to meet it. It’s not reasonable. ... And that is really what the lawsuit is about. Go ahead and impose the standards. That’s great. ... [But] the other part of the promise of

**Would you say public schools nationwide are doing an excellent job, a good job, a fair job, or a poor job?**



All figures are in percentages



Moton Museum, formerly the all-black high school in Farmville, Virginia

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standards is to provide adequate resources to meet the needs of the children.”

In opening arguments of this latest phase of the case, Morrison pointed out that the dropout rate in some of the school districts he represented approached 70 percent and that many schools were overcrowded and unsafe. “The time has come, your honor, for the dream of those courageous parents who signed the petition in *Briggs versus Elliott* to be realized,” he declared. Carl Epps, the other lead attorney on the case, laid out a series of damning statistics on underachievement in the districts. The case, he said, was hugely important—the kind of case that, like *Brown* itself, only comes along “every so often, every generation or two.”

Certainly, when aggregated with the multitude of similar cases filed in the last several years, the Clarendon case—formally known as *Abbeville County School District, et al., v. The State of South Carolina, et al.*—represents a major shift in tactics among those fighting for the educational rights of poor people. Once upon a time the emphasis was on “equity,” on trying to ensure that the most economically deprived students were provided with resources equal to those lavished on the children of the rich. Now, the cases are about whether states are providing sufficient resources to poor schools (irrespective of what rich schools

get or do not get) to allow the students who go to such schools to effectively compete in society. They are called “adequacy” cases; but they could more accurately be described as competency cases. For they aspire to force states to produce graduates capable of functioning competently as citizens and as educated human beings.

“Instead of trying to equalize spending and leaving school resources to the political sausage machine in the annual budget fight and to the vicissitudes of state revenues, one must determine what resources are required to educate each child—teachers, books, buildings, labs, class size, social services—and calculate funding requirements accordingly,” observed author Peter Shrag,<sup>9</sup> who at another point commented: “[A]fter two generations of promises and professions of concern about inner-city schools and poor children, the suits are moving the states closer to defining education itself as a civil right, which is precisely what the Supreme Court’s *Brown* decision seemed to promise but never delivered.”<sup>10</sup>

The shift in strategy stems, in part, from the Supreme Court making equity cases more difficult to win. In 1973, the Court considered a case (*Rodriguez v. San Antonio*) in Texas, where schools in an impoverished largely Mexican-American community were considerably worse

off than those in a nearby affluent community. The Court concluded that that there was no constitutional right to equivalent school funding or to “precisely equal advantages.”

Nonetheless, a state that accepts the obligation to educate its citizens may implicitly accept the obligation to educate them to a certain level of competency. In short, states may be required to do whatever it takes to see to it that children—including the sons and daughters of illiterate paupers—are adequately educated.

In a seminal moment for this new movement, the Kentucky Supreme Court (*Rose v. Council for Better Education*) decided in 1989 that students in Kentucky had a right to a much better education than they were receiving. In response the legislature totally overhauled the state’s educational system.

“In 1985-86, just before the suit was filed, Kentucky spent \$3,759 per child, forty-eighth among the states and shame-

fully below the national average (\$5,679). A decade later, with its \$600 million annual tax increase, it was spending \$5,906, thirtieth in the nation, and still below the national average (\$6,546) but with a far narrower gap. ... American school spending had increased 15 percent during that decade, Kentucky’s by 57 percent. Teacher pay increased dramatically, and the huge spending gaps between the richest and the poorest districts were closed,” reported Shrag.<sup>11</sup>

The approach seems to have yielded results. It’s difficult to compare precisely achievement now with what it was in 1990 because the state changed its assessment system in 1998. But a composite measure compiled by the Kentucky Department of Education (and also nationally standardized tests) show achievement has been rising continually. “There has been a gradual, steady increase in the accountability index statewide,” reported Bill Insko, director of assessment, when interviewed in March 2004.

**Do you feel that black children do better or worse if they go to schools that are racially mixed, or doesn't it make any difference?**

	Better	Worse	No difference	Don't know
All races	29	2	59	10
Whites	30	2	57	11
African-Americans	33	6	57	4
Hispanics	16	2	70	12

All figures are in percentages



**Karen Narasaki**

President and executive director of the National Asian Pacific American Legal Consortium

A lot of the focus [of *Brown*] was on the impact of segregation on minority children in poorer schools. But there has been a lot of recent research that shows, in fact, that diversity in education is as important to the white kids who don't have the advantage of learning together with minority children. I think that is a very important thing for us to understand because not only has our country become diverse, but clearly our economy is more global, our national security is clearly more integrated with the fate of other cultures and other countries. And it is even more important than ever before that our kids grow up and are able to work with people from other cultures and other backgrounds and overcome the

notions of stereotypes that limit their ability to work with each other.

The recent data show that resegregation is happening. But largely because some of the programs that began because of *Brown* were ended, I think prematurely. I think the other issue is, "Do we have better public education for all kids?" Clearly that hasn't been achieved either.

For Southeast Asian parents who are among the poorest in the country and who have a very high poverty rates, commensurate with other ethnic groups, we think that there are patterns of segregation that still exist.

There was in fact a challenge in Wausau, Wisconsin, in 1994, where you had 15 percent of Wausau that was Hmong—a third of the school-age children, because Hmong tend to have larger families. Over 70 percent of one of the high schools was Hmong, so the school board voted for busing. But that lasted only one year because the white parents

Elsewhere, legislative reforms—so far—have been less dramatic, as politicians have fought efforts to mandate spending increases. In ruling on a suit brought by the Campaign for Fiscal Equity, Judge Leland DeGrasse, in January 2001, lambasted New York State for not adequately educating New York City students. Prospective jurors, he pointed out, needed to know such things as how to evaluate DNA evidence, read statistics

and detect financial fraud. Such was his interpretation of a 1995 Court of Appeals decree that the state constitution required schools to prepare students to "function productively as civic participants capable of voting and serving on a jury." A higher court disagreed, ruling, the following year, that that schools were merely obligated to educate students for low-level jobs—not for some ideal or "aspirational standard."<sup>12</sup>

were so angry that they recalled the school-board members who had voted for busing. So we know that there are in fact problems still with segregation. Again on the flip side you have Asians, Indians and Chinese, and others whose parents immigrated, some through the requirement of having high skills and high education. And their children are obviously going to do well.

Population statistics show that school-age children are more and more minority. That has already happened in California. That has a big impact on Asians because 40 percent of the Asian population lives in California. You have a very disturbing pattern right now, where the voting population is largely older and white, even in California, but the kids who are attending the schools are minority. And the question is whether the older population that is voting is going to understand that it is in their best interest to make sure these children have the

education they need to contribute economically to the well-being of the country.

Asian-American kids are still largely talked about as being in the most integrated schools. That means they are still in schools with a high percentage of black and Latino students, schools with high poverty rates. That is why I think that we really need to look further in the data to see what is really happening with Asian-American kids. When you look at the Asian-American community, because we are so diverse, you see polar opposites. And generally when you look at the demographics [of] education, there is a bell curve with a lot of people in the middle and less people at the ends. With Asians it is the opposite. You have a lot of people at the bottom and a lot of people at the top, and so when you mesh them together it looks like they are in the middle, but they are not. So we are still leaving a lot of kids behind.

Interview by OLIVER W. CROMWELL



Various figures around the state, including a candidate for governor, ridiculed the notion that New York had no higher obligation than to educate its citizens to perform at the eighth-grade level. The Court of Appeals agreed. In a four-to-one decision handed down in June 2003, Judge Judith Kaye, writing for the majority, declared: "students require more than an eighth-grade education to function productively as citizens." She

pointed out that "by mandating a school system 'wherein all the children of this state may be educated,' the State has obligated itself constitutionally to ensure the availability of a 'sound basic education' to all its children." It was clear, she asserted at another point, that "a high school level education is now all but indispensable" in order for students to successfully compete for decent jobs. The court gave the state little more than a



Police stand watch over students bused to South Boston High School in 1974.

year to come up with a plan to better educate its young, and most disadvantaged, citizens.

The idea that schools ought to invest more in those whose need is greatest goes against American tradition; but it seems an idea whose time is coming—and not just in the United States.

Kader Asmal, South Africa's Minister of Education, spoke proudly of the strides his country had made in education when I visited his Cape Town office in early 2004. Among the things he seemed proudest of was the revamping of the funding formula for public schools. Under apartheid, he noted, there were years when the country spent 13 times as much on rich (invariably white) schools as it did on the poorest schools. Now, a policy was in place to reverse that. Under the new formula, he said, those schools that enrolled the poorest of South Africa's students would receive seven times as much as those enrolling the richest.

In fact, the difference in expenditures is nowhere near seven to one. The formula, as it turns out, excludes capi-

tal and personnel expenses. It also doesn't take into account the fact that all students (including wealthy ones) are supposedly guaranteed a "minimum package." But what seems important, in this context at least, is that South Africa's government acknowledges, in principle, that leveling the playing field will require that it do more for those who have always had less than it does for the sons and daughters of privilege. Increasingly, thoughtful people in America are reaching the same conclusion.

Unlike in the United States, noted Asmal, school integration had never been the primary objective in South Africa. Integration was simply not a feasible short-term goal. Although rooted in anti-racist, democratic principles, the new South Africa had inherited the old "geography of apartheid." That geography, with its far-flung rural schools and segregated townships, and with different races, in large measure, situated in different regions of the country, would defeat even the most imaginative desegregation plan. So the emphasis had to be on improving the largely segregated schools, not in sending most township kids to formerly white schools. The emphasis also had to be on doing it quickly. "We don't have 10 years," said Asmal.

Ten years, I suspect, was not a figure Asmal happened upon by chance. Our

conversation took place only weeks before South Africa was due to celebrate its first 10 years of democracy. Just as the 50<sup>th</sup> anniversary of *Brown* has provided an occasion in America to reflect on the changes 50 years can bring, South Africa's anniversary offered a similar chance to reflect on the changes in 10—on how well that nation had spent its time since establishing its democracy.

In his "Letter From Birmingham City Jail," Martin Luther King Jr. made the point that time is not necessarily the friend of progressive causes: "Actually time is neutral. It can be used either destructively or constructively. ... We must come to see that human progress never rolls in on wheels of inevitability."<sup>13</sup> Asmal had spent enough time in the United States to know that America had wasted a great deal of time after *Brown*. Many in the

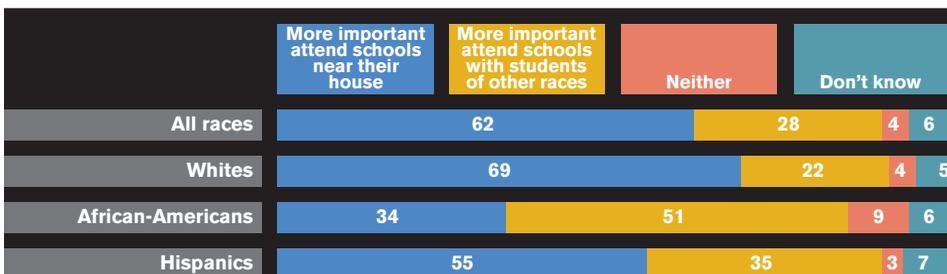
South assumed that they had forever. So they threw up one roadblock after another, pushing back the reckoning for a day they thought need never come. Over the years, things changed, and sometimes for the better.

So let us digress here to consider another case, one also ultimately rolled into *Brown*, one that began with fierce resistance but eventually saw an outcome very different than seen by the progeny of *Briggs v. Elliott*.

Prince Edward County, Virginia, is home to Farmville, a small town little more than an hour's drive southwest of Richmond, the state capitol. These days, it is peaceful: a bucolic landscape suitable for a postcard. But, years ago, when civil rights pioneers stalked Jim Crow, Farmville was a terribly troubled place.

Trouble, as the good white folks of Farmville saw it, came in the form of a

**Some people say it is more important that children attend schools near their homes, even if it means that most students are of the same race. Others say it is more important that children attend schools with students of other races, even if it means busing children some distance from their homes. Which comes closer to your opinion?**



All figures are in percentages



### **John A. Stokes**

Retired school principal and one of the leaders of the 1951 student strike in Farmville, Virginia, that led to *Davis v. County School Board of Prince Edward County* and, ultimately, to the Supreme Court's *Brown* decision.

It really didn't start in 1951. It started when my twin sister and I had to walk to elementary school. The only way we could get to school was to walk the two-and-a-half, three-and-a-half miles up the highway. So my mother and father kept us home until we were old enough and strong enough to walk to Farmville, which is four-and-a-half miles, with my brothers [who were] in high school. It would have been another thing if we had been living in a foreign country. We were there, with the living proof that we were being mistreated.

In 1939, when they put [up the new high-school building] it was already too small. Then later, they put up buildings to accommodate the overcrowding. Three tar-paper shacks. Each one of them had a potbellied stove that sat in the middle. The buildings were so bad that the people sitting near the windows or the door had to wear an overcoat and the person sitting near the stove burned up. The teacher had to sit with his or her coat on. And if you had to go to the toilet, you had to leave

what was supposed to be a shelter, go outside and go to the brick building. Now remember in all of these brick buildings, for whites, [there was] central heat, running water, indoor toilets. We saw all of these things.

