INTRODUCTION

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As we mark the 65th anniversary of Brown, there have been many changes since the ruling, but intense levels of segregation—which had decreased markedly after 1954 for black students—are on the rise once again.¹

Research shows that segregation has strong, negative relationships with the achievement, college success, long-term employment and income of students of color.²

Separate is still unequal. If we are serious about reducing racial inequality in educational opportunity, then, we must address racial segregation among schools. This we do know how to do, or at least we once did.³

When Thurgood Marshall and cocounsels first stood before the justices of the U.S. Supreme Court in 1952 and uttered the words that start every case in the highest chamber, “May it please the Court,” more than school segregation proved at stake. After a generation of legal contestation, with one precedent following another, the whole logic of segregation or separate but equal appeared up for nullification or recertification. Before the landmark Brown decision (1954), segregation had a deadly hold on all facets of life. It determined where one could live, whom one could marry, where one could learn, and with whom one could drink, eat, or be buried. Through accident of birth, segregation increased or reduced life expectancy, made property profitable or valueless,

¹. Erica Frankenberg et al., Harming Our Common Future: America’s Segregated Schools 65 Years after Brown (Los Angeles: Civil Rights Project, 2019), 4.
². Frankenberg et al., 4.
or pronounced one socially able and beautiful or unacceptable and ugly. From the vantage point of 2020, it is easy to forget how much was at stake when the Court ruled segregation, and the doctrine of separate but equal, unconstitutional because it violated the Fourteenth Amendment to the Constitution.4

The fight to truly desegregate America’s classrooms and end all vestiges of segregation faced many more skirmishes before we declared a transitional victory. Linda Brown and her contemporaries may have lent their names and circumstances to the facts that produced the landmark decision, but few of them directly benefited, ironically. Across the South and throughout much of the North and West, school systems reacted gradually, if at all, to mandates to end segregation. Massive resistance, interposition, and other tactics surfaced as public policy alternatives, delaying by as long as a decade and a half the complete end of state-sanctioned racial segregation in public education. It would be 1971–72 before most school districts in the South fully committed themselves to desegregating. Elsewhere, de facto segregation born out of state-enforced housing segregation ensured the need for busing and other tactics to create a proportionately mixed learning environment.

If the period from 1954 to 1971 can be thought of as the last gasp of Jim Crow, and the years between 1971 and 1978 can be viewed as the period when racial restitution mattered most, the years since the 1978 Bakke decision, which established that race can be one of several factors in composing a higher education class, may be viewed as the time when race blindness outlasted race awareness.5 The implications are profound and troubling when we look at the consequences for individuals and our nation. That conundrum—race neutrality in a race-conscious world—is the focus of Gary Orfield’s important new volume.

In it we are reminded that we go to school where we live, and this has sealed the educational fate of generations of students educated in low-resource, underperforming schools doubly segregated by race and class, and cut off for the most part from realistic pathways to college and jobs that foster intergenerational prosperity. Why? The American narrative has been written in color since its

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4. The Brown case, which amounted to the bundling of five cases in total, was first argued before the Supreme Court in December 1952 and reargued in December 1953. Before the second round of arguments was heard and a ruling rendered, Chief Justice Fred Vinson Jr. died of a heart attack. His replacement was Earl Warren, former governor of California. The Court rendered its decision on May 17, 1954, in Brown v. Board of Education, 347 U.S. 483.

founding days, and colorblind rhetoric aside, it still is, as Khalil Muhammad asserts: "No Racial Barriers Left to Break (Except All of Them)." Every aspect of our history and our contemporary social fabric is shaded by an apparent inability and lack of will to live and learn together on any remotely level playing field. Whether we are speaking of de facto or de jure segregation, across the centuries, we have erected laws, policies, and practices. Sometimes we acted harshly and violently, many times much more routinely, even papering over practices that separated and disadvantaged with lofty rhetoric. The result was the architecture of segregation from the South to the North, stamped with the force of the “color of law.” It is seen in group contexts that range from Native American reservations to migrant farm communities, from rural coal-mining towns to red-lined urban public housing. Moreover, when we do not live together, we, by necessity of long-accepted public policy, do not learn together either. Unlike the civic-religious space that Eboo Patel, in our last volume in this series, identified as a possible common ground for the hard work of civic pluralism, schools are not typically open to redesign, except by law, and that history is painfully full of the fits and starts that this volume documents, across the ups and downs that have charted the unfinished dreams of Linda Brown and her peers.

