ABSTRACT: Modern educational reform owes much to the legal team and educational leaders who fought to make equal educational opportunity a reality for Black students in the United States of America. Their efforts helped to dismantle American apartheid; a.k.a. Jim Crow, a system of allocating human and civil rights according to assigned or assumed ‘racial’ classifications. The 1954 Supreme Court concluded that the doctrine of “separate but equal”, initiated in 1896 under Plessy, has no place in public education and separate educational facilities are inherently unequal. Since the 1954 decision of Brown v. Board of Education Topeka, Kansas “separate is inherently unequal” has been the mantra used by advocates of desegregated schools. The purpose of this research is to question commonly held wisdom promoting the idea that if things are separate, they must be unequal. Integration, it follows, is then sought as the solution to the problem of inequality. I argue that we abandon such reductive logic and focus our energies on battling the racism that results in segregation. Seeking integration to overcome segregation without addressing racism does not solve the problem of unequal educational opportunity.

Separate is Inherently Unequal: Rethinking Commonly Held Wisdom

In 1954 the Supreme Court under Chief Justice Earl Warren concluded that the doctrine of “separate but equal”, initiated in 1896 under Plessy, has no place in public education, and separate educational facilities are inherently unequal. Since the 1954 decision of Brown v. Board of Education Topeka, Kansas “separate is inherently unequal” has been the mantra used by advocates of desegregated schools. I argue that separate and equal are not mutually exclusive terms conceptually. In theory it is possible to have separation and equality exist at the same time. The difficulty in achieving such in practice, given the historical evidence from 1896 to 1954 where the American education system tried to adhere to Plessy’s mandate, is what I believe prompted the Warren Court to conclude that it was not possible. The rationale behind this impossibility seems to have been that the essential nature of separateness precluded achievement of equality of condition. Perhaps the social, political, and economic realities of competing resources in one society is what prevents theoretical possibilities from becoming practical realities. Interpreting the Brown decisions as the solution to a long history of marginalization and inequitable education for Black people is simplistic and was not, I posit, the intent of the civil rights advocates working toward desegregating schools. The categorization of “separate but equal” as bad and the use of “separate as inherently unequal” as the solution is problematic for at least three reasons. The first most obvious reason is that prior to 1954, “separate but equal” does not accurately describe education in the U.S. We do not need to look far for evidence that Black schools were not funded equally to White schools (Anderson, 2001; Anderson, 1988; Walker, 1996). Schools are unequal when they are unequally supported. Instead of busing Black students to White schools, Anderson (2001) declares that the Supreme Court should have “bused” more money, better instructional materials, trained staff, and newer equipment to Black schools.

Second, research on the benefits of desegregation is mixed at best (Schofield, 1995). Research has shown that separate (segregated) environments, when constructed for the benefit of those being educated, can increase learning
opportunities and result in improved academic achievement. Some females do better in content areas when all their classmates are female (Sadker & Sadker, 2002). Other examples of separate models that have had at least some degree of success include some African-centered schools (Pollard & Ajirotutu, 2000) and schools providing language instruction in the home language for immigrants for large portions of the school day (Olneck, 1995). A critical examination of research on segregated and desegregated models suggests a more complex picture than “separate is inherently unequal” implies on the surface. In advocating an educational model that meets and serves the needs of Black children, Anderson (2001) holds that the test of such a model is whether it empowers Black people to effectively compete, achieving success in political and economic market places.

Third, bringing diverse groups together when members of one group have wielded power over members of another group, without giving explicit attention to changing the imbalance of power and status, will not resolve conflicts (Allport, 1954). As Woodson (1933) points out, sending Black students to school to be educated by their oppressors is not in the best interest of Black people. In addition, the mis-education of the White students who are taught they are superior is detrimental to both White people and Black people (Woodson, 1934). An appropriate education for all groups, whether in segregated or desegregated schools, would be based on a curriculum that recognizes the histories of all groups and stresses equality, not inferiority or superiority of particular groups. My perspective on the Supreme Court ruling does not imply that the decision was misguided. The intent to overturn Plessy was absolutely appropriate. However, it is instructive to reflect upon the rationale and arguments that supported Brown as we seek solutions to closing the academic disparities between racial groups in U.S. schools and reducing barriers to full, equitable participation in society (Cummins, 2000; García, 1999; Kincheloe, Slattery, & Steinberg, 2000; Stephan, 1999).

The primary purpose of this research is to question commonly held wisdom promoting the idea that if things are separate, they must be unequal. A corollary purpose is to critically investigate the Brown decisions, explicitly making links between social theories (e.g., deficit theory, contact hypothesis, and the colorblind perspective) and curricula, and instructional practices and policies that continue to miseducate the nation’s students. The term ‘mis-educate’ was coined by African American historian and educator Carter G. Woodson with his classic work, The Mis-Education of the Negro (1933). His premise was built around the notion that one’s education should have redemptive value, for both the individual and the group. Mis-education is particularly problematic for oppressed groups who are led to believe that an education will reduce their oppressed status. The fact of the matter is that the education they receive from the oppressor only reinforces their oppression and can only be redeemed in service to the oppressor. I discuss the history of Black students’ educational opportunities before and after Brown and purpose to answer the question: If after more than fifty years following the Brown decisions we still have visible, acknowledged disparity in academic achievement, levels of education, and earned incomes levels correlated with group membership, then we need to ask what, besides segregation, negatively affects the educational opportunities of Black students? How can we educate rather than mis-educate Black and White people?