When Barbara [Johns] came to my twin sister and me in October of 1950, the first thing she said was "I need you to get the leaders together to help me." I ignored Barbara as long enough as I could, but finally she cornered me and said, "This thing is serious." And I found out that she was serious. We worked constantly from October through January or February before we even pulled other leaders in.

My twin sister [Carrie] was the president of the business club. She was also student-council president. I was the class president. I was also the president of an organization called the New Farmers of America. It was [similar to] the Future Farmers of America, which we could not join because we were colored. I was the state president of that organization. The students that were leaders had the chance to travel and compete academically and otherwise with students in much larger metropolitan areas. We came back with pride and trophies, but when got back to R. R. Moton we saw the tar-paper

child—actually several children, all of them students at Robert Russa Moton, the black high school in town. Built in 1939 for a maximum of 180 students, Moton was occupied by more than twice

that number by the late 1940s. The overflow students were uncomfortably accommodated in temporary shacks covered with tarpaper, each heated with a single wood-burning stove.

shacks and we said, "We know we are better than this."

So on the 22<sup>nd</sup> of April, 1951, we held the last meeting. The next day was the go day. So I got Mr. Jones, the principal, out of the building. And we walked out, paraded around the building with signs. Carrie [Stokes] and Barbara got together and drafted a letter to the lawyers in Richmond, Virginia, NAACP. On the very next day, which was the 24<sup>th</sup>, we met with the superintendent and he told us that he was not going to do anything at that point for the improvement of the school.

We met the [NAACP] lawyers in the basement of the First Baptist Church, the lawyer Oliver Hill, and the lawyer Spottwood Robinson. We told them we weren't going back to school until the end of the year.

That evening, we got a call from Reverend [L. Francis] Griffin [of the First Baptist Church]. He told us to rally all the forces and meet at the church on the 26<sup>th</sup>; Lester Banks, executive secretary of the NAACP, would meet us there. We loved [Banks] because he could do that down-home talk and get everyone riled up. All we had struck for was a new school, a new building. He said, at this point we can no longer petition for a new school. We have

to go forth with "not segregation." Then on the 3<sup>rd</sup> of May [a Thursday], 117 students signed [a petition], and 67 parents signed. Saturday a cross was burned on the triangle of the R. R. Moton High School.

And of course that really frightened us. And we loaded our shotguns and got ready for battle, but it never came.

I left Farmville in 1952 and went into the Army. I was in the Army when the decision came down. People were jumping and screaming and hollering. They said, "You are not joyous?" I said, "I am joyous within, but the war is not over. Desegregation is a fight to the end. They are not going to obey." And they didn't. They did not respect the federal law.

I know we did the right thing. If we had not done that I know we would have been locked in the time zone of history. We stood shoulder to shoulder and they couldn't harm us. Today I can't really believe we pulled it off. Sometimes I wonder how in the world the powers that be could be so ignorant that they did not realize we could see.

People asked me, why haven't you settled in Farmville. I cannot stay in Farmville more than two days. It saps my energy. It's a cloud there.

Interview by ANNA LISA McCLELLAND



By 1951, the students had had enough. One day that April they conned the principal into leaving the building and convened an assembly. The meeting was led by a 16-year-old student, Barbara

Johns, who years later commented, "I do not remember exactly what I said that day, but I know that I related with heated emphasis the facts they knew to be the truth—such as the leaking roofs, having

to keep our coats on all day in winter for warmth. Having to have gymnasium classes in the auditorium, inadequate lunchroom facilities.”<sup>14</sup> Whatever Johns’ exact words were, she found an enthusiastic and approving audience. The students, at her instigation, launched a strike. They subsequently met with the white school district officials and made their unhappiness clear.

The frustration, as fellow student leader John Stokes remembered it, had been building for years. “It wasn’t just all at once in 1951 ... It was a growing venom that had been eating away at us constantly ... In 1939, when they put this other building up, it was already too small. Then later, they decided to put up buildings to accommodate the overcrowding. And what did they put up? Three tarpaper shacks ... The buildings were so bad that the people sitting near the windows of the door had to wear an

overcoat, and the person sitting near the stove burned up. The teacher who sat in another corner most of the time had to sit with his or her coat on ... And if you had to go to the toilet, you had to leave what was supposed to be a shelter, go outside and go to the brick building.”

“All we wanted was a new school,” recalled Stokes decades later but the whites were not inclined to give the students a new school. So they took their complaints to lawyers from the NAACP, who agreed to get involved—not to fight for a better, still-segregated, school but to attack segregation itself.

That case, which became *Davis v. County School Board of Prince Edward County*, made it to U.S. District Court in February 1952. The court refused to order an end to segregation, concluding that neither race was harmed by the practice; but it did order equalization of the schools. “The minute this case got in the

**Some people say it is more important that children attend schools near their homes, even if it means they don’t attend a good-quality school. Others say it is more important that children attend good-quality schools, even if it means children have to travel some distance from their homes. Which comes closer to your opinion?**

	More important attend schools near their house	More important attend good quality schools	Neither	Don't know
All races	25	67	4	4
Whites	28	64	4	4
African-Americans	11	81	4	4
Hispanics	27	67	2	4

All figures are in percentages



courts," observed Stokes, "they found land and they found money." By then, of course, the bar had moved. It was too late for the students to settle for a new, nicer segregated school; they were fighting for acceptance as equal human beings. So the case went to the U.S. Supreme Court and was merged with *Brown*.

When the Supreme Court declared the era of "separate but equal" over, Southern leaders begged to differ. There "will never be mixed schools while I am governor," vowed Georgia's Herman Talmadge. He predicted "bloodshed" as a result of the Court's decision.<sup>15</sup> Senator

Harry Byrd, Virginia's acknowledged political leader, was just as adamant. "This reversal by the Supreme Court from its separate but equal policy to complete abolition will create problems such as have never confronted us before. ... In Virginia we are now facing a crisis of the first magnitude," he fumed.<sup>16</sup>

Following a policy of "massive resistance," the legislature took one radical step after another to cling to segregation. The legislature prohibited expenditure of funds on integrated schools and funneled public money to so-called segregation academies. State and county



**Frederick Gregory**

Astronaut, test pilot, and deputy administrator and chief operating officer NASA

I think [the *Brown* decision] really began a trend that created comfort with folks that were not of your race. It also allowed an understanding that, if there were a common goal, that people would become colorblind. What it meant to me was that I would finally be able to go to a school in my neighborhood [in Washington, D.C.] where I lived and go to a school with the kids that I had grown up with and played with.

I had grown up with actually two groups of people. One was the kids in my neighborhood, and one was the kids who I was allowed to go to school with. I have maintained very close connections with both groups. The hardest part, from

my point of view, was losing the friendship and the competition that I had with elementary and junior high school classmates, and then moving into a totally unknown environment, not knowing what to expect, not knowing where all of this was going to lead. Certainly there was trauma in integration or desegregation. But I think that we had been raised not to allow that to stand in the way of achieving. Doors were open that had not been open before. It certainly had its downside in some cases, but as I look back, I think it was a very maturing experience for me.

In the business that I am in, I work daily with folks who were enemies 10 years ago. I work with many countries in Europe. Each of them has its own culture and characteristics. I work with the Canadians, and I work with the Japanese. If you talk about more than five different cultures working together, I do it daily. If I sat and began to differentiate based on

tuition grants, or vouchers, and transportation grants were provided for children who attended those schools and tax concessions were granted to those who donated to them.

After the Supreme Court ordered desegregation with "all deliberate speed," Prince Edward officials swore to use "every legal and honorable means to continue the high type of education we proposed to give the children of both races in Prince Edward County." Following the

precedent set in Clarendon County, a three-judge federal panel approved a delay in the implementation of desegregation. When delay was no longer an option, Prince Edward County closed its public schools altogether.<sup>17</sup>

From fall of 1959 through much of 1964 the schools were shuttered. "We underestimated the resolve of the white population of Prince Edward County. No one ever thought that they would rather close the schools. And no one ever

location or color or religious background, I wouldn't make any progress at all. I have got to look at this from a colorblind point of view and in that I include all those other aspects.

When I was growing up, there was a very, very strong school system. There was an ownership of the school system, by the superintendent, the staff, the board of education, the principals and the teachers, and also the parents. There was also a very strong community and each of these pieces was part of that. There was a very strong church and a very strong home. So if you look at it from that point of view, there were four pillars out there. And those pillars guided our growth. By the way, this is a community that had a family, meaning a father and a mother. My father was a breadwinner and my mother was a teacher. But my mother rushed home every evening so that when I arrived, she

was home. And I think that was true in many cases. There was always somebody home welcoming the kids who would stay there and nurture them.

If those four pillars were valid when I was growing up, are those pillars there now? Where are the checks and balances? What is the balancing that occurs? If the family breaks down, what can stand up and take the place of a functional family anymore? If there are always challenges between what a teacher can do and what is legally accepted, then you have to go back and say what have we done to compensate for that? If there is not a strong community that supports the family and the church and the school, what have we done to compensate for that?

Interview by OLIVER W. CROMWELL



thought that the United States of America would let it go on so long," observed John Stokes.

If you were white, that was not necessarily a tragedy. Those whose parents had a little money could go to Prince Edward Academy, the newly established "private" school. But blacks, who were barred from the (state-subsidized) segregation academies, were not so fortunate. Most saw their educational hopes wither—until so-called free schools

were finally opened in fall of 1963. The lucky ones managed to go to school elsewhere. Many were helped by the American Friends Service Committee, which set up the Emergency Student Placement Program in 1960 to send students out of the county to get an education. Some parents developed their own ad hoc relocation plans.

Vonita Foster was preparing to enter the fourth grade when the schools were shut down. Her parents, who owned a

local cleaners, sent her, her brother and her three sisters to live with various relatives in Baltimore. After two years, Foster came back to Farmville and her father rented a house in nearby Cumberland County. No family member ever lived there. Instead, her father would drive Vonita to the empty house every morning so she could be picked up for transport to her segregated school. Eventually she earned a doctorate in education.

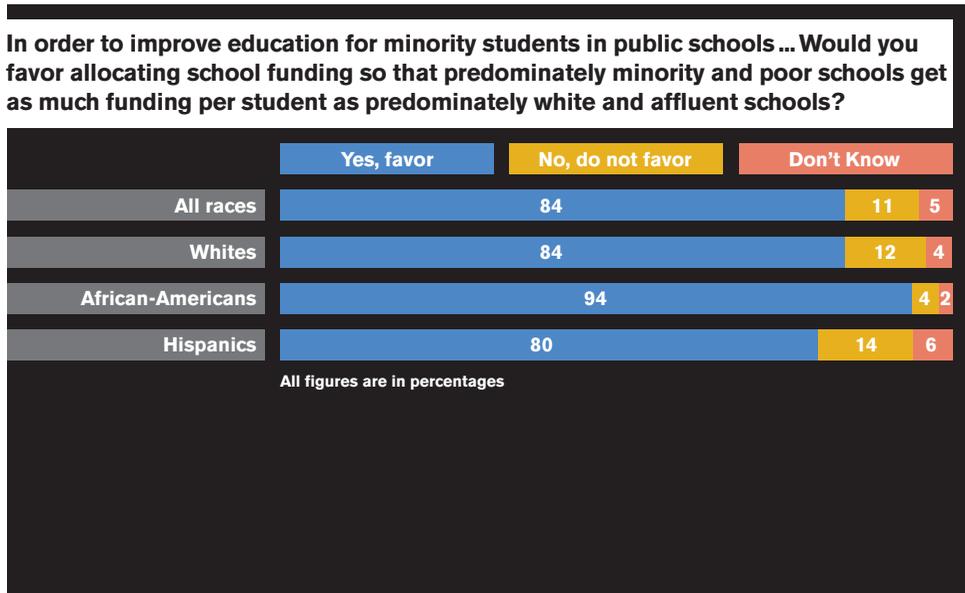
Few of her friends were so well off. "Most of my friends did not go anywhere." They languished in Farmville. When the schools finally opened, they were so far behind college seemed an unattainable dream. "They did not think they could do the work," recalled Foster. "I think that we lost a lot of the doctors we would have had, a lot of teachers who could have helped. I think it's had an impact on their children and, in some cases, their grandchildren."<sup>18</sup>

Rita Moseley had finished sixth grade

before the doors of the school were chained shut. "My mother didn't talk about it a lot," recalled Moseley, who now works as a secretary at Prince Edward High School. After two years, Moseley was placed with two elderly women in Blacksburg, Virginia, a place that she remembers mostly as being very cold. "It felt like I was thousands of miles from home," she said. At one point, her mother paid a short visit. The goodbye was painful. "I can't imagine the pain she must have felt," said Moseley.

Despite the pain of relocation, Moseley fared much better than others that she knew. "Most of my friends didn't get to go to school at all. ... Some people are still hurt. Some people are still angry."

Armstead Reid, a postman and a Farmville town councilman, was 8 when the schools closed. During most of the period of the closure, he received virtually no education. He managed to finish high school once the schools



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reopened, but he never really made up for the lost years. When his musical talent resulted in an invitation to attend college, he passed up the opportunity. "I was scared," he told me over lunch. "I didn't think I could do it ... I didn't think I was prepared." Eventually he went into the Air Force; but he still wonders what life would have been like had he had a decent and uninterrupted education.