Nonetheless, as relentless as this narrative of educational segregation has been and still is today, there have been small windows of sunlight through an otherwise silhouetted opening, moments when the value of integration, from housing to schools to universities, has shown through in policy and practice, and even in law. We have all experienced these windows of possibility, some firsthand, and we have seen them close as well. One of us grew up in a Southern state and directly experienced the hazards of a segregated learning environment, as well as the benefits of active integration. Born just in time for the Brown II (1955) decision that instructed Southern schools to desegregate “with all deliberate speed,” he attended segregated schools in Virginia until the fall of 1971. His classmates

represented the transitional generation, Blacks, whites, and others, who went to segregated schools most of their lives and then became a part of the cohort that massively desegregated the South's public schools. After 250 years of slavery and nearly one hundred years of segregation, reform in the civil rights era assumed color-conscious policies to redress old wrongs. These policies aimed to put in place Brown’s promise of integration and not just desegregation. Integration, after all, required the sharing of power and not just the removal of obstacles to mixed school attendance.\footnote{Genevieve Segal-Hawley, \textit{Miles to Go: A Report on School Segregation in Virginia, 1989–2010}, with Jennifer Ayscue, John Kuscera, and Gary Orfield (Los Angeles: Civil Rights Project, March 13, 2013). See also Lewis, “History and the Common Good,” 583–85; and Rucker C. Johnson, \textit{Children of the Dream: Why School Integration Works}, with Alexander Nazaryan (New York: Basic Books, 2019).} One of us lives in a Northern state where the state constitution actually strongly outlaws separate and unequal schools, along with the housing policies that often promote such segregation. Repeated lawsuits in that state, including one very recently, have put a spotlight on just how hard it has been to realize that constitutional protection even with the best of intentions.\footnote{Bodie and Parker, “Linda Brown”; Gary Orfield, Jongyeon Ee, and Ryan Coughlin, \textit{New Jersey’s Segregated Schools: Trends and Paths Forward} (Los Angeles: Civil Rights Project, November 2017).}

Nor are the assaults on the color-conscious policies that grew out of years of slavery and segregation limited to primary and secondary education. The Bakke doctrine’s preference for diversity subordinated and nearly removed any hint of the significance of race in America’s past and present—in social and public policy as well as attitudes and behavior. That said, both of us understand the social choices at stake. We understand the value of diversity for improving the learning experiences of majority and nonmajority learners. We know that students who learn in such environments go on to play a more active role in the civic interests of the nation, exhibit a higher tolerance for competing viewpoints, and know how to work better in groups. We also know the consequences that arose when the Supreme Court allowed a major midwestern public university to pursue affirmative action in college admissions, only to see it dismantled by a state-level referendum.\footnote{Patricia Gurin, Jeffrey S. Lehman, and Earl Lewis, \textit{Defending Diversity: Affirmative Action at the University of Michigan}, with Eric Dey, Gerald Gurin, and Sylvia Hurtado (Ann Arbor: University of Michigan Press, 2004).}

We also appreciate what’s at stake for the country and our democracy. As William Frey has chronicled, over the last several decades we have witnessed
an explosion in the diversity of talent ready and wanting cultivation. Yet we must all worry about our ability to handle this assignment, faithfully and effectively. Old assumptions about who’s eligible for admission may need to give way to new methods of identifying and developing talent. What if our testing moved from a focus on institutional access to success once one gains admission? This is not a vacuous question. Higher education, especially public higher education, must fulfill the task of serving as an engine of opportunity and social mobility for what is quickly becoming the new majority (of our populace).

