

Brown v. Board at 60

Written by Michael Diedrich, Education Fellow
Wednesday, 21 May 2014 14:50



May 13, 2014 - This Saturday will mark the 60th anniversary of the Supreme Court's decision in *Brown v. Board of Education of Topeka*, which found "separate educational facilities are inherently unequal," and put a large crack in the foundation of legally sanctioned racial segregation. 60 years later, [we still have work to do](#) before the dreams of the civil rights era are realized.

The major question decided in the *Brown v. Board* decision, of course, was whether black students could be legally prohibited from attending certain schools. By finding such a system unconstitutional, the decision was one of the first major steps in dismantling a larger system of mandated segregation. Since that decision, we have largely finished the job of taking apart the legal structure that required racial segregation.

This is not to say that we have ended segregation or achieved educational equity. Indeed, we are quite far from either. True, schools can no longer prohibit students of color from attending as a matter of law or policy. However, we have seen -- both in the South and elsewhere in the country -- that many of our schools have reverted to a heavily segregated state of being. There are several policy-related factors that contribute to this, but largely they enable a broader preference for the comfort that comes with homogeneity over the benefits that come from diversity.

We did make significant progress in the years following *Brown v. Board*, especially in the South where federal law and the judiciary worked for many years to actively require integrated schools.

recently ran

[a lengthy piece](#)

detailing Tuscaloosa, Alabama's experience of forced integration, which produced better results for students and narrowed achievement gaps. That one local example is in fact representative of a broader national trend which saw achievement gaps narrow faster during the integration era than at any time in more recent years.

Tuscaloosa has backslid, however, with the weakening of integration requirements. The town's schools have gone back to being largely homogeneous. Again, this trend is being echoed across the country, including here in Minnesota where schools in the metropolitan area have

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become more racially and economically homogeneous.

It is the distinction between, "You cannot explicitly segregate," and, "You must explicitly integrate," that appears to make the difference. Court decisions and federal action in the wake of *Brown v. Board* did not trust states and communities to integrate with the simple removal of explicit legal segregation. Considering what has happened in the intervening years, and the fact that many subtle tools not explicitly tied to race were also deployed in the Jim Crow South to discriminate and segregate, this was a wise move. As that pressure has relaxed, people have fallen back into the comfortable patterns of segregation.

The loss of focus on school integration is likely to turn out to be at best a missed opportunity, and at worst actual harm, for students. Diversity, as we've noted elsewhere, is a source of strength, and being comfortable working with people from many racial and cultural backgrounds will be helpful for today's students as they leave school and enter society. That active integration, however uncomfortable, appears to be beneficial for students is not enough to trump many people's preferences -- often unconscious -- for schools full of those similar to themselves.

Nor is there just one system involved in this. Yes, school district attendance zones can be drawn to concentrate students by race. Districts may struggle, however, to draw more integrative attendance boundaries [in cities](#) with [very homogeneous clusters of housing](#). That's how we end up with students being bused for half an hour or more when there's a much closer school available; that sort of arrangement has a long history of being politically lethal. Adding multiple systems of school choice that allow people to sort themselves into homogeneous schools doesn