On May 25, 1964, the Supreme Court finally brought Prince Edward County's resistance to an end. "The time for mere 'deliberate speed' has run out, and that phrase can no longer justify denying these Prince Edward County schoolchildren their constitutional rights to an education equal to that afforded by the public schools in the other parts of Virginia," wrote Justice Hugo Black, in his majority opinion (*Griffin v. County School Board of Prince Edward County*). "When I came back, and was told our schools would reopen, that was one of the happiest days of my life," recalled Mosely.

Viola Baskerville, a black state legislator raised not far from Farmville, took on the cause of the hundreds of blacks denied an education when the schools closed. Originally, Baskerville thought she might be able to get an apology out of the state, but found many of her colleagues reluctant to take that step. Instead, she settled for a bill, passed in

2003, that expressed "profound regret over the 1959-1964 closing of the public schools." The measure also acknowledged that, because of the closure, "more than 2,300 African-American children ... with only a few exceptions, remained unschooled for at least four of these five years," even as publicly-funded vouchers and local tuition grants were provided "exclusively for white children."

In 2003, after passage of Baskerville's bill, local school administrators sponsored a ceremony during which they awarded honorary high-school diplomas to some 400 current and former Farmville residents who had been denied an education. Congressman Robert C. "Bobby" Scott spoke at the ceremony held at Prince Edward County High School that June. "Without your sacrifice, millions of others would have suffered with an unequal education. So, honorary graduates, your graduation is not a commencement, but a ... continuation of the vigilance you reflected a long time ago when you said *no* to unequal treatment, *no* to racism and *no* to the barriers to your full participation in this country," declared Scott. The event was so successful, emotionally resonant and well-attended that a similar ceremony was planned for 2004.

Meanwhile, Baskerville sponsored a bill seeking scholarships for those

Virginia residents, and their descendants, adversely affected by the closing of the schools. The measure was supported by Governor Mark Warner and three former Virginia governors, who put out a press release that declared in part: “We believe it is singularly appropriate to give educational opportunity and the promise of prosperity and enrichment it offers to those families and individuals who were denied it by an egregious public policy. On the 50<sup>th</sup> anniversary of *Brown v. Board* and the 40<sup>th</sup> anniversary of *Griffin v. Prince Edward*, we signal bipartisan support of this effort and of the expression of regret contained in the legislation.” Two other former governors subsequently signed up in support.

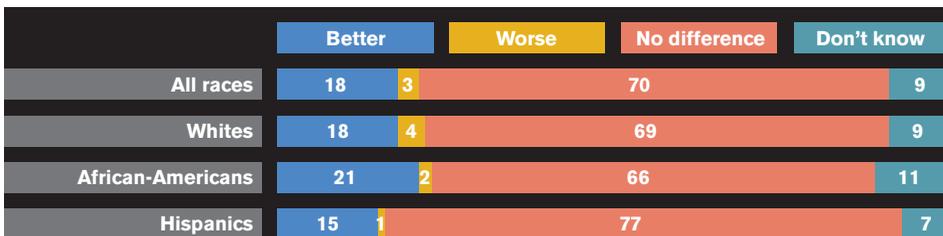
The legislation passed unanimously, though it was unclear whether there would be money to fund it. “There are a lot of nice things we’d like to be able to do, but there simply isn’t any money, and you can’t fix every wrong that happened long ago. We have at-risk kids who

are out there and are an immediate problem, and we had to cut \$41 million out of the budget that would have gone to them,” commented House Education Committee Chairman James H. Dillard.<sup>19</sup> Baskerville vowed to keep the pressure on to see that funding was provided.

But even as the generation of black students that lived through *Brown* struggle to overcome the wounds inflicted by a political establishment hostile to the very concept of integration, Farmville’s current generation of high-school students experience integration as a way of life. The school’s leaders these days have more important things to do than wallow in racist rhetoric.

School Superintendent Margaret Blackmon boasts that nearly three-fourths of those who graduate from Prince Edward County High go to college—some 60 percent of those to four-year colleges, and the rest to community colleges. The racial composition (60 percent black, 39 percent white, in

**Do you feel that white children do better or worse if they go to schools that are racially mixed, or doesn't it make any difference?**



All figures are in percentages



a school of nearly 3,000) is a source of delight: “I talk about being proud that we are diverse.” Blackmon describes Farmville as “a rural community in a low socioeconomic area of America that’s making it [educationally].”

Instead, of abandoning those who fall behind, the high school allows them to enter a “transitional” status where they are given special help. The philosophy is one, as Blackmon puts it, of “trying to see that people get all they need.” Blackmon acknowledges that some racial differences remain. White kids, for instance, are more likely than blacks to be in the calculus classes and black and white

students tend to go out for different cheerleading squads. But most of the differences, as she sees them, are “so much more socioeconomic than racial.”

Meanwhile, Prince Edward Academy, once a proud symbol of segregation, was forced to change with the times. It reached its apex in the early 1970s, with an enrollment of roughly 1,200. In 1978, due to its discriminatory policies, the school lost its tax exemption. Though the school remained open, it went into decline as contributions dropped off. In a bid to regain its tax-exempt status, the school opened its doors to nonwhites in 1985. The downward spiral continued;



**Richard D. Parsons**

CEO and chairman of Time Warner Inc.

I have no conscious recollection of being aware of the case when it happened, as a 6-year-old. But it came to me in the fullness of time. I think it was a chapter-turning development in the epic of African-Americans in America.

The *Brown* case basically said, “You have to educate everybody equally. You’ve got to give everybody the same access to public educational institutions.” And I think that was enormously significant from the point of view of leveling up the playing field. It didn’t accomplish it completely obviously. But [it was the] first major step since the Emancipation Proclamation.

Let me give you a personal story. My grandfather on my mother’s side—William Judd was his name—worked for the Rockefeller family. And he was the head groundskeeper. So I ended up going to work for Nelson Rockefeller as a lawyer coming out of law school in 1970 and as his counsel later [when he was] vice president. I came back to New York at his

behest to work for him and his family as the family lawyer. As part of the offer he said, “While you’re relocating to New York, I have some guesthouses on the estate. And you and your family are welcomed to use one until you get yourself squared away.”

So we moved into a guesthouse. And I met a gentleman who started to work there in 1929. He had just come over from Poland—his name was Johnny Shrobn—with his sister Margaret. They both got jobs on the estate—he as a worker in the field and she as a worker. We got to talking, and he said, “I knew your grandfather. He was the head groundskeeper. He was the guy who taught me everything I know.” So the next day when I saw him, he was chuckling. I said, “What are you laughing about.” He replied, “I saw my sister Margaret last night. I said, ‘Margaret you’ll never guess what happened. Old man Judd’s grandson just moved back on the estate.’ She said, ‘Oh that’s nice. Is he working in the gardens?’” Which was met with howls of laughter. But when you think about it, what was the difference. My grandfather by all accounts was an intelligent man, a thoughtful man, a skilled man, a trustworthy man. But the highest he could rise

but the school subsequently was rescued by a wealthy philanthropist, J. B. Fuqua, who contributed \$10 million on the condition that the school remake itself, in the words of the current principal, into

“a model school of excellence for rural America.” The academy, rechristened the Fuqua School, now accepts children of all races (even some blacks have enrolled) and claims to place the highest

was to be the chief groundskeeper. Whereas his grandson, who has no more talent or ability, came back as family lawyer because I was admitted to an educational process that let me get that skill that enabled me to develop my potential in a way that my grandfather's generation wasn't able to.

So many other things flowed from that case, the harmonics of that case were strong. First it was *Brown*. Then there was the Voting Rights Act. Then there was public accommodations. It set off a chain of events. Actually, *Brown* led into the '56 and '58 Montgomery marches and all that stuff. It set off a chain of things that affected the whole country.

The country was beyond ready for it. Historical reflection suggests that the justices of the Supreme Court knew that was the quintessential American question. But it was a continuing unhealed sore festering from the Civil War, and it was time to get about eradicating it.

I was a New Yorker. But in the summertime we'd be sent down to my grandmother's in Virginia. And it was a different world. In the South, the difficulties were all right up front. Blacks and whites lived together. They knew each other. It's just that they had a sense of a social caste

that said, "Well you go to this church and [we] go to that church." Once they got through the initial resistance—George Wallace standing on the steps of universities, Lester Maddox, Bull Connors and those characters—desegregation proceeded relatively peacefully.

A lot of whites in the North had no relationship with blacks. I was in the White House with Nelson Rockefeller at the time of the Boston busing crisis. Louise Day Hicks was the big rabble-rouser in Boston. My job was to deal with Louise Day Hicks and these people when they came to Washington. Well, if you are dealing with someone from the South, well half of those people, whites, they've been raised by black folks. It was almost not even personal.

I think [the next big battle in education] has to do with the establishment of appropriate standards and holding accountable people who are suppose to deliver against those standards. You have to hold educators accountable. Your job is to educate, not to show up and be at the school for so many hours and then leave. They must be held accountable against standards. And those who don't are out.

Interview by JOHNNIE ROBERTS



value on ethnic and racial diversity.

Why has the recent experience of Prince Edward County been so different from that of Jasper and Clarendon counties in South Carolina? Part of the rea-

son no doubt has to do with leadership. But perhaps the most fundamental difference has to do with size. Farmville was always tiny. Once desegregation was forced upon it, the town didn't really



Teacher Ella J. Rice interacts with students in Washington, D.C., during the first day of desegregated classes in September 1954.

have the option of carving out separate black and white districts. And once the region's racial madness ended and the segregation academy fell on hard times, the public school (which had not experienced a meltdown but, indeed, was doing well) seemed a less objectionable alternative. There was, in other words, no real place for whites to run and, as time wore on, increasingly less reason to do so.

In much of the rest of America, there are plenty of places to run. And there are few compelling reasons, as least in the opinion of most whites, to do much to foster school integration. Only one-third of whites think "more should be done" to integrate schools, compared to close to two-thirds of blacks and Hispanics who feel that way, according to the *Newsweek* poll.

Nonetheless, to visit a place like Farmville, with full knowledge of its wretched history, is to experience a certain wistfulness—to wonder why its experience is not more the norm. Why after the initial shock, did not communities, large and small, across America,

embrace integration and, along with it, the notion that all children—black, white, Latino, Asian—could profit, educationally and socially, from learning together. Why was Thurgood Marshall's dream, as articulated in the aftermath of his dazzling Supreme Court victory, resisted at nearly every turn? Why have we not pursued "racial balance," to use Justice Kennedy's words, if not "for its own sake," for the sake of creating a multiracial, multicultural society that works well—comprised of people who get along?

Certainly we as a society, accept, on some level, the proposition that school integration is a good thing. As noted previously, a majority of the members of all races say that "increasing racial diversity and integration in the public schools" is either important or very important. Yet, that acceptance is not unconditional. When it comes to education, most whites have other priorities—and those priorities are something of a mirror image of the priorities of blacks. More than two-thirds of whites believe it "more important that children attend schools near their homes, even if it means that most students are of the same race," than that kids be bused for the purpose of integration. Only one-third of blacks share that priority. (Some 55 percent of Latinos agree with the statement.)

Moreover, most whites don't see

much of an educational advantage (for *their* children) in pursuing integration. Only 18 percent of whites think whites receive a better education if they are in a racially mixed environment. In contrast, one-third of blacks feel their children profit educationally (as do 27 percent of Latinos). To put it bluntly, whites, for the most part, don't believe that they need integration. And many clearly are prepared to resist it—at least when integration is defined as busing inner-city children into largely white suburbs.

“When suburbanites perceive a threat to their schools, they fight back, and they usually win. Consider school desegregation and school finance litigation. Efforts to integrate public schools came to a fairly abrupt halt in *Milliken [v. Bradley]*, precisely at the point when school desegregation threatened subur-

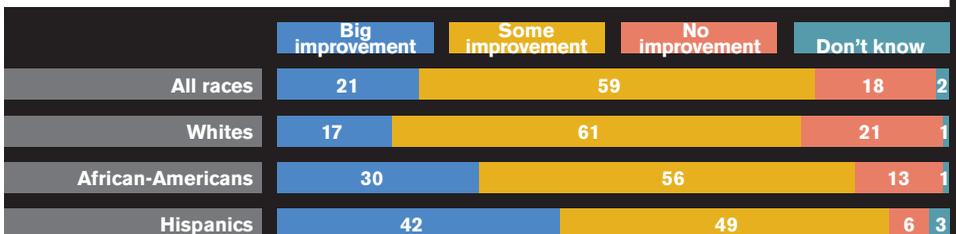
ban schools,” noted James E. Ryan and Michael Heise in the *Yale Law Review*.<sup>20</sup>

Like South Africa, America has its own “geography of apartheid,” and that geography means that it is very easy in America, vague good intentions notwithstanding, for school segregation to reassert itself. As Harvard demographer Gary Orfield observed during an interview:

“Basically what we see in the South is that the court orders were making the schools much more integrated than the housing. Now they are reverting to the level of segregation that exists in housing. I think we are going to gradually have a slight lessening in the housing segregation, but unless we do something very drastic, it is not going to be breaking that pattern.