I maintain that the goal of the legal team who prevailed in the Brown decision was part of an overall larger goal articulated by Black people in Jim Crow America, which included achievement of fair and equitable treatment in all aspects of civic life. Specifically, the Brown dream team sought to dismantle the legal barriers that prevented Black children from attending school with White children by proving to the courts that separate but equal schooling was not possible in Jim Crow America. The children of former slaves and free Black people wanted America to live up to the ideals set forth in the Declaration of Independence and the Constitution as advanced by the Thirteenth, Fourteenth, and Fifteenth Amendments. It was clear that the “truths” mentioned in the Declaration were not “self-evident” for Black people because daily reminders assured them inferior status in American society. Brown lawyers strategized to address the lack of institutional and legal power needed to overcome this disparity in treatment.

Were the Brown advocates naïve to think that dismantling the legal barriers to educational segregation would automatically or eventually dismantle the racist hegemonic forces that inspired Black and White resistance to desegregation? The rationale for resistance to integration among some Black people probably stems from experiencing the disdainful and inhumane treatment White people accorded Black people. They realized that the road to equality and full acceptance of their fellow American citizens was paved with too many bumps; bumps that would severely diminish their quality of life. It is difficult to imagine that the Brown legal team would think that racism would subside once Black children were able to sit next to White children in the classroom. It is equally difficult to believe
they expected that Black student achievement and educational opportunity would suddenly be on par with White children once access to the same instruction and facilities was achieved. The Brown decisions were the beginning, not the solution. Our educational system has missed the real message of Brown—to end racist educational policies and practices. I recognize the Brown decisions as the beginning of a long trek towards parity and equality, not the ultimate solution to educational and civic disparity. The time to return to the unfinished business of Brown, that is to end the mis-education of all American students and to acquire equitable educational opportunities for Black and other students of color, is long overdue.

This article is organized in the following way: I first review historical accounts of Black educational opportunity in the United States beginning with a look at how legal precedence established during and after slavery set the tone for educational opportunities for future Black generations. I then assess the ways in which Black educational opportunity has been politicized in ways that have rendered true educational reform powerless to produce positive change for Black people. Next, I attempt a literal critique of Brown by asking whether or not separate is inherently unequal. In the final sections of the paper, I problematize Brown by engaging conditions proposed by Allport (1954) necessary for successful intergroup relations as the basis for advocating for critical curricular and instructional practices and policies that return to the intent of the Brown legal team. Lastly, I discuss specific leadership, curricular and instructional policies and practices that are empowering and anti-racist, which reflect the essence of Brown. Fifty years of post-Brown research has demonstrated that racism continues to be a problem in schools and society (Spring, 1994). Forced desegregation of public school systems alone has not solved what appears to be the fundamental problem, institutionalized belief in White superiority and Black inferiority. Without a focused assault on racism in public schools and civil society, racism will continue to undermine the noblest intent of Brown, the promotion of the inherent equality of all peoples.

My objectives are to re-analyze the strategies that won Brown and propose similar strategies to disrupt the direction of education of Black people since Brown. This analysis of Brown is significant because it provides a rationale and path for future educational scholarship to honor the Brown legacy by accepting the baton and running in the right direction, towards anti-racism in K-12 education, in teacher education programs, and in school leadership preparation. Development of anti-racist political representation and anti-racist socio-economic policy formation is what is needed to continue the legacy of Brown. Without a rededication to the ideals of the struggle and a recommitment to the principles and values that energized the early movement, we are destined to repeat past mistakes and not enjoy the progress that comes with learning the lessons from such mistakes. As educators, we have the tools to educate rather than mis-educate all our students.

**Method**

The inspiration for this article comes from the heightened attention various academic circles directed towards the 1954 Brown decision at its 50th anniversary. During 2004 and 2005 many educational institutions called upon educators to revisit the landmark decision that outlawed segregation in American public schools by hosting professional conferences dedicated to the issue. Some chose themes focused on how Brown has impacted our current educational profile and future outlook. I attended several of these meetings and took copious notes while listening to the many veteran and neophyte scholars on the panels. The conversations and dialogue I engaged in at the meetings carried over to further discussion back at my home institution with colleagues. My research was informed by articles such as “Landing on the Wrong Note: The Price We paid for Brown” by Gloria Ladson-Billings (2004) where she poetically chimes “Brown is neither the panacea that we imagined, nor the problem that we experience. Rather it is the hope that landing on the wrong note does not signal the end of the music” (Ladson-Billings, 2004, pp. 11-12). I became familiar with many of my sources while doing research for my dissertation three years ago, which I like to think, has established my academic research agenda for many years to come. By combining online query with traditional library research I have been able to expand my references related to this topic. This paper attempts to build on my primary interest in social justice critique.