We have argued throughout this book series that the compelling interests of diversity and inclusion, for civil rights, for social connectedness, and for full participation, especially in the face of that demographic explosion, could not be more critical than they are today, and maximizing educational opportunity is at their very core. Orfield makes just this point throughout the present volume, forcefully reminding us of the steep challenge we face. He does so by juxtaposing an analysis of the short-lived successes of the color-conscious school integration era with the four (colorblind) decades that followed. The measurable, material outcomes bear tangible implications for individuals, communities, and the broader society. As Orfield has said, “A society which fails to develop the talents of a vast share of its people and creates a permanent reality of racial and ethnic subordination is a society with wasted possibilities and a threatened future.” As stark as is that diagnosis, it comes with evidence that cannot and should not be ignored. This is particularly so in a knowledge economy in which education and prosperity are inextricably intertwined. For as Scott Page demonstrated in his volume in this series, success for all depends on reaping the diversity bonus that comes from the collective intelligence of full participation.


Succeeding in a Very Short Time of Race Consciousness

Yet what is less often told these days (in our aspirational “colorblind” world), and what Orfield importantly emphasizes in this volume, is the force (albeit short-lived) and effectiveness of the (civil rights movement–inspired) federal interventions of the decade of the 1960s. While those interventions requiring school desegregation plans principally had their effects on the educational opportunities of Black students in the South—ignoring, by contrast, Native Americans in isolated reservation schools and never reaching waves of Latinx immigrating into doubly segregated low-resource communities—they had a very real impact. As Orfield notes, “Within the space of five years of active enforcement, the schools of the South had become the most integrated in the nation.”

The effectiveness of that brief period of government interventions delivers a powerful message to keep in mind today. Not that long ago, students from less advantageous family backgrounds had multiple pathways to securing top-flight educational opportunities. In recent years several factors coalesced to stymie those advances, be they the courts, the appeal of neighborhood schools shaped by unchecked housing segregation, or an overreliance on standardized testing. Indeed, we now see court cases dismantling even voluntary desegregation plans (*Parents Involved*),¹⁸ and the composition of Northern schools is following divides along classic lines of race and class. Even highly selective public high schools in otherwise liberal cities like New York City fall prey to the disparate impact of standardized admissions testing on the racial and socioeconomic diversity of their enrollees. Consider, as just one example, the fact that magnet public high schools, which have traditionally been an enormously important road to social mobility in New York City, are no longer populated by large numbers of Black and Latinx students. For example, Stuyvesant High School has gone from enrolling 10.3 percent Black students in 1971 to only 0.8 percent now.¹⁹ Similarly, in neighboring New Jersey, a highly diverse and immigration-dense state, the suburban-urban divide has taken its toll on school integration, such that it now is home to the sixth most segregated school in the country for

Black youth and the seventh for Latinx youth, while 80 percent of Black and Latinx students in racially segregated schools in the state come from low-income families.20 And we know double segregation by race and class is a poor prognosis for educational attainment down the line, as Sean Reardon and his colleagues preview in a recent comprehensive study of eight years of data from all public school districts in the U.S. To quote their conclusion directly, “If it were possible to create equal educational opportunity under conditions of segregation and economic inequality, some community—among the thousands of districts in the country—would have done so. None have.”21

Turning Our Backs on Linda Brown’s Dream of Educational Opportunity

How, then, did we, a country built on the aspiration of *E pluribus unum* and the strength to be garnered in civic life from unity in diversity, come to turn our backs so sharply on Linda Brown’s dream in the education of our future majority? How is it now that public schools like Stuyvesant and scores of others from South to North, West to East, no longer can be counted on to ensure the educational road to full participation of our increasingly diverse generations on a path to college in our knowledge economy, signaling a distinct problem for the prosperity of our nation going forward? The answer, as Orfield compellingly tells us in this volume, rests in large part on three elements: First is the forty-year myth of the merit of colorblind educational policies and practices for primary and secondary schooling. Second, colorblind policies and practices are further hampered by the tenacity of residential segregation in the United States and the concomitant segregation of the nation’s public schools. And third, there is no escaping the cumulative racial inequalities and concentration of poverty that take such a toll on children and families and that then spill over to define life at school. As he says, schools are supposed to be the equalizer, but they are not anymore. “The fact that a very large share of Black, Latino, and Indian students are concentrated in the schools dealing with the constant challenges of students and families devastated by

21. Reardon et al., ”Is Separate Still Unequal?,” 35.
poverty, and often almost totally isolated from middle-class students and families, is an incredible obstacle on a path to college.”