“Here in Boston, the housing segregation is spreading into sectors of

**As you may know, in 2001 Congress passed an education reform bill that provides federal funds for school districts in poor areas, and requires states to set standards for educational attainment at each grade level and test students in reading and math skills each year to determine whether the standards are being met. How much do you think the new law will improve the quality of education in this country? Will it make a big improvement, some improvement, or no improvement at all in the quality of education?**



All figures are in percentages



**Antonia Hernandez**

President and CEO of the California Community Foundation and past president of the Mexican American Legal Defense and Educational Fund

I came to the United States when I was 8 years old. My father had been born in Texas and his family was sent back during the Depression to Mexico. When he brought us back to the States in 1956, we crossed the border in El Paso, and he took us by a restaurant that said, "No Mexicans and no dogs." I didn't know about *Brown* but that was my first introduction to discrimination in the United States.

Our society today is very unlike it was in 1954. Latinos are a significant community, where [then] it was predominantly seen as a black white world. The demographic change in this country has been phenomenal. You know it was just a half a century ago, within our lifetime and I think we need to educate people of

how far we've come, so we don't regress. [But even today] most Latinos and a great number of African-Americans live and die of poverty. The educational opportunities afforded these communities are abysmal. And of course in American society, education is the key to upward mobility.

We have to invest a lot more in education; and it costs a lot more to educate a poor kid than it does to educate a rich kid. Funding for education is based on property taxes. In reality, most poorer communities pay a higher percentage of property taxes for lower quality of education. It's in everybody's interest to provide a quality education, and, therefore, you have to fund it in a different way so that the schools get the money they need.

We are going to have to go to a weighted school formula, where you look at the kids you are educating and you put up the money as a society. If people

suburbia. This is the third whitest metro [area] in the United States, and most of the minority housing demands have been in ... towns [that] don't have very good schools. And some of them are resegregating. So Latinos are concentrated in Boston, but even more in the satellite cities that have heavily minority and heavily impoverished school districts. And of course you see that in Prince George's county outside of Washington. ... This is

a pattern that's happening all over the country. We're getting what I consider a really destructive pattern of the black middle class leaving the older black areas, those becoming nearly all impoverished as well as segregated, and going into suburbs in search of something better and then being resegregated there."

The implications for schools are obvious, as is the fact that school segregation, in a sense, follows the laws of

understand that we have to pay more to get a better quality of education and that we need to invest in every child, then we will find the solution and the way to do it.

Resources, and the will of the American public to fund public education—that is the biggest challenge, particularly in an environment where every state has a budget problem. And it's going to be that we provide universal schooling at a younger and younger age because we know now from science the most critical years are the young years. Kindergarten is universal but now preschool has to become universal. So the fight in the future is to get to these children much faster.

Secondly, when *Brown* was decided, the goal was high-school education. Today that ain't gonna get you anything but a minimum-wage job. So it's starting them up earlier and then making sure that they get a college education. To me it's an issue of the public's will to pay for educating our youth. And building a

consensus that the public has a vested interest in educating a poor black youth, a Latino youth.

One of the things I find interesting is you go to most colleges and universities and even within colleges and universities they have self-selection and self-segregation. A lot of it is for survival purposes because some of these environments are not very welcoming. But as a mother, and as someone who grew up in the civil rights movement, I do see the world differently and better. I mean there is still racism, and I'd be the last one to tell you there isn't. There are still negative stereotypes attached to who you are. We still navigate that world. But I think flagrant segregation is much less now.

Some would say that it's harder to battle subtle discrimination than it was to face and address flagrant discrimination; and that probably is the case, but I still think we've made progress.

Interview by ANNA LISA McCLELLAND



physics. Just as a body in motion tends to stay in motion, segregation tends to perpetuate itself unless something intervenes to stop it. "We're not at the stage where we can do this without an intentional plan to make it work. People have to understand there is built into the very fundamental roots of our society, the very structure of our society, institutions, expectations, fears, experiences that perpetuate segregation unless you inten-

tionally work to end it," said Orfield. Our dilemma, as a nation, is that we are not quite at the point where we are willing to do much to end segregation—even if, at some level, we don't like it.

During a conversation last year, Jack Greenberg, the former head of the NAACP Legal Defense and Educational Fund, compared Bulgaria's school desegregation experience to America's. Greenberg, who teaches at Columbia University,

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had recently returned from a trip to Eastern Europe, during which he had spent time with people working to integrate the Roma, otherwise known as gypsies, into Bulgaria's mainstream public schools. He had left immensely impressed with the energy and resources committed to the enterprise: "They have social workers ... tutors, cultural exchanges, clothing for the poor kids and food for the kids. I went to a community meeting [where there were] teachers, students, administrators, politicians, hundreds of people. Everybody got up and said how great they felt. ... You wouldn't have had anything like this in Mississippi in 1954."

With a bit of reflection, said Greenberg, he had come up with several reasons why the Bulgarians seemed so eager to make integration work—including the fact that Bulgaria's application to the European union would be judged, in part, on how the country treats the Roma and other minorities. But his major insight was that Bulgaria is at a very different stage in race relations than the United States. "In order to make integration work here, we have to reach the stage [at which] Bulgaria is now."

Like Greenberg, I was struck during my own visit to Bulgaria by the relevance of certain of that country's experiences with school integration to the situation in the United States. I also was greatly

impressed with Donka Panayotova, the woman who put together an integration program in Vidin—a small city on the Danube several hours drive outside of Sofia—that clearly works.

Panayotova, an affectionate, forceful woman with graying hair and an irrepressible sense of humor, was once a teacher in a ghetto school of the sort attended by some 70 percent of Bulgaria's Romani children. But after 15 years of teaching, she angered a principal because, as she tells the story, she would not support colleagues who were doing a poor job. Panayotova left in 1997. After several months "at home, depressed," she founded Drom (which means the "road" or the "path"), a nonprofit organization that would focus, among other things, on issues of educational access. Panayotova knew the educational status of the Roma was dire. There were perhaps five in the city, including herself, with university degrees. And it had been years since any Roma in Vidin, as far as she knew, had gone to a university. (In one year alone, she pointed out with pride during my visit, five people who worked for her had been accepted into university programs.)

From all her years teaching in the ghetto school, Panayotova knew that the education level there was appalling. She also felt "it was not normal to keep these



children away from the Bulgarian kids and segregate them.” But she realized that any effort to remove them from such schools might engender resistance from parents who didn’t fully realize how bad the schools were and were unconvinced their children would do well in the “normal schools,” which they saw as the preserve of the privileged. So much of her efforts in the early days were devoted to working with parents, helping them to see how their children could benefit. As one of her staff members put it: “We begged a lot of the parents to let the children go to [the normal Bulgarian] school. There were fears and also feelings of inferiority.” Panayotova also reached out to school administrators, trying to allay whatever fears they might have about an influx of Romani children.

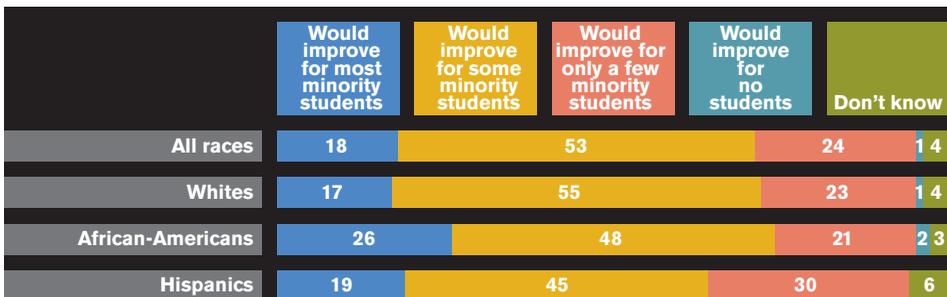
The project started off with certain advantages. Because the city was on financially hard times (unemployment

in Vidin was nearly 40 percent), people were moving away and the city schools needed students. Panayotova also managed to get a grant from the Open Society Institute, which allowed her to acquire two buses (they were painted yellow, in tribute to those in the United States) to transport the children.

In 2000, the first group of children was ready to go. The program started with 275 children going to local “white” schools and ended the school year with nearly 500. A year later, the number had surpassed 600 and in subsequent years continued to rise.

Panayotova acknowledged that “the first year we didn’t have a lot of excellent students.” That changed quickly—in part because Panayotova and her staff put in place an extraordinary range of supports. Staff members, designated “supervisors,” accompany the children to school, and make sure they get everything from

**How do you think minority students, in particular, would be affected by standardized tests required to pass from grade to grade? As a result of this requirement, do you think that academic achievement...**



All figures are in percentages



### **John Hope Franklin**

James B. Duke Professor Emeritus of History at Duke University and chairman of the advisory board for President Bill Clinton's Initiative on Race

I was teaching at Cornell in 1953 when I got a call from Thurgood Marshall. He said the desegregation case had been remanded to lower court over history issues and he wanted me to handle some of the historical questions. I went from Washington, D.C., where I taught at Howard, to New York nearly every weekend that fall and winter.

I was in my office when the decision was announced. My wife called and told me about it and I jumped up and screamed. Then, the next day I was saddened by the viciousness of the resistance, white people saying, "Never! Never! Never!" And that resistance goes on today.

I don't think *Brown* had the profound effect on education that we expected at the time. The impact of *Brown* is limited by the continuing refusal of some people to accept it. Instead of trying to democratize other nations, we need to work on democracy here at home. What amazed me when I headed [President Clinton's] race initiative was the real resentment even to our undertaking a dialogue on

race. Some people said there is no race problem. Others said the problem was already solved. While others said, "Why bother. The problem's intractable." Another thing that really disturbed me was the hostility of the media.

Each time I go to sleep and wake up, it's something new on educational quality. Now it's testing. We should be talking about economic equality so people can afford to get the best education for their children, but it's testing instead. Something's wrong with the schools for sure, but testing is not the answer. When I was at Fisk University in 1935 at 19, I had to go to segregated Vanderbilt University to take an exam to enter Harvard's graduate school. I went to the room where I thought the exam would be given and took a seat. Soon, other students came in and sat around me and eventually the professor arrived. When he saw me, he asked what was I doing there. I told him, "Taking the exam." He then threw the exam papers at me, and they landed on the floor. That was so unnerving, so upsetting. I don't know how I was able to take the exam.

I now think of children being judged on performance under the most difficult conditions, hunger and other factors, conditions that should be tackled rather than testing children as a solution.

Interview by PAUL DELANEY





Black schoolchildren en route to jail for protesting against racial discrimination in Birmingham, Ala., in 1963.

breakfasts to extra course work for those who fall behind. After the second year of the program, only 46 of the 611 had to take extra exams (due to poor performance in various subjects). All 46 passed. For children who come from backgrounds where the parents are largely illiterate and schooling had been a joke, that was surely an amazing accomplishment.

A visit with one family in the “Nov Pat” ghetto gave some sense of how important the program has become. The family had pulled both children, a 13-year-old boy and a 10-year-old girl, out of the ghetto school and sent them into the city.

Jordan Nikolov, the father, runs a local pizza restaurant. He had attended a ghetto school through the eighth grade and had always received excellent marks. He therefore had considered himself a good student—until he went to a vocational school for further training and flunked his first-year subjects. “I thought I knew a lot. I didn’t know anything,” he said, slightly dropping his head. He didn’t want his children to go through that.

Nikolov acknowledged that the adjustment to the new school had not been easy, particularly for his son. “My boy did not have sufficiently good Bulgarian.” Also, one of his teachers had been less than welcoming. “I had to go to school and deal with the teacher’s attitudes,” said Nikolov. But he had little doubt he had made the right decision. When I asked the daughter, Simone, whether she liked the new school, she responded, in English, with a loud “yes.”

Visits with other Roma parents, and also to schools that had accepted Roma—both in Vidin and Sofia—yielded much the same story. The children, particularly those who were very young, were doing extremely well. Fears that they would be unable to keep up with the “white” Bulgarian children had quickly fallen away.

Not that the experience was totally painless. At one point in Sofia, Romani students trying to enroll in a vocational school had been chased away by children shouting racist epithets. Also, the two Bulgaria schools nearest the Fakueteka ghetto had refused to accept Romani kids; so the Romani Baht Foundation had filed suit. And it was far from clear what would happen when the state, as opposed to a few nonprofit organizations in a handful of cities, tried to implement integration nationwide. But

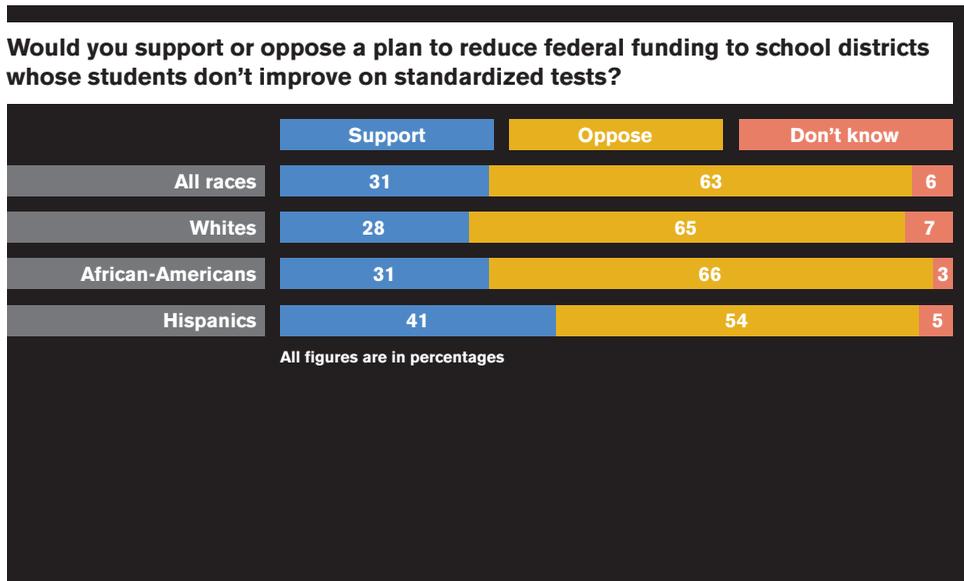
Greenberg was certainly right in his observation that things would have been much different in America if Mississippi in 1954 had done what Vidin did.