**Historical Review of Black Educational Opportunity**

A review of United States legal history as it pertains to the social status of Africans in America serves as an instructive guide towards a better understanding of the struggle Black people face for equal educational opportunity in America prior to the 1954 Brown decision. Article I, Section 2 of the Constitution adopted in 1787 counted an African
slave as three-fifths of a person for the purposes of representation in the new government. This proviso remained a part of the Constitution until 1868 when the 14th Amendment (Exploring Constitutional Conflicts, n.d.) was ratified, which granted whole personhood, citizenship, and due process under the law to newly freed slaves. Reconstruction was a brief period (1865-1877) during which America made monumental strides towards racial reconciliation and Black people seized unprecedented opportunities to get an education and secure political representation. However, the gains would be short lived and Black people entered a nadir, a period of time at the end of the 1800s and beginning of the 1900s (roughly 1878-1915), when Ku Klux Klan terrorism, disfranchisement, and Jim Crow segregation relegated Black people to the lowest rung of social and civic hierarchy. This social and civic position was notoriously blatant in the southern states and more subtle in the northern states, but no less detrimental. Constitutional amendments were rendered powerless against the aggressive White assertion of hegemony over Black people. The 1857 Supreme Court Dred Scott decision had already deemed Black people not worthy of any rights by which White people were bound to respect and paved the way for another Supreme Court ruling, Plessy (1896), which established the “separate but equal” doctrine that became the key legal sanction for Jim Crow laws. Plessy thus became the linchpin in defense of segregated life in America including, but not limited to transportation, social affairs, civic life, and schooling.

In Radicals and Conservatives, Philip Rieff designates Kelly Miller (1968) as one of the dominant intellectuals of Black America from the turn of the century to the 1930s. Miller’s 1908 essay on the Negro’s early struggles for education acknowledges as well known that slave owners discouraged the dissemination of literary knowledge among persons of African descent, and, in most cases, positively prohibited their being taught. But, despite the rigid regulation, Miller adds, there were many slaveholders who taught their slaves to read and write. Puritan Cotton Mather not only enjoined other masters to enlighten their slaves, but in 1717, set the example by opening a school for Native and Black people. The school was to remain open for two or three hours every night in order to instruct “Negroes and Indians in reading the Scriptures and learning their Catechisms” (Greene, 1971 page 238). Evangelical proselytizing of slaves led to some of the first attempts to provide education for them (Nash, 1988; Franklin, 1969; Greene, 1971). Although the work of several individuals and religious societies such as Nathaniel Pigott, John Eliot, the Quakers, and the S.P.G. (Society for the Propagation of the Gospel), were primarily directed at the spiritual welfare of the slaves, many paid requisite attention to secular instruction as well.

While yet a British colony in 1740, South Carolina took the lead in directly legislating against the education of people of color. Miller documents the laws there and in several other states that forbid the establishment of schools for Black people and threatened punishment for those persons teaching them to read and write. For instance, in Georgia the following law was enacted in 1829:

If any slave, Negro, or free person of color, or any white person, shall teach any other slave, Negro, or free person of color to read or write, either written or printed characters, the said free person of color or slave shall be punished by fine and whipping, or whipping, at the discretion of the court; and if a white person so offend he, she or they shall be punished with a fine not exceeding $500 and imprisonment in the common jail, at the discretion of the court (Miller, 1908, 1968, p. 262).

Despite such laws on the books throughout many states, schools existed throughout the north and the south operating in both open and more clandestine manners. In fact, Greene (1971) credits Quaker influence as largely responsible for the unique clause in the Rhode Island Emancipation Bill of 1784 making it compulsory that Black children be taught to read and write. Even though South Carolina had outlawed Black education, there were still colored schools in Charleston from 1744 to the close of the Civil War. Census records of free African Americans attending school in slave and free states in 1850 and 1860 show surprising numbers. They indicate that there were 4,414 free Black people enrolled in school in slave states in 1850 and there were 3,661 in 1860. There were 28,627 free Black people attending school in free states in 1850 and 22,800 in 1860.

Abraham Lincoln, when president, thought that with education, Black people would qualify for citizenship, at least on a restricted basis (Franklin, 1969). W.E.B. DuBois (1935) noted the phenomenal advance of Black people in
education during Reconstruction. He considered the fact that Black people sought to prepare their own teachers as most significant. Carter G. Woodson, in his 1934 study of the *Negro Professional Man and the Community*, notes that the teacher was often respected as the leader of the community, receiving competition only from the preacher. With the help of abolitionists, the Freedmen's Bureau, and other missionary and church organizations, literacy rates among the newly emancipated Black people skyrocketed. Although the Bureau achieved its greatest success in education, it also organized freedmen's courts and boards of arbitration since it was felt that the interest of Black people could not be safely entrusted to local courts. The freedmen's courts had civil and criminal jurisdiction over minor cases where one or both parties were freedmen.

Frazier (1962) emphasized that from its inception, the education of Black people was shaped by bourgeois ideals. The northern missionaries established schools that taught the Yankee virtues of industry and thrift. Since practically all of these schools were supported by Protestant church organizations in the North, they sought to inculcate in their students the contemporary ideals of Puritan morality. In the pious atmosphere of the missionary schools, says Frazier, the students were found to be listless. The students obviously resented the rigid system of control but often submitted silently for fear of losing an opportunity to secure an education. The only concession made to the Black peoples’ culture was that the students were required to sing spirituals for the White visitors. Finally, Frazier (1962) notes, “though the school was saturated with religious feeling, the required religious activities were designed to wean them from the religious emotionalism of the Negro” (p. 68).