It is precisely that path to college that must now be reconstructed, but it will not happen if we close our eyes to the realities of race in America. It will not happen if, instead of engaging in activism reminiscent of the civil rights era, we show a relentless penchant for blaming achievement gaps on the very children, teachers, and schools that suffer under the colorblindness that has dominated since the Reagan administration’s turn away from school integration starting in 1981. We need, rather, to face the ways in which we as a nation have condoned persistent opportunity gaps and turned our backs on the color-conscious policies and practices that created a generation of “children of the dream,” profiled by Rucker Johnson in his account of the successful paths of Black students in the integrated schools of the South, during the brief life-span of civil rights progress. We need, as Orfield outlines in this volume, color-conscious policies that systematically create learning environments, especially in high schools, with college-preparatory curriculum, strong and consistent teaching, college counseling, peer expectations for college, and early exposure to college life. We know how to create these learning environments, and study after study shows how the school choice landscape of the past several decades has led even outspokenly progressive parents of white students understandably to choose those largely segregated but successful learning environments for their sons and daughters, while neighborhood-based district policies result in the double segregation by race and class that persistently derails students of color from the pathway to college and upward social mobility. As this volume asks, are we ready as a nation to systematically change policies and practices in order to embrace the talents of the new majority?

Showing the National Courage to Embrace Our Diverse Future

This book series, Our Compelling Interests, is built on the aspirational premise that diversity is an opportunity, one that our nation ignores at its own peril, and as Orfield convincingly articulates, we simply cannot go forward leaving


so many on the sidelines of educational attainment and therefore without a fighting chance at economic prosperity. If the inequality gap between the richest and poorest households in the United States now stands at a fifty-year high,\textsuperscript{24} and inequities in access to good jobs by race and ethnicity have substantially grown in recent decades,\textsuperscript{25} just imagine what it will look like as Frey’s “diversity explosion” continues to remake the face of America and yet we do nothing affirmative about educating the very groups that are growing and that have historically been excluded. We need instead a policy about-face on the order of the 1960s civil rights and war on poverty platforms. We need new approaches to districting to desegregate our schools while we also work to revamp the learning environments in our neighborhood schools. We need colleges and universities, especially public institutions, to engage in expansive talent search and support programs that reach what Anthony Carnevale and his colleagues say is already an available pool of Black and Latinx college-qualified students. Such an effort would help equalize representation by race and ethnicity at selective public colleges,\textsuperscript{26} so long as state and federal financial aid policies shift back to take the burden of higher education off the backs of low-income families. And yes, all of this and the many other specific suggestions in this volume will take hard work and collective commitment, but do we have a choice? How can a nation imagine a future without educational opportunity broadly spread to change the equation for the Black and Latinx children of urban metros, the poor white students in rural Appalachia, or the Native Americans forgotten and isolated in reservation communities across their rightful land? Moreover, as John B. King Jr., former secretary of education, reminds us pointedly, “Diversity is no longer a luxury; it’s essential for helping our students get ready for the world they will encounter after high school and, increasingly, throughout their lives.”\textsuperscript{27} It is our collective responsibility to step to the plate as we once did, and perhaps then we too can make pivotal changes like those that were achieved in a decade that empowered a generation long grown of children of the dream.


\textsuperscript{25} Anthony Carnevale et al., \textit{The Unequal Race for Good Jobs} (Washington, DC: Center on Education and Workforce, Georgetown University, 2019).

\textsuperscript{26} Carnevale et al., \textit{Our Separate and Unequal}.