But, as Orfield and his colleagues make abundantly clear, the United States is not on a Vidin-like path. It is moving away from, not toward, school integration. Still, many Americans are convinced that children of color, particularly black kids, are, in large measure, educationally shortchanged and that something ought to be done about it. And if integration is not the answer (not at this time anyway) what is? If the heat generated around the issues is any indication, there are two popular answers: testing and choice, considered either separately or in combination.

Over the last several years, the debate over standardized testing has become louder and more contentious as such tests have grown in popularity—and as the stakes for passing or failing such tests have risen. In one state after another,

politicians, looking for a quick fix to persistent problems, have seized upon tests as the solution. The debate is made all the more explosive by the history of so-called intelligence tests, which have been used in the past—and even recently—in the service of stereotypes and to rationalize (and mobilize) prejudice against racial, ethnic and religious minorities.

There is in other words, hanging over the discussion, the shadow of “The Bell Curve” and its even more noxious predecessors—the array of books, commentary and psychometric claptrap, going back a century or so, that make the case for the innate superiority of one group over another. Add to that the sharp, nonracist, differences over what the racial/ethnic test-score gap reveals about ability and achievement—and equally sharp differences over how to close that gap, and even over whether it can be closed; and top it all off with the minefield of affirmative action, and the role



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tests have played in admission to selective universities; and you have an issue that presents an extraordinarily high potential for mischief of the most hurtful and harmful kind. Recognizing that, myriad would-be societal watchdogs have issued worried warning about the misuse of standardized tests.

The American Educational Research Association sharply cautioned against using test results, in isolation, to make decisions with profound effects on students' lives. The AERA was particularly concerned about so-called high-stakes tests, those that "carry serious consequences for students or for educators," or that judge schools "according to the school-wide average scores of their students." AERA acknowledged that tests could be put to beneficial use by "directing public attention to gross achievement disparities among schools or among student groups." It warned, however, that "if high-stakes testing programs are implemented in circumstances where educational resources are inadequate or where tests lack sufficient reliability and validity for their intended purposes, there is potential for serious harm. Policy makers and the public may be misled by spurious test score increases unrelated to any fundamental educational improvement; students may be placed at increased risk of educational failure and dropping out;

teachers may be blamed or punished for inequitable resources over which they have no control; and curriculum and instruction may be severely distorted if high test scores per se, rather than learning, become the overriding goal of classroom instruction."<sup>21</sup>

Other associations of educators and children's advocates have released similar cautionary statements. "Alarming, U.S. policy makers and educators are increasingly relying on single test scores to make important decisions about students," observed the International Reading Association. "To use a single objective test in the determination of such things as graduation, course credit, grade placement, promotion to the next grade, or placement in special groups is a serious misuse of such tests. ... The movement toward high-stakes testing marks a major retreat from fairness, accuracy, and educational equity," declared the National Council of Teachers of Mathematics.

Some critics have attacked not just the use—or misuse—of tests, but the tests themselves. In a withering critique of IQ tests researchers Elaine and Harry Mensh contended that such tests are not objective "in any remotely scientific sense." The authors went on to argue that the tests were not designed for the benefit of children, but as "a means for ignoring individuality and slotting



**Dr. Alvin Poussaint**

Professor of psychiatry and faculty associate dean for student affairs at Harvard Medical School

I was at Columbia at the time and, actually, my class had a debate about it before the decision came down. I was the only black student. About one-third of the class was pro-segregation. Others felt the federal government had no right to interfere, that the states should decide. And the rest said it was OK for the South to segregate. I was shocked. I wondered how they felt about my being in the class. When the decision was announced, I rejoiced. I felt it was a turning point for black people ... a weight off the shoulders of black people.

I was in pre-med at Columbia and had a lot of doubt whether I could make it. There were quotas to limit black admission. Most blacks went to Howard and Meharry and only one or two were at the white schools. I was the only black student at Columbia and at med school at Cornell. *Brown* energized me to do well and not be shy and withdrawn. It prompted me to join the civil rights movement.

If there were no *Brown*, segregation would have been entrenched. If segregation had been OK in education, it would have been OK in every area of life. It would have said that quotas against blacks were OK, segregation in the North

was OK, that black people were no good and white people were superior.

[Today] there is some integration in ways as never before. And that's good and important for diversity. We never would have had affirmative action had there been no desegregation. There is still segregation and the problem particularly concerns low-income families who are the victims of white flight—and some black middle-class flight, too. They take the resources to the suburbs with them, leaving the poor locked in cities with inferior schools. Resegregation is rampant. There's still a lot of reluctance and resistance in parts of the country. That has got to be turned around if we are to have a just society.

A lot of kids at Harvard get some help from powerful people. We need that for all kids, beginning from the womb; the learning process has to start right away. Head Start is good, but we need Early Head Start for development of body and mind, if we're going to assure quality. Societal problems truncate and sabotage quality education.

Dr. King was dreaming when he made the statement about colorblindness. It's still something for the future, not a reality today, not until we remove the stigmas and stereotypes. And, as long as there are health disparities based on color, and discrimination and racial profiling, we've got to look at color in order to solve the problems.

Interview by PAUL DELANEY



children according to prior assumptions about the races and classes they belong to. By using the tests to assess the children—i.e., to decide whether or not a child should be given a high-quality academic education—the schools can continue, ad infinitum, to justify superior and inferior education along class and racial lines.”<sup>22</sup>

On the other side, of course, have been the defenders of such tests, who argue that they are useful instruments that, properly scored and intelligently used, can be invaluable in diagnosing deficiencies and guiding the search for remedies. “The new testing regimen will provide important information that the American people and policymakers can use to accomplish significant, lasting reform,” wrote Education Testing Service president Kurt M. Landgraf in a column praising the “No Child Left Behind” legislation and posted on the ETS Web site. That legislation, signed into law in January 2002, mandates large-scale testing

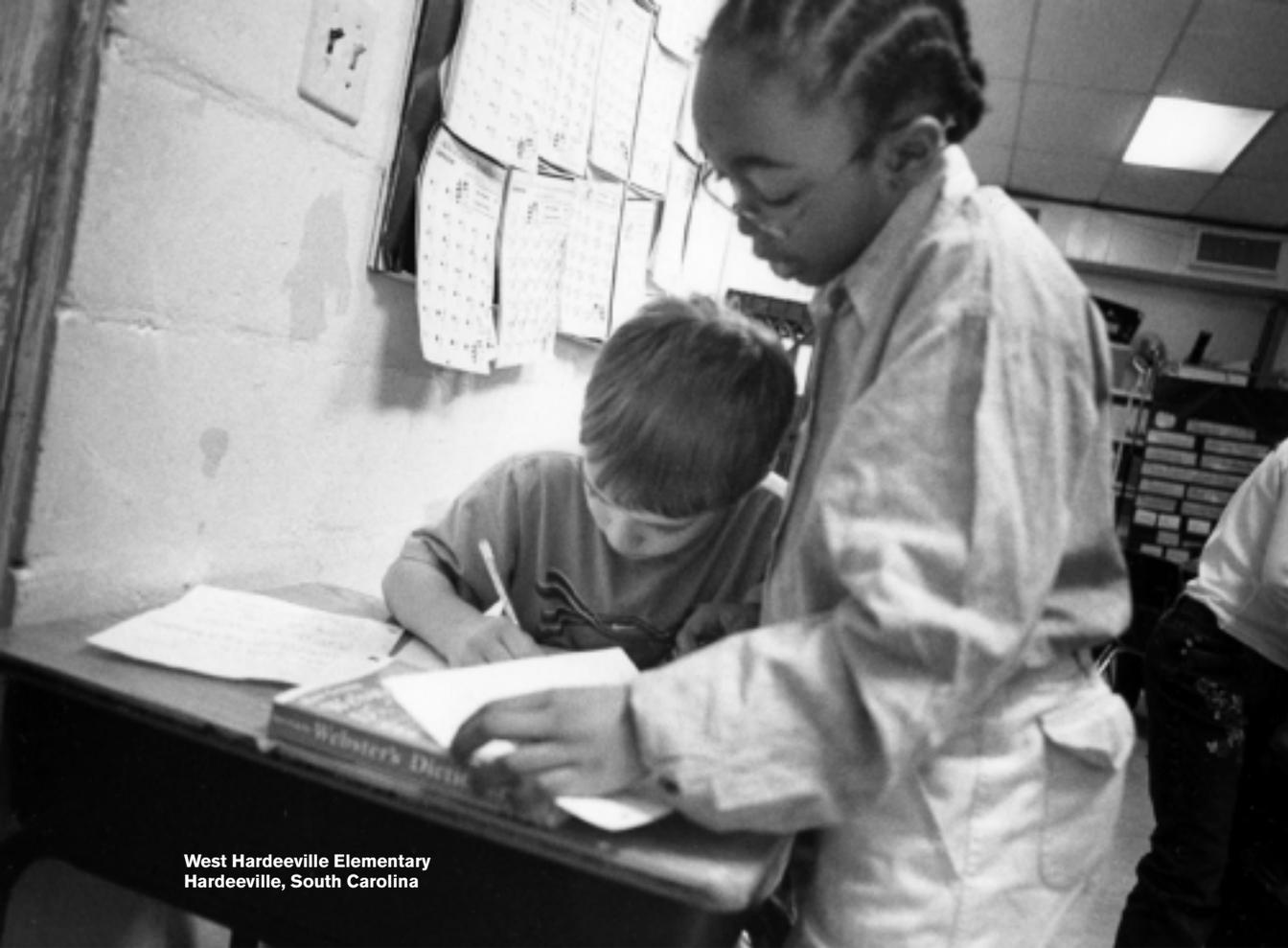
in an attempt to motivate failing schools to do better, and represents one of the most prominent triumphs to date of the testing establishment in America.

Without question, testing is popular with the public. And though it may come as a surprise to some, testing is particularly popular with the black and Latino public. According to the *Newsweek* poll, blacks (83 percent) and Hispanics (91 percent) are much more likely than whites (73 percent) to believe that it is important or very important to use “standardized tests to raise academic standards and student achievement.” Blacks and Latinos also have faith that setting standards and giving tests will raise student achievement. They even endorse “high-stakes” testing. Some 74 percent of blacks and also 64 percent of Hispanics think “most” or “some” minority students would show academic improvement if required to pass standardized tests before passing from one grade to another.

**Do you feel that Hispanic children do better or worse if they go to schools that are racially mixed, or doesn't it make any difference?**

	Better	Worse	No difference	Don't know
All races	27	3	55	15
Whites	27	2	54	17
African-Americans	29	6	52	13
Hispanics	27	2	64	7

All figures are in percentages



West Hardeeville Elementary  
Hardeeville, South Carolina

My guess is that the numbers measure support more for the idea of testing than for the reality of what testing has become. That idea—that ability can be recognized and developed, that deficiencies can be diagnosed and remedied—is impossible to argue with. It is far from clear at this junction that that is what is happening.

A number of press reports have suggested that the so-called miracle in Texas (which claimed impressive improvements in academic accomplishment through a regimen that made heavy use of standardized tests) may be something of a mirage. A *Washington Post* article in

November 2003 raised sharp questions about Houston's reported dropout rate.<sup>23</sup> A report in *The New York Times* the following month broadened the critique. The *Times* noted that although Texas officials touted large gains made by students on the Texas Assessment of Academic Skills, the students did considerably worse when given a well-known national exam.

"Compared with the rest of the country, Houston's gains on the national exam, the Stanford Achievement Test, were modest. The improvements in middle and elementary school were a fraction of those depicted by the Texas test and were similar to those posted on the



**Robert Coles**

Professor of psychiatry and medical humanities and Agee Professor of Social Ethics at the Graduate School of Education, Harvard University

**W**hen I was in the Air Force in Biloxi, Miss., I threw a party and invited a colleague, a black Air Force nurse. She said she could not come. I didn't understand why. She explained that it was against the law, that she would be arrested by going into my apartment building. *Brown* meant more than just school desegregation. It affected the entire society. It said, "C'mon, this stuff has got to stop."

It was by no means accepted by the nation as a whole that [black] people had a right to go to school in the South. Even in the North, the right for black children to go to good schools was not accepted. That

has changed, and it's made us a different country. We need to remind ourselves of what that past was and who we are.

[Young people today] are still struggling to find a more honorable nation, though not in the way it happened in the 1960s in Mississippi or in Boston in the 1970s. I thank God I lived long enough to see the difference.