Today's proponents of African-centered education (Shujaa, 1994; Asante, 1993; Madhubuti & Madhubuti, 1994) describe contemporary school scenes as does Frazier and argue against the cultural hegemony that threatens cultural genocide to millions of unsuspecting Black children and their parents. Cultural hegemony is practiced in educational systems when Black students are sent covert and overt messages that their cultural traditions contribute little or no value to their academic achievement. For example, many Black cultural traditions are rooted in churches where emotional expression via song, dance, and the spoken word is valued. The American educational system seems to find emotional expression incompatible with academic achievement. Thus students who value such traditions that reflect their heritage must discard them and adopt the cultural traditions practiced by the dominant culture to increase their chances of success.

From the early days of slavery, Black people have equated educational achievement with liberation (Scott, 1976). Slaveholders who offered religious instruction to slaves as a means of creating obedience (slaves were taught to obey their masters) did not realize, at least early on, that many slaves would develop language skills, political ideologies, and social values appropriate for organizing protest of their condition. In his oft-quoted treatise, *Miseducation of the Negro*, Carter G. Woodson (1933, 1977) speaks to the notion of education for liberation. He warned in 1933, “When you control a man's thinking you do not have to worry about his actions… He will find his proper place and stand in it” (p. 84). If in fact this is true, then it makes the struggle for liberation most difficult through educational systems designed and controlled by oppressive structures.

**Politcized Assessment of Black Educational Opportunity**

Paulo Freire (1970, 1993) reminds us that there is no such thing as a neutral educational process. Education either functions as an instrument that is used to facilitate the integration of the younger generation into the logic of the present system and bring about conformity to it, or it becomes “the practice of freedom,” the means by which men and women deal critically and creatively with reality and discover how to participate in the transformation of their world (Freire, 1993). The development of an educational methodology that facilitates this process brings to visibility tension and conflict within our society. Debate continues among conservatives, radicals, and liberals as to how education relates to the 'American Dream.' Alliances continue to form and dissolve depending on the particular issues and prizes at stake. Giroux and Freire identify the common bond among the shifting factions: their aggressive defense of schools as strategic sites for cultural production and economic renewal (Holtz, Marcus, Dougherty, Michaels, & Peduzzi, Marcus, 1989).

The most radical space of possibility in the academy is the classroom, says bell hooks (1994). She validly insists that all who care about education open their minds and hearts to enable knowledge beyond the boundaries of what is currently acceptable. To do so allows thinking, rethinking, creation of new visions, and celebration of teaching that
invites transgressions where boundaries are met and surpassed. Such a movement, hooks argues, will make education a liberating ‘practice of freedom’ (hooks, 1994).

Many academics have long promoted education as one of the key means by which to overcome institutionalized racism (Scott, 1976; Anderson, 2001; Guinier, 1998). Scott (1976) makes an interesting point in suggesting that the difficulty people who are not Black may have in imagining education for use as a means to achieve liberation, since they generally tend to think of education as a prerequisite for economic payoff as opposed to political payoff. Education for Black people has traditionally been oriented toward political payoff well as an often-illusory economic payoff. Anderson (2001) blames structural racism for the limited employment options available to Black people, thus forcing them to use education as an empowerment tool to achieve social and civil rights before achieving economic rights. Though Black people have demonstrated spectacular educational achievement, and a total willingness to be long suffering, they have been duly challenged to translate those educational achievements into economic gains.

Liberatory education demands achievement. Madhubuti writes in his foreword to Mwalimu Shujaa’s (1994) book Too Much Schooling Too Little Education: A Paradox of Black Life in White Societies, that Black students must have deep understandings of the political, racial, economic, scientific, and technological realities that confront the very survival of African people locally, nationally, and globally. When Black students realize that all education is foundational (intended to establish a basis for understanding and growth), they will also realize, and not be disappointed when they discover, that economic payoff is not an automatic result of their academic credentials. Madhubuti (as cited in Sjikaa, 1994) further encourages student grounding in a worldview that promotes cross-cultural communication, understanding, and sharing. One must be self-protective enough to realize that the world is not fair and that one’s own interests often conflict with the interests of others, especially when race is involved (Madhubuti, 1994 as cited in Shujaa, 1994).

Education for liberation finds one of its most outspoken proponents in Molefi Asante, an African American professor who is sometimes called the father of Afrocentricity. Asante (1993) clarifies, that Afrocentricity is not a matter of color but primarily of perspective, that is, orientation to data. That Afrocentrists use data and facts in making analyses is less significant to theory than determination of a position from which to view phenomena and gather data. Ultimately, Afrocentricity is a perspective that allows Africans to be subjects of historical experiences rather than objects on the fringes of European thought. The Afrocentrist seeks to move the African from the fringes to a centered position of thought and experience.