Mississippi is a different state now. Blacks sense more opportunities. They're returning to the South in numbers. They remember all the bad things and why they got out in the first place. But it's also their homeland. They remember the climate, the weather and they always had relatives there. "Would rather take Savannah than Lowell," I heard a family say. It's a return to the motherland, so to speak.

I was born in Boston and grew up in relative privilege. I went to Boston Latin School where there were no black

Stanford test by students in Los Angeles.

"Over all, a comparison of the performance of Houston students who took the Stanford exam in 2002 and in 1999 showed most did not advance in relation to their counterparts across the nation. More than half of them either remained in the same place or lost ground in reading and math."<sup>24</sup>

The article also noted that claims of a surprisingly low dropout rate and an impressive narrowing of the ethnic/racial achievement gap seemed to be inflated.

"Houston school officials acknowledge that the progress in the elementary grades peters out in high school. About 13,600 eighth graders in 1998 dwindled to fewer than 8,000 high school graduates. Though 88 percent of Houston's student body is black and Latino, only a few hundred minority students leave high school 'college ready,' according to state figures."<sup>25</sup>

Research by the Civil Rights Project at Harvard questions how effectively the testing/accountability/remediation model has worked when applied at the

students. We were relatively middle-class children from Boston and outside Boston. I remember Lester Maddox telling me to go back North and look at my own backyard. I got very angry and considered him racist for trying to deflect the problems of the South. But, he was right, not because he was a great truth-seeker, but he knew the problem of integration was a national one.

Look what Boston went through. I saw racist mobs here; I rode in buses with African-American children integrating Boston schools. I learned that, indeed, it was a national problem.

At a meeting in New Orleans, I saw a little black girl being heckled by a white mob. I couldn't get it out of my head. I stayed in the South and I met that little girl and other children and wrote about them. Everything I did after that was a result of *Brown*. When I got back to

Boston, I found the same thing. It was the story of my life.

Eventually, I went to South Africa, under apartheid. I began to realize where our country was and would be if separate but equal had been upheld.

We are on our way to becoming an integrated society. There's been substantial progress but I hope I'm not whistling "Dixie."

Quality education includes integration and a good learning experience, not necessarily high SATs and other test scores. Educational quality is something we should always strive for, along with integration. That was what Ruby Bridges was struggling for in New Orleans, as well as all the other children who fought to integrate schools; that's why she braved those mobs in New Orleans, for a better education.

Interview by PAUL DELANEY

national level. In a report assessing the first-year results of "No Child Left Behind" in 11 urban districts, researchers Gail Sunderman and Jimmy Kim suggested the legislation had not worked very well. "In each of the districts we studied, fewer than 16% of eligible students requested and received supplemental educational services. In most of these districts it was less than 5% of the eligible students, and in some it was less than 1%," reported Sunderman and Kim. "This provision disproportionately

impacts districts serving large numbers of low-income and minority students, yet there is little empirical evidence of its effectiveness for the most vulnerable students," they added.<sup>26</sup>

This is not to say that testing is bad. Clearly many students, including students of color, have profited from a greater emphasis on tests. Indeed, one group that is all but lacking from public conversation is the group of minority superachievers who have seen their lives transformed because they happen





Thurgood Marshall, flanked by colleagues George E. C. Hayes (left) and James Nabrit, at the Supreme Court on May 17, 1954.

to be supremely skilled at taking standardized tests.

Johns Hopkins University's Center for Talented Youth specializes in such young people—those who score at the 97<sup>th</sup> percentile or better on some nationally normed test; those who score, in other words, far above the average for kids of any color.

For those interested in the art of nurturing talent, CTY's experience is instructive. CTY considers itself a "in some sense, a conveyor belt to the Ivys," commented one staff member. And in the fulfillment of its mission, CTY immerses young people from elementary and high schools across America in summer academic activities at some of the best universities in the country. It gives them an early glimpse, in essence, of what they can look forward to. And it gives them a leg up on the skills (they already have the ability) that they will need to get there.

Not so long ago, CTY had very few participants who were students of color. In 1997, fewer than 1 percent were so-called underrepresented minorities; by 2003 that figure had risen to 10.4

percent. "Most are scholarship kids who were discovered in fairly unlikely places," said Julian Jones, senior director of development and external relations.

Part of what CTY learned was that attracting academically talented kids from "unlikely places" required more of a commitment than it did to attract white kids from the suburbs. They also discovered that nurturing that talent sometimes required extra effort as well. It was not enough to simply have such students come to college in the summer; some year-round structure was necessary. So CTY started convening weekend academic conferences and reunions in the fall—things that would keep kids who might otherwise fall by the wayside engaged in academically challenging work. "The minority kid needs reinforcement for being smart, needs to hear it, and needs to correlate being smart with options and opportunities in life," observed Jones.

CTY also learned that such academically gifted children of disadvantage did not exactly "appear out of the vapor," as Jones put. "There is usually someone behind that child, either a grandmother, or two parents, or a single parent, who has some kind of guiding faith in education and tends to push that kid beyond what others have done." CTY has made a point of trying to work with some of

those parents, of teaching them, in Jones’s words, “how to work the system,” how to make sure that their children receive the same academic opportunities that come, as a manner of course, to the children of the well-to-do. Much of that work has been done with the help of corporate sponsors. “For \$18,000 a corporation can give an urban kid a lot of things middle-class kids would have,” said Jones.

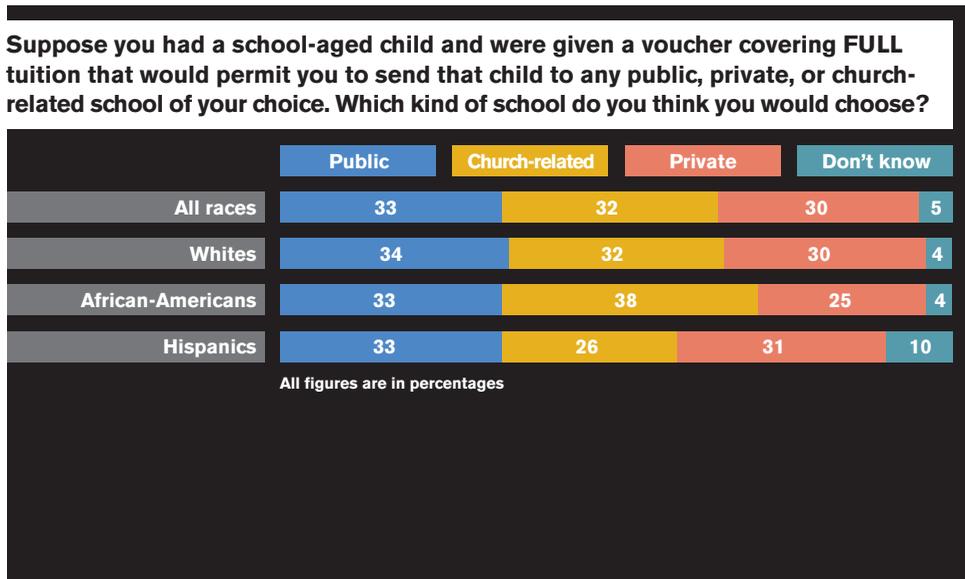
What CTY has done, in short, is to find a way to treat poor black and brown kids—who happen to be superbright—in a way they are rarely treated in public schools. It has found a way of nurturing their intellect, as opposed to stifling it.

The lessons CTY learned don’t just apply to young geniuses. All minds need nurturing and all kids need hope if they are to develop to their potential. Those without a knack for test-taking are no different in that than anyone else.

Regardless of whether they start out testing brilliantly or poorly, indigent black kids tend to lose academic ground (relative to whites) as they progress through school. That is not because they are not being sufficiently exposed to standardized tests; it is because they are not being sufficiently, and creatively, challenged.

Gaston Caperton, president of The College Board, observed, “No Child Left Behind is a good concept. But once you’ve tested people, and you see they are not making progress, you’ve got to invest in them. You can’t just stop and say this is a failing school and think it’s going to cure it, if you don’t [solve] some of the fundamental problems.”

“When the testing program started, it showed how far behind we were,” said Jasper School Superintendent William Singleton. He has no problem with the testing, but doubts that it will lead to anything good. “I believe in accountability. ... But you’re telling me to go out



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and dig a ditch and you're not giving me the shovel." It will take more than a testing program, even a testing program with teeth, he believes, to reverse his district's decline.

The use of "choice" as a tool of educational reform has been every bit as controversial as testing, particularly when it comes to the issue of vouchers. On one side are those who claim that poor kids in ghettos and barrios have the right (and ought to receive public money) to leave crummy schools and seek a quality education elsewhere. On the other side are those who say that vouchers will not appreciably increase the options of children attending wretched schools but will instead deprive public schools of resources they can ill afford to lose.

In the last several years, voucher programs have sprouted in a number of states. Florida's program is the most ambitious, and probably also the most controversial. The program in Florida, actually, is three different programs that award vouchers to three categories of students. The oldest, approved by the legislature in 1999, offers "Opportunity Scholarships" to students at failing schools with which to pay tuition at private or parochial schools. A program for "McKay Scholarships," passed in 2000, offers tuition money for the disabled. And the "Corporate Income Tax Credit

Scholarship," passed in 2001, provides money to "scholarship funding organizations," which then make the funds available to low-income children. In 2003, roughly 25,000 children participated in the Florida programs, which have been plagued by scandals, as duly chronicled by the Florida press.

In December 2003, an audit of the voucher programs by the state's chief financial officer led to several probes for criminal irregularities.<sup>27</sup> In his letter transmitting the two audit reports to the state board of education, CFO Tom Gallagher, noted that "critical controls were not instituted, which allowed for potential abuse or possible criminal activity." He also complained of the programs' failure to "develop written procedures and perform other management actions." The following January, a man who ran one of the scholarship funding organizations was arrested on suspicion of stealing \$268,000 earmarked for scholarships.<sup>28</sup> That same month, Florida's education commissioner acknowledged having improperly approved over a \$1 million in funds for kindergarteners and first-graders who had never attended public schools—though the vouchers were specifically intended for those escaping bad public schools, not for those who had never gone to such schools.<sup>29</sup> In a blistering editorial in February 2004, the



### **Julian Bond**

Chairman NAACP  
and former Georgia state legislator

I was living in Lincoln, Pennsylvania. Dad [the president of Lincoln University] had done some research for the NAACP on the case. The court didn't use it, but the decision drove conversation at our house. We moved to Atlanta and I followed desegregation in Little Rock.

I knew the Little Rock students by name. They were like poster children for civil rights because the black press covered them so closely. I knew how they dressed, where they wanted to go to college, what fuzzy animals the girls favored. They set up a whole generation of youths to participate in civil rights with their bravery under fire. I wondered if I would be as brave as Ernie Green.

*Brown* eliminated segregation's legality and also gave a license to the movement to destroy segregation's morality. It was one of many factors that made the movement all right; the Supreme Court said so. Anything the movement did in defiance of segregation was legitimate.

There would still be integrated schools [had *Brown* not abolished forced segregation], but the pace would have been much slower. It's slow now and going backward. We're seeing less and less integration.

Fifty years have passed since *Brown*. We have the appearance of an integrated society. Colin Powell and Condoleezza Rice, unfortunately, serve to convince many that their experience is a common experience, when it is not. In sports, Michael Jordan and Tiger Woods are awful good at showing that we ought to have an integrated society, but it's misleading to feel the same thing happens all the time. You seldom hear about the majority of black youngsters who aspire but do not become great professional athletes.

Majority-minority segregated schools are the least economical in the country. They're typically overcrowded, have the least-experienced teachers and the largest number of poor students. That cannot be the standard of education. It's not in middle- and upper-income areas where the majority of students are white. I'm not saying there are no good black schools. There are many. But most kids going to schools with very poor students like themselves are at a tremendous disadvantage under horrific conditions. Money and resources follow middle- and upper-income students. That's why integrated schools are important.

The integration fight is about quality education. They're the same struggle. When we started the struggle for better education, the schools were supposed to be separate but equal. When they were not equal, we said, "Okay, we'll go to your schools."

Interview by PAUL DELANEY



*Palm Beach Post*, which had written several critical investigative pieces on the programs, concluded that, “As the state is running it, the entire voucher program is a fraud.”<sup>30</sup>

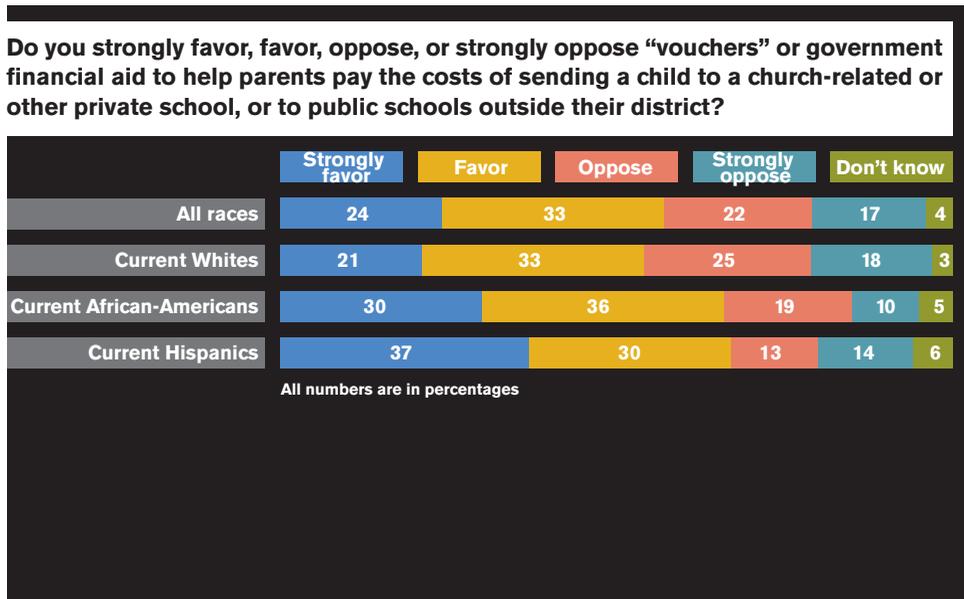
Even the Florida Catholic Conference, a presumptive beneficiary of the programs, appealed for reforms. At the very least the Conference wanted schools to be accredited, to have some kind of track record, and to give standardized tests so parents would know how the schools were performing relative to others.<sup>31</sup>

Patrick Heffernan, head of FloridaChild, one of the larger groups administering a voucher program in Florida, suggested that some of the problems flagged by the audits reflected little more than growing pains. In an interview in his home in January 2004, Heffernan explained that his organization had received some 21,000 applications for 7,400 available scholarships and had

been overwhelmed by the administrative burden: “We tried to do too much.”

Heffernan strongly defended the concept of state-subsidized choice. “It’s not that private schools are better than public schools, but children ought to be able to attend a school chosen by their parents,” he said. But he conceded that some state oversight was appropriate. Someone shouldn’t be able to “just put a sign on your building and say you’re a school.”

Heffernan also introduced me to M. Tina Dupree, a gregarious black woman known as The Chicken Lady (in the past she apparently served as a spokeswoman for Church’s Fried Chicken), who not only worked with FloridaChild but whose family was a beneficiary. Dupree’s daughter, Louise Smith, explained that her 13-year-old son had not done well in the public school in Opalocka and that the quality of schools in her community was uniformly poor. So she went in search of a better school, with a







**Charlene Drew Jarvis, Ph.D.**

President of Southeastern University

**T**he *Brown* decision meant a lot to me personally because at that time I was in the segregated school system in Washington, D.C. It meant that I would not go to the school that I had planned to go to for my high school, but I would go to the school in my neighborhood and newly integrate it. All public accommodations were segregated until 1950 in Washington, D.C., and we are talking about a decision in 1954 to desegregate the public-school system. So this was really historic.

I think that integration had a paradoxically negative effect on schools in the African-American communities. Schools in African-American communities because of segregation had students of all aptitudes. There was a community in the [segregated] school and there was also a high level of demand for achievement in those schools. Integration came and those students were dispersed into the integrated schools. [With integration] came the expectation that African-Americans couldn't succeed, wouldn't succeed and would bring [down] the level of operation of the schools that are now integrated. So it changed from an insular community in which achievement was expected and rewarded to an integrated one when achievement was not neces-

sarily expected and was not particularly rewarded, and in which the track system tracked most African-American students out of college preparation.

I think it also that because of segregation there was a very high density of very well-trained teachers in our schools. Because teachers who had earned master's degrees and Ph.D.s from a wide range of universities, even very competitive universities, couldn't find jobs in the larger communities so the benefit was to us in the school system. And when integration came, many of those teachers had the opportunity to go elsewhere and in fact did go elsewhere. And then the schools were, in effect resegregated. It took about three years. So you had the brain drain of teachers. You had the brain drain of students. And a resegregation of the school system and a tracking of African-American students, none of which was very helpful.

Desegregation was the goal of *Brown* and it was a temporary goal. I was a student in a high school, which was integrated in 1954. When I went to that high school in 1955, the percentage of blacks in that high school was about 25 percent initially. When I graduated three years later, probably 90 percent of those students were black. So there was a temporary period in which you had a transition. And after that schools were resegregated without the resources.

I think integrated schools are tremendously important, because in the absence of familiarity with other groups

and communication with those groups then the information you have about other groups is produced through the media. There is stereotyping, there is uncertainty about interaction.

I think it is possible, in this generation coming up, for people to make distinctions among one another that are not led by race. I am 62 years old and I've seen the change over my lifetime in this. I have seen the change in the media representation of race. When I was younger and I saw a black person and white person on TV and one physically touched the other, I was keenly aware of the taboo. But if you look at the media these days, that has been overtaken.

[On the story that her father, famed blood plasma researcher Dr. Charles Drew, died because he was denied admission to a white hospital.] My father was very badly injured in a car accident. He was overtired. He should not have been driving. My mother warned him, but he did it anyway. And he fell asleep at the wheel and it crushed him. But he did not die right immediately, so he was taken to the nearest hospital and he was with three of his residents. Only one of his residents was injured, so they were in a position to assure that he was getting the kind of care that was required. But [also] there were brother surgeons who knew my father by reputation. So he was treated in the hospital in a way that African-Americans were not treated, because they were usually treated in the basement of the hospital. There was an

attempt to stabilize him at the hospital and then to take him to a trauma center, and he didn't survive. I honestly have never tried to disabuse people of the notion of the myth once it took on a life of its own because I frankly I didn't want to let the South off the hook, because the inequities in the health-care delivery system in the South were abominable and because, though my father was treated, many others were not treated and many others died for lack of adequate health care in the South.

Interview by OLIVER W. CROMWELL





Black children attend classes in a formerly all-white federally operated school in Fort Myer, Va., in September 1954.

more supportive environment. She found a Christian school in nice area called Miami Lakes, which accepted her voucher as payment. Her son, she said, was now doing fine. "I never thought I would be able to have my children attend that school," she added.

T. Willard Fair, head of the Urban League of Great Miami, is another strong proponent of choice. A charismatic, combative figure, he dismisses critics of the voucher concept. "If you've got your kid in one of those bad schools, let him stay there. I will take mine out," he said. Blacks "must do what they need to do to get their children a quality education," added Fair. "If they have to take them out of bad schools, so be it."

Fair is not just talk. In 1996, he co-founded (with Governor Jeb Bush), the Liberty Center Charter School. And he claimed to have seen nothing but positive results. "For the first time, every black principal in this community is concerned about what happens to black children," said Fair.

Advocates of choice in general, and of vouchers in particular, see the

programs as the salvation of education. Indeed, one widely touted study purported to show that the very existence of the voucher program (and the competition they represented) was forcing poor-performing public schools in Florida to improve.<sup>32</sup> Yet, even if one accepts the study's supposition that the reported difference in performance is totally a function of the existence of voucher programs, one is left with the realization that the improvements (though they may be statistically significant) are not all that large. In other words, bad schools didn't turn into *good* schools; they became marginally less bad *bad* schools.

Certainly, there is evidence from elsewhere that voucher programs can help some students.<sup>33</sup> And undoubtedly for parents such as Louise Smith, vouchers can indeed be a form of academic deliverance. But even Heffernan concedes that most students will continue to go to public schools. For one thing, "most public schools are very good," as he sees it. But even those parents whose children go to schools that are terrible won't necessarily have the inclination or the option to use a voucher, assuming one is available, to place their children elsewhere. Though vouchers may induce people to start new schools (as they clearly have in Florida), there is no guarantee those schools will be any

better than the ones students are trying to flee. “Opening more schools is not increasingly the pool of highly qualified teachers,” observed Marva Tigner, of Jasper County, South Carolina. Nor is likely that selective—and competitive—private schools around the country are going to take people they wouldn’t normally accept just because those people have vouchers.

Also, in the minds of some, the concept of vouchers carries a considerable amount of baggage—and not just because they offer the prospect of transferring public funds to religious schools, but because, in places such as Clarendon County, there is a memory of what vouchers once represented. As Ted Shaw, of the NAACP Legal Defense and Educational Fund put it: “We know that the voucher movement didn’t come out of concern for the black children in public systems. The voucher movement came out of an attempt to have money follow white par-

ents who had already withdrawn their children from the public systems.”

Be that as it may, most people view vouchers in a positive light. Some 66 percent of blacks and 67 percent of Hispanics favor vouchers, as do 54 percent of whites. And, indeed, according to the *Newsweek* poll, most people (whatever their race) say they would send their child to a private or church-related school if they had vouchers that would permit them to “send that child to any public, private, or church-related school of your choice.”

But people understand quite clearly that, in the real world, they are not likely to get a voucher that will allow them to send a child to any school of their dreams. So it is not inconsistent that a majority of Americans, according to *Newsweek’s* poll, favor increasing funding for public education over providing parents with vouchers. Nor is it surprising that blacks, even more than whites, strongly support funding for public schools. Indeed, by a

**In order to eliminate the barriers to quality education, which of the following options would you prefer: increasing funding for public education OR providing parents with a school voucher so they can select a public or private school for their children?**

	Increase funding	School voucher	Don't know
All races	60	36	4
Whites	60	36	4
African-Americans	67	31	2
Hispanics	55	41	4

All figures are in percentages



**Russell Simmons**

Founder and CEO of  
Rush Communications Inc.

I think the *[Brown]* decision had something important to do with my ability to integrate across races and cultures and to help my companies thrive. I was bused to school. My being bused helped me get to know other people. It allowed me to move beyond my community.

I have a house in East Hampton. It never occurred to me that I had to be in Sag Harbor, where most blacks live. There were no black clothing companies before Phat Farm. I never knew what I wasn't supposed to do or be as a black American.

I don't know that I would be where I am today [if not for the *Brown* decision]. We'd all be in less fortunate positions. But I have to recognize what integration did to the black community. Forced integration was necessary but brutal in its impact within the black community—specifically on black businesses. Black lawyers, black doctors and black pharma-

cists who had been necessary in black communities were no longer necessary after the decision.

Our lack of self-esteem even played a part in companies and people from outside our communities taking over our businesses. When I look at it analytically, [integration] affected businesses in the black community negatively. But what I see for me are all these opportunities. Many blacks now have retaken the black market rather than accepting the opportunity of integrating their ideas into the broader society. Phat Farm, my company, is an American clothing company, not a black clothing company, as white business people often refer to it. That lack of vision by white corporations, or older people who run them, means they haven't accepted the diversity that's in America. That is how we, my company, built upon our opportunity—by capitalizing on their not appreciating what integration is.

I was recently on the Macy's department store main floor. They had Phat Farm, Sean John and Rocawear—all black-owned—on the floor. In the corner was Ralph Lauren's Polo, Tommy Hilfiger, Nautica, Calvin Klein. All of them were

margin of two to one, they support public school funding over voucher programs.

However much they might dream of seeing their children escape to a fancy private academy, black parents who are not affluent know that their children

will almost certainly end up in a public schools. They also know the way their children will be treated in those schools is likely to be different from the way white kids are treated. For despite all the progress America has made since

ice cold. They are distributed by major multibillion dollar companies, and none have invested in the new companies that are black-owned. That is because of their lack of vision.

You know there are still race issues in business. So even after the *Brown* case, there is a lot more struggling to do. It's not so much a legal thing. It's in the mind. Beyond that, the laws changing did have a dramatic effect. I certainly see America having become better at promoting itself as a melting pot. The next generation promises us something much better.

*Brown* had nothing to do with running videos from black artists on MTV. The black faces that got on were about the continuing struggle by young people. That kind of thing has a much greater effect on the psyche of America than even legal decisions. It is equally important that kids are making these changes and taking these positions regarding race.

White kids, by the way, are smarter than their parents because of school integration. The doctrine of white supremacy isn't as heavy on them, so that I can work with the children and do something cool. But for the black com-

munity, it was devastating. Many black businesspeople still have the mind-set that we have to do things for blacks only—when there is the opportunity to do something for everyone, no matter of race. Look at what *Ebony* magazine was able to do, and what Bob Johnson was able to do with BET. But then look at what MTV 1 and MTV 2 did by taking advantage of hip-hop. There's nothing to prevent a black hair-care company from marketing goods to whites.

There still is no equality of education in this country today. Many people don't like the idea of distributing the nation's resources in a way that will allow for that. We are still fighting to get equal education, despite *Brown*. That is an American goal we still haven't realized. We are going backward. I know my children's schools in Saddle River are like those in the inner city. There are nice schools here in New York and really horrible ones. The idea of equal education is one that we still have to work on.

Interview by JOHNNIE ROBERTS

*Brown*, Americans of different races still have fundamentally different educational experiences.

As research by the Civil Rights Project at Harvard and others have documented, black students, particularly black

males, are much more likely to be disciplined than whites. They are also significantly more likely—in most states, one and a half to four times more likely—to be designated as retarded or emotionally disturbed.<sup>34</sup> Black students are much



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less likely than whites to find themselves in classes for the intellectually gifted. As Amir Billups, a high-school senior in South Orange, New Jersey, put it: "You can look into the class and depending on how many black, Asian, Hispanic or Caucasian kids are in there, you can figure out what level the class is."