Historian Arthur Schlesinger challenged Asante’s (1991) “Afrocentric Idea of Education” with “The Disuniting of America” (Schlesinger, 1998). Asante's basic premise holds that the traditional emphasis on White European history and culture, and the disregard of African history and culture, alienates Black schoolchildren, who find it difficult to feel attachment to the content being offered. Educational psychologist Hilliard (2001) notes that there is a vast amount of important information about African people that everyone, not only Black schoolchildren, should be aware of. Schlesinger (1998) denounces the Afrocentric movement as an extreme example of a “cult of ethnicity” (p.20). He is supported by David Nicholson (1990) in “Afrocentrism’ and the Tribalization of America: The Misguided Logic of Ethnic Education Schemes” where he argues that the sweeping call for inclusive curricula is based on untested, unproven premises. Nicholson further argues that such curricula would intentionally exaggerate differences and thus likely to exacerbate racial and ethnic tensions (Sizemore, 1989, as cited in Holtz et. al, 1989, page 95) would counter that the ‘tensions’ Nicholson thinks are the result of an inclusive curricula are actually the harvest of the destructive seeds of racism, sexism, and poverty.

No historical account, however brief, would be complete without a review of the famous ‘debate’ on whether Black people should pursue a classical liberal arts education or adopt an industrial education. The symbolic figures in this debate were W.E.B. DuBois and Booker T. Washington. Around the time of Plessy (1896), Booker T. Washington became the most prominent African American proponent of industrial education. Frazier (1962) describes the dismal scene as one where the disfranchisement of Black people was being achieved through law. Public education for Black children was a mere mockery of education, and a legalized system of racial segregation was restricting the Black worker to common labor and domestic service. Washington’s formula for the solution of the race problem, which he announced in his famous speech at the Atlanta Exposition in 1895, was to admonish freedmen to learn to dignify and glorify common labor and put brains and skill in the common occupations of life. This admonition was
widely regarded by the White South as the Black people's acceptance of a subordinate position in American life.

DuBois, on the other hand, is long credited with promoting the notion of the Talented Tenth: the development of the minds of the most brilliant of the African race that they may guide and uplift the masses to individual and collective progress (DuBois, 1903). He later modified his focus on the top tenth, to include advocating a more egalitarian approach to education (DuBois, 1948, as cited in Lewis, 1995). DuBois respected Washington's achievements. While careful not to disparage the importance of industrial education for some Black people,, Du Bois was concerned that an industrial education was inadequate to prepare people to exercise successfully their civil and political rights. Without appropriate education, the prospects for exercising requisite political leadership for liberation would be a daunting task. DuBois was also convinced that the northern capitalists who were giving their support to Black education were not interested in his solution to the race problem, which required classic liberal teaching and thought. It was as important for Black people to know why as it was for them to know how according to DuBois.

Assessing Black educational opportunity after Brown requires a multiple perspective examination. We cannot assume that Black people were eager to abandon their all Black schools and communities to attend White schools in White communities. By 1954 Jim Crow had done a thorough job of teaching Black and White folks how to stay in their respective places in society. Along with the lesson of how to stay in one’s place was the lesson of why one must stay in one’s place, because people have been consigned to inferior positions in society for a reason; they are not good enough to interact with those assigned to superior positions in any other way but a subservient way. That is, Black and White people can be seen together so long as it is clearly understood that the Black is in a servant role. For example, Black and White people can ride on the same train or bus but Black people must sit in the rear. Black and White people can attend the same movie theaters, but Black people must sit in the balcony. Rear door entry, separate water fountains, carryout dining only, and under-employment were constant reminders to Black people of their inferior social status. And given the possibilities of life transformation via education and schooling, it is understandable that there would be some volatile reactions to dismantling the segregated school system from both Black and White people.

Segregation negatively affects Black educational opportunity when major disparities in funding of Black and White schools leaves teachers in Black schools grossly underpaid. When Black schools cannot buy new books, working laboratory equipment, athletic gear and facilities, and maintain their physical plants, then segregation burdens Black educational opportunity. Under segregation Black schools were separate from and unequal to White schools. Resources notwithstanding, Black schools had to endure political and curricular challenges as well. Black school leaders were forced to spend more time raising funds to keep the school running than they did providing instructional leadership. It is hard to teach civics, social studies, and government when the books sent to Black schools have had the Declaration of Independence and United States Constitution removed. The rationale being, why fill Black children’s heads with notions of freedom and rights to first class citizenship when their futures will provide less freedom and rights and second class citizenship. Without continual vigilance from the school leaders, teachers, and the community under segregation, overcoming the multiple factors contributing to the mis-education of Black students would have been nearly impossible.

It is difficult to come up with factors that negatively affect Black educational opportunity besides those related in some way, either directly or indirectly, to legally sanctioned separate but unequal segregation. The vestiges of slavery and the various manifestations of institutional and individual racism is what produced legally sanctioned separate but unequal segregation. When Justice Harlan, the sole dissenter in Plessy, argued, “our constitution is color-blind, and neither knows nor tolerates classes among citizens” (Wikipedia online encyclopedia, 2006, n.p.), he was either incredibly naïve or incredibly optimistic that American society could live out the true meaning of its constitutional creed. The expectation that without legal segregation, Black educational opportunity would be increased seems also both naïve and optimistic. Though racism and segregation are no longer legally imposed, we still witness challenges to Black education opportunity as evidenced by a persistent achievement gap, de facto segregation, and less enrollment in higher educational institutions.

We look for an understanding of the nature of Black resistance to desegregation first in the natural tendency of human beings to resist change, even when the current state is not so pleasant. Humans find ways to manage difficult situations and rationalize resistance to change by preferring the known problems and strategies used to deal with
them as opposed to the less known problems which will require new coping mechanisms and strategies. Some Black people may have internalized the racial hatred directed towards them by White people and for all intents and purposes accepted their inferior social positions. Other Black people knew that God had made all people equal and thus felt no sense of inferiority to White people in spite of the treatments they received at their hands. This sense of equality, however, did not compel them to desire interaction with White people. They instead desired better treatment, more resources, and allowed to enjoy life in their Black community. Still other Black people felt the need to prove to White people that they were indeed equal under God and the law and welcomed desegregation as an opportunity to ‘get what White folks got’. Perhaps they did not believe that their Black schools in their Black community would ever get the resources and respect they needed to effectively compete in the larger arena of opportunity.

Desegregation appears to have imposed the greatest burden upon Black people to make it work. They were the ones forced to leave their schools and communities and travel great distances to often-hostile White schools in White communities. Seldom, if at all, did White students leave their schools and communities and get bused to Black schools. There are numerous instances of public White schools in the South that chose to close rather than accept Black students. Seeking private schools and moving the family to another location were a few of the options used by White people who resisted school desegregation in their communities. Northern cities expressed their resistance to school desegregation in much the same way, moving to the suburbs and choosing private education for their children. Again, human resistance to change characterizes White animosity towards desegregation efforts. Those who believed in their own racial superiority did not want their children interacting with children whom they believed were racially inferior, among other concerns such as fear and cultural dissonance.

The role of schooling and education as a socializing and norming process is too important to risk the chance of their children being taught by a Black teacher, be subject to a Black authority figure, or become friends with another Black child. During the 1950s and 1960s television was coming of age and is credited with bringing the Civil Rights Movement to the national and world stage, thus expediting the cause. Who can forget the televised images of the 1957 Little Rock Arkansas Nine entering Central High School amidst a violent White crowd shouting racial epithets while national guardsmen tried to protect the 9 Black students from harm? Another famous televised image occurred in 1963 when then governor of Alabama, George Wallace, stood in front of the door of the University of Alabama to prevent a brave Black student from entering. This change and rearrangement of social mores because of desegregation was all too complex and daunting for many who had to wrestle with its issues. Though the resistance to school desegregation is not as blatant as it was during its initial stages, the fact that desegregation efforts are now being replaced by a battle against resegregation is a reminder of the deeply rooted problem of race relations in America.

True School Integration

Is true school integration a possibility in a society that is not yet truly integrated? Authors Vivian Gunn Morris and Curtis Morris graduated with the 1959 class of Trenholm High School in Tuscumbia Alabama. Their research (2002), while acknowledging the gains also documents the significant losses experienced by students when their school was closed and they were forced to attend a White desegregated school across town. This attempt to assess the price the Black community paid at the hands of desegregation is important because it locates the effects of school desegregation from the point of view of the students who had to endure the hardships of separation. Mrs. Morris explained that when the school building was torn down not only did the community lose a historical landmark, the people suffered emotional loss as well. The sentimental value of school memories, friendships, and pride in a central part of their community was razed along with the physical structure as well. In support of the account shared by Morris and Morris (2002), bell hooks (1994) adds:

School changed utterly with racial integration. Gone was the messianic zeal to transform our minds and beings that had characterized teachers and their pedagogical practices in our all-black schools. Knowledge was suddenly about information only. It had no relation to how one lived, behaved. It was no longer connected to the antiracist struggle. Bussed to white schools, we [Black children] soon learned that obedience, and
not a zealous will to learn, was what was expected of us. Too much eagerness to learn could easily be seen as a threat to white authority (p. 3).

hooks (1994) is vehement in her contempt of the “racist, desegregated, white schools” (p. 3) they were forced to attend. Whereas she once considered school sheer joy, she then lost her love of school. In addition to feeling alienated, the lessons taught by these White teachers, she says, reinforced racist stereotypes and taught her the difference between education as the practice of freedom and education that merely strives to reinforce domination.

While attending a reading of the Morris and Morris (2002) book, I asked the question: “Is it possible for schools to achieve true racial integration?” Having studied the whole segregation-desegregation-integration-resegregation process, along with my own experiences attending all Black schools and predominantly White universities in the North, I know about separate proms, yearbooks, class reunions, dormitories, and club organizations such as fraternities and sororities. Mrs. Morris said she believes that true integration is possible, but only with true commitment from all racial and ethnic groups. A White lady in the audience also chose to respond to my question. She shared her experience with desegregation, having been one of the White students who stayed at the school when the Black students were assigned there. Although many of her White classmates chose to leave the school when Black students were bused there, the ones who stayed welcomed the Black students and included them in all their activities, clubs, and organizations. And even now, she says, we make an active effort to include the Black alumni in our class reunion activities. She had no idea, I believe, of the language or tone she used which belied her ‘centered’ position. It was still their (White) school, their community, and now their reunions; however, Black students are still welcome to be a part if they so choose.