A 1996 study by the Association of Community Organizations for Reform Now (ACORN) found that New York parents of color were actively discouraged from considering academically challenging classes for their kids. The study sent white, Latino and black "testers" into schools in 16 community school districts seeking information for their children. Almost invariably whites were seen promptly, given tours of schools and received information on programs for the gifted, while parents of color were kept waiting and largely in the dark.<sup>35</sup>

Almost a decade later, according to ACORN, things are much the same. "We know that the New York City school system is still separate and unequal," said executive director Bertha Lewis. "You can pretty much predict that in poor neighborhoods, these [minority kids] are going to be the kids that are going to be left back." Norm Fruchter, executive director of New York University's Institute for Education and Social Policy, suggested

that it is likely a national trend. Since programs for the gifted have limited space, they're "going to try to discourage the people who [they] think can be discouraged," said Fruchter. "They would never call it segregation, but certainly separation," he added.

"It's not like people set out to say, 'How can we separate white kids from black kids, and make sure white kids get better opportunities?'" said Ross Weiner, policy director of the Education Trust in Washington, D.C. "Part of it is very well intentioned, but really destructive, sympathy: 'We won't expect them to meet the same standards that we expect more privileged kids to meet.'"

There will always be children who will thrive even under the worse conditions. Ntutule Tshenye, 34, executive director of the Youth Development Trust in Johannesburg, recalled his own education under apartheid. "We schooled under very difficult circumstances," he said. That was not only because he was poor and lacking in resources, but because study, for blacks of his generation, was actively discouraged. "It was almost like a betrayal to the masses to be seen as still focused on your schooling when there was a struggle to be fought." Nonetheless, he managed to get a university education and to become a school-teacher, a government official and now



head of a nonprofit organization. "There are a lot of blacks folks who, in the midst of the repressive order, have actually been able to come out," he observed.

"Under each school system, we've always had stars who were oppressed minorities. We will always have children of color excelling regardless of the system. I'm not talking about those children," said Lorraine Cortes Vazquez, of the Hispanic Federation. She was talking, instead, about the children *Brown* was talking about; about those sabotaged as they went to school.

"Today, education is perhaps the most important function of state and

local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the armed forces. It is the very foundation of good citizenship. Today it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is

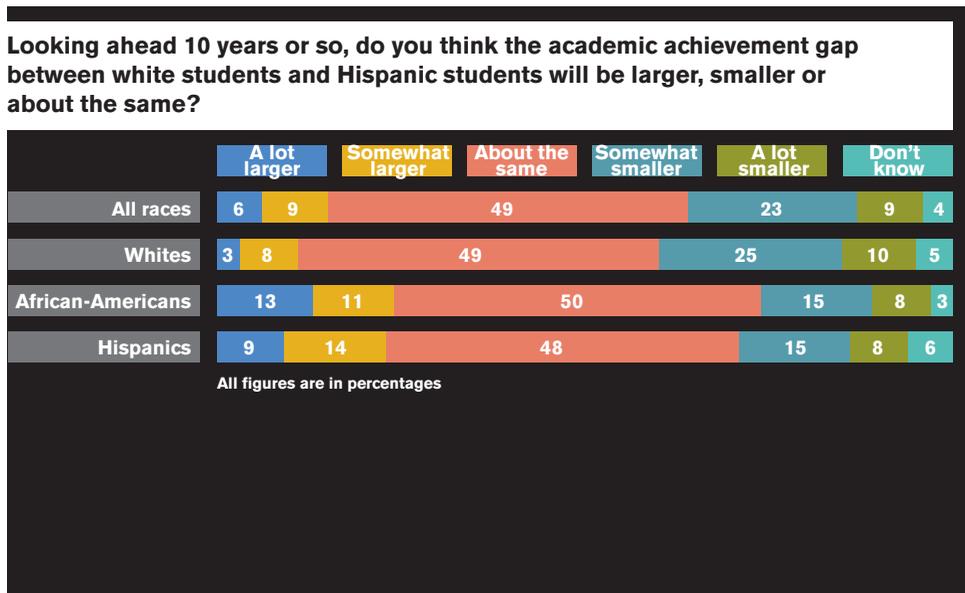
denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms.”

Those words, from Justice Warren’s decision, are no less true today than they were 50 years ago. Yet, for all the importance that we say we attach, as a society, to a decent education, we seem awfully reluctant to make it easy for certain people to get one. So you have people dying to work and yet unable to meet the minimal requirements. Don Herriott, president of Roche Carolina (in Florence, South Carolina) and chair of the governor’s Work Force Education Task Force, recalls a time not long ago when he was seeking 20 new employees. Some 549 applied, but only 63 passed the 12<sup>th</sup>-grade math and English exam required before the real weeding-out process began. Of the 18 who survived the initial interview process, only 14 made it

all the way to a job. Herriott was understandably flabbergasted—and subsequently testified in favor of the plaintiffs suing, in South Carolina’s poorest counties, for more resources for schools.

Education, of course, is about much more than money. Edmund Gordon, co-chair of The College Board’s National Task Force on Minority High Achievement and John M. Musser Professor Emeritus at Yale University, noted that there was a great deal of energy committed to reforming schools, “but there is not the same energy directed at things happening outside the school.” Peer influence, support at home, all the things sophisticated and affluent parents generally bring to the task, play at least as much of a role as what happens inside the school itself.

Mathata Madibane, project development specialist for USAID in South Africa, recalled working in the poor, black townships after apartheid ended and





### **Roger Wilkins**

Clarence J. Robinson Professor of History and American Culture at George Mason University

**B**rown created the springboard for my life, as a man who has integrated many top institutions—the Department of Justice, the Ford Foundation, the Agency for International Development, *The Washington Post*, *The New York Times*, *Washington Star* and George Mason University. After *Brown*, all these liberal institutions that had operated as typical American institutions needed well-trained black people. That became my career, a token with teeth.

I didn't plan a career like that. But I felt a need to speak up for people who didn't have the chances I did or the wherewithal to do it. I had faith that if I blew it at one place, I could go to another. None of this could have existed without *Brown*.

I watched a number of people in my parents' generation die really disappointed. They were stunned to see virile racism resurge. But I know things have changed since I have been here. The place is better.

Interracial understanding really does come about better when people know each other deeply and have good feeling about each other beyond race. A great friendship began when I was 12 and other white children were shunning me

at school, but this one kid said, "Let's walk to school together." We were friends through high school in Grand Rapids [Michigan] and remained friends until he died last year. Our relationship changed both of us for the better. I was much better able to get along with white people—with some exceptions—because of him. He became a judge in Grand Rapids and his widow told me that he was a much better judge and person because of our friendship.

Integrated schools are important also because that's where the dollars flow, with white parents. But there's no question that this society can take only so much idealism and only so much black advancement.

Society gave up on school integration real quick. There's too little faith in emphasis on quality for all children. We don't invest enough in quality education for a free society to function as it should. Quality education should be the emphasis. A family shouldn't have to spend \$18,000. Public, quality education is a right.

I don't know what the next battle will be, but there's a real need for significant infusions of resources into education in general, but for poor blacks in particular. We've got to think of quality education in inner-city schools by thinking of turning the poorest and lowest-performing schools into wraparound services; make the school a multiservice center to support children and their parents.

Interview by PAUL DELANEY

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being confronted with an array of obstacles. There was first the poverty, which meant there was little money for books and other supplies. Some children had only the light of a homemade candle in a peanut-butter jar to study by. Most of the parents were illiterate—at least in English. And school was not a place where many of them felt welcomed. “It was not like a church, where you feel a part of it,” said Madibane. She and her colleagues realized (just as Donka Panayotova realized) that part of their job was to “educate the parents.” So they arranged to put parents on school governing bodies and, in effect, forced them to become involved.

Poverty in America is not quite so unyielding as in the townships of South Africa; but in certain communities some of the dynamics of education are very much similar. And those tend to be the very communities that are shortchanged not just of money but of practically everything that makes an educational experience worthwhile.

Holding children back who don’t make the grade is far from a real solution. Ultimately, we must find a way to provide those kids who have fallen behind with the tools and the perspective that will turn them into graduates instead of dropouts—into successful adults instead of potential inmates.

The current court cases seeking “adequacy” in resources, even if successful, will take us only so far along the road to educational equity. The national dialogue on education that is emerging—from all these suits, all this testing and all these experiments with choice—must ultimately get beyond what happens in the school to what is happening in the larger society, and in the larger environment in which children exist.

How can we, as a society, give a child a decent education, even if he or she is born into the most indecent of circumstances? Ultimately, we must seriously face that question—if only because the fate of our great country will rest increasingly on the shoulders of its growing black and Latino populations. It is a question, in some sense, much bigger than *Brown*. But it really is what *Brown* was all about: equality of opportunity for those children of the children cursed by the country of their birth.

“Between me and the other world there is ever an unasked question: unasked by some through feelings of delicacy; by others through the difficulty of rightly framing it. All, nevertheless, flutter round it. They approach me in a half-hesitant sort of way, eye me curiously or compassionately, and then, instead of saying directly, How does it feel to be a problem? they say, I know an excellent

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colored man in my town; or I fought at Mechanicsville; or, Do not these Southern outrages make your blood boil? At these I smile, or am interested, or reduce the boiling to a simmer, as the occasion may require. To the real question, How does it feel to be a problem? I answer seldom a word."<sup>36</sup>

W.E.B. Dubois wrote those words over a century ago. Yet, in too many ways, when it comes to children of color, we continue to ask the wrong question. We poke and probe and test those kids as we wrinkle our brow and ask, with requisite concern, "How does it feel to be a problem?" when we should be asking: "What can we do to allow you to thrive? What have we not given to you that we routinely give to upper middle-class white kids? What do they have that you don't?"

Part of the answer, of course, is money and the intellectually stimulating playthings money can buy; but it is really much more than that. They have a society that grants them the presumption of competence and the expectation of success; they have an environment that nurtures aspiration, peers who provide support, and guardians who provide direction. If we are serious about closing the achievement gap, about realizing the promise of *Brown*, about decently educating those who begin with the least, we will have to ponder deeply

how to deliver those things where they are desperately needed. And we will not rest until we find the answers.

I suspect the answers will not be found in such things as rigid testing regimes, so-called choice programs, or in new and fashionable pedagogic techniques—useful as some of those things might be. They will be found, most likely, by a society collectively opening its heart to possibilities not normally seen in places and people perennially written off.

"I, too, sing America," wrote Langston Hughes, in a 1921 poem that voiced the yearning felt by America's "darker brother" to enjoy the bounty of America's main table—to be no longer shooed away into the kitchen to sit, undernourished, underdeveloped, unseen for what he was or could be. "I, too, am America," Hughes insisted.<sup>37</sup>

In the end, it may be that the true and lasting legacy of *Brown* has little to do with desegregation, as such. It may, instead, be that *Brown* put us on a path that will, ideally, let us to see children of color—and therefore our entire country—in a wholly new and beautiful light.

## End Notes

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- <sup>4</sup> Peter Schrag, "Final Test" (New York: The New Press, 2003), 1.
- <sup>5</sup> Patricia Gándara with Julie Maxwell-Jolly, "Priming the Pump: Strategies for Increasing the Achievement of Underrepresented Minority Undergraduates" (New York: The College Board, 1999), 9.
- <sup>6</sup> John L. Cubb and Tom Loveless, "Bridging the Achievement Gap," in "Bridging the Achievement Gap," edited by John L. Cubb and Tom Loveless (Washington: Brookings Institution Press, 2002), 1.
- <sup>7</sup> Richard Kluger, "Simple Justice," 2<sup>nd</sup> edn. (New York: Vintage Books, 1977), 3.
- <sup>8</sup> See Peter Iron, "Jim Crow's Children: The Broken Promise of the Brown Decision" (New York: Viking, 2002), 45-61; Kluger, "Simple Justice."
- <sup>9</sup> Shrag, "Final Test," 79.
- <sup>10</sup> *Ibid.*, 13.
- <sup>11</sup> *Ibid.*, 92.
- <sup>12</sup> Robert F. Worth and Anemona Hartocollis, "Johnny Can Read, but Well Enough to Vote? Courts Grapple With How Much Knowledge Students Need as Citizens," *The New York Times*, June 30, 2002, 21.
- <sup>13</sup> Martin Luther King Jr., "Letter From Birmingham City Jail," in "A Testament of Hope: The Essential Writings and Speeches of Martin Luther King Jr.," edited by James M. Washington (New York: HarperCollins, 1986), 296.
- <sup>14</sup> See, Bob Smith, "They Closed Their Schools," 2<sup>nd</sup> edn. (Farmville: Martha E. Forrester Council of Women, 1996) 37.
- <sup>15</sup> John N. Popham, "Reaction of South: 'Breathing Spell' for Adjustment Tempers Region's Feelings," *The New York Times*, May 18, 1954, 1.
- <sup>16</sup> Associated Press, "Sen. Byrd Sees 'Crisis' In Virginia," *The Washington Post and Times Herald*, May 18, 1954, 3.
- <sup>17</sup> See, Smith, "They Closed Their Schools."
- <sup>18</sup> Ellis Cose, "Bone to Pick: Of Forgiveness, Reconciliation, Reparation, and Revenge" (New York: Simon and Schuster, 2004), 19.

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- <sup>23</sup> Michael Dobbs, "Education 'Miracle' Has a Math Problem; Bush Critics Cite Disputed Houston Data," *The Washington Post*, Nov. 8, 2003, 1.
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