**Literal Critique of Brown**

In my critical investigation of the *Brown* decision I inquire about the efficacy of interpreting the legally defining concept “separate is inherently unequal” literally. Certainly there is overwhelming evidence that separate was never equal under American Jim Crow existence. But to connect the terms ‘separate’ and ‘unequal’ with the term ‘inherent’ which speaks to constitutional makeup, essential character, or intrinsic nature of something we posit is problematic. Quite simply and literally, separate is not inherently unequal. However, when politically motivated acts of institutional domination such as racism, classism, and sexism, are factored into the equation then yes, separate may always result in unequal and inequitable treatment of the dominated group. The NAACP lawyers’ legal strategy initially focused on taking the *Plessy* standard seriously by insisting that states provide a truly “separate but equal” education. The separate part was not the problem, but getting them to achieve the equal part would prove more challenging. This strategy required fighting district by district for Black schools to be brought up to par with their White only counterparts without directly assaulting the *Plessy* doctrine of “separate but equal.” Realizing how daunting and time consuming that fight would be prompted the NAACP lawyers to resolve in 1950 that nothing other than education of all children on a non-segregated basis would be an acceptable outcome. It was this revelation that established the final groundwork for what would become *Brown v. Board of Education* (Landman, 2004).

The NAACP lawyers’ redirection in strategy turned what would have been a pyrrhic victory at best to a bold assault on the very core of the *Plessy* doctrine of “separate but equal”, racism. The five cases joined to comprise *Brown v. Board of Education* were explicit protests in relation to “deprivations of public schooling for their [Black] children” (Dentler, 1991, p. 30) because they wanted their children’s educational resources and opportunities to be equivalent to White children’s opportunities and resources, not merely because they wanted their children to attend White schools. Indeed, Dentler (1991) explains that, although Thurgood Marshall, the leading defense attorney for *Brown*, was explicitly strategizing to “uncouple the power of the state from all policies that used race as a criterion for action or for neglect” (p. 31), his purpose in education was to force a redistribution of resources. The logic applied by Marshall was that if White parents had to send their children to schools with as few resources as available in Black schools, had no transportation available to bus their children to school, and their school facilities were as shabby as the Black school facilities, then White parents would successfully push to have improvements made quickly (Dentler, 1991). The logic of Marshall was admirable, yet over 50 years post-*Brown*, there is much evidence that desegregated schools and *de facto* segregated schools have managed to continue to differentiate between resources, facilities and educational opportunities connected to race (Kozol, 1991; Nieto, 2004).
The *Brown* decision represents a monumental shift in the history of Constitutional law primarily because it removed any support for segregationist policy and practice (Landman, 2004). While commemorating the 50th anniversary of the *Brown* decision, I acknowledge that the NAACP lawyers, arguably, designed a strategy that ultimately became an assault on American racism. Further reflection should then prompt inquiry into what we have learned about racism since Brown.


It does not follow that, because racism is economic in origin, racism can be overcome by economic change. The racism of white Americans has become a “dominant and autonomous social value.” Racism expresses itself within economic limits created by white American’s need for black American labor. If the white American no longer needed the black man’s labor, this does not mean that the white American would no longer be racist. On the contrary …he might feel free to express his racism more fully: not merely to exploit the black American, as in the last 300 years, but to kill him (p. 14).

This is powerful commentary! Willhelm compares the plight of Black people in America with that of the Native American who fell out of economic usefulness to the European and was nearly annihilated. Is the American education system contributing to a genocidal conspiracy against students of color and students from economically stressed environments? Although this question may seem farfetched to some, consider the Herrnstein and Murray’s (1994) reference to those in the bottom quartile of IQ as “worthless and expendable people” (Hilliard, as cited in Watkins, Lewis, & Chou, 2001, p. 15.). Herrnstein and Murray (1994) expand this notion for clarification:

It in economic terms and barring a profound change in direction for our society, many people will be unable to perform that function so basic to human dignity: putting more into the world than they take out… For many people, there is nothing they can learn that will repay the cost of the teaching (pp. 519-520).

Herrnstein and Murray (1994) represent an extreme position, but not a new position. So long as there are those in society who still believe in racial superiority and segregation we will continue to battle racial injustice and inequitable resource production and distribution. Fifty years after *Brown*, America is still witness to stubborn segregation and resegregation in many of our urban schools, retrenchment of civil rights and affirmative action policy, and repackaged methods of practicing institutional racism. Legal recourse to address these social issues has not proven sufficient to abate their effects on public education. Political, social, and economic recourse that involves every aspect of American life at the level of ideology is necessary to prevent further retrenchment of the gains achieved by the *Brown* legal scholars.

**The ‘Problem’ of Brown**

Problematizing the *Brown* decision according to deficit theory, contact theory, and colorblind theory is helpful as we honor the legacy and carry out what we believe to have been its intent, remove racism and its effects from public education. The deficit thinking model (Valencia, 1997) essentially blames the victim for his or her condition. Students who fail in school are either internally deficient (cognitive and motivational problems) or products of home and community environments that do not value education and are otherwise dysfunctional. Teachers and school leaders are increasingly being held accountable for low-income and student of color failure. Many are clueless that their attitudes toward teaching or leading these students are reflective of an unenlightened view of educating across racial, cultural, and ethnic boundaries. This problem is directly connected to the rationale behind contact theory (Allport, 1954), which admonishes us to not expect equality of outcomes when two groups with power differentials are brought
together without acknowledging and renegotiating the power differential.

Finally, several theories abound regarding the practice of colorblindness as it relates to people who have built their societies upon a hierarchy of skin color foundation. Supreme Court Justice John Marshall Harlan is noted for his hopes for a colorblind society in his dissenting opinion of the *Plessy v. Ferguson* decision back in 1896. There is a movement in educational circles today encouraging us to disregard skin color and treat everyone as equals in spite of the color of their skin. That, quite frankly, is easier said than done. American society has institutionalized skin color into the very fabric of society. Just as our efforts to achieve a separate but equal society failed, so is destined our efforts to achieve a colorblind one. In theory, yes, people should be judged by the content of their character, not the color of their skin. It will require a monumental deconstruction of race mythology and all of the institutions that owe their existence to the concept of color stratification. Schofield (1986, as cited in Banks & Banks, 2005) reminds us that “it is not a very great leap from the colorblind perspective, which says that race is a social category of no relevance to one’s behavior and decisions, to a belief that individuals should not or perhaps even do not notice each other’s racial group membership” (p. 270).

Bonilla-Silva (2003) argues that America has replaced its reliance on Jim Crow segregation to practice racism with a new form he refers to as color-blind racism. He poignantly asks how we still have persistent racial inequality in the United States without racists. No White person in proper circles is willing to admit that he or she is racist or practices racism, but yet there does not appear to be a shortage of evidence of inequity and inequality owed to racial discrimination. His research reveals colorblind racism to operate at a much more subtle and insidious level masked behind the guise of abstract liberalism (equal opportunity); naturalization (self-segregation is natural); cultural racism (Blacks don’t value education); and minimization of racism (things are better now than in the past). Unless educators are prepared in ways that sensitizes them to identify forms of colorblind racism and empowers them to negate its impact on marginalized groups, we will not make progress. I believe that the recent removal of the term ‘social justice' from NCATE’s (National Council for Accreditation of Teacher Education) glossary of dispositions amid heated controversy to be a prime example of colorblind racism. The movement toward centrality and neutrality so as not to appear ideologically persuaded does not bode well for social and educational transformation.

**Conclusion: Applying the Lessons of Brown**

Frances Fowler (2004) wants educational leaders to consider two important propositions about educational policy. First, she suggests that educational leaders need to understand power and how to use it responsibly. Policy, she says, grows out of conflict between different individuals, groups, and institutions and the outcome of these struggles reflects the balance of power among the participants. Certainly the balance of power among the participants in the *Brown* case was uneven with the NAACP lawyers representing a race and class of people who had suffered gross human indignity at the hands of a hegemonic institutionalized superstructure built on racism and classism. *Brown* was a classic case of David v. Goliath. If the lessons of *Brown* can teach us anything, it can teach us about “both the dynamics of everyday American power politics and how powerful interests use institutions and culture to perpetuate injustices based on race, gender, and class” (Fowler, p. xii).

Second, Fowler (2004) believes that all public policy, especially education policy, is value laden. The schools of political scientists who think they can conduct “value-free” analysis operate from a fundamental misconception about social reality. They fail to realize that policy making is inherently intertwined with values (Fowler, 2004). Justice Warren’s opinion in *Brown* echoed Thurgood Marshall’s expert witnesses, stating that for Black children, segregation “generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way that is unlikely to be ever undone” (Appiah & Gates, 2003, p. 97). When critics disparaged the emphasis on psychological and sociological evidence used to win *Brown*, Warren argued for the importance of contradicting *Plessy*, which purported that Black people had imagined any “badge of inferiority” conferred by segregation. The Warren court recognized the critical connection between policy and values by allowing value-laden evidence into a case they knew would become the source of much policy making, educational and otherwise, for years to come. Thus *Brown* again teaches us to continue to defy conventional wisdom and chart new paths to win social justice for America’s miseducated youth.

What I have gathered from the many *Brown* analysts is that the 1954 Supreme Court ruling *Brown* offered minimal
definitive direction for the legal battles that have followed. It seems that the decision was more of a symbolic victory than a substantive one as far as equal educational opportunity is concerned. Article 13 of the International Covenant on Economic, Social, and Cultural Rights recognizes the right of everyone to an education that contributes to the full development of the human personality, its sense of dignity, and respect for human rights and fundamental freedoms. It further affirms that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance, and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace. Intra-governmental separation of educational opportunity of both varieties, de facto and de jure, especially where ‘race’ is the separating factor is not good policy. Internationally speaking, educational systems are separated by virtue of geography and often by ideology. To immediately conclude that all separation is inherently unequal without thorough consideration of the sometimes-complex factors that create separation is a rush to judgment. My hope is that a world, which has been made ‘smaller’ via technology, continues to work to bring about compliance with the International Covenant’s belief in the redemptive and unifying value of education in the world community.

References


Press.


Brief Biography

Jonathan Lightfoot is an Assistant Professor in the Foundations, Leadership and Policy Studies Department at Hofstra University, Long Island, New York. He received his Ph.D. in Policy Studies from the University of Illinois at Chicago and Masters and Bachelor degrees from Harvard and Cornell Universities respectively. His research agenda focuses on anti-racist school leadership preparation, social justice education, and critical review of legal and public policy.

E-Mail: Jonathan.Lightfoot@hofstra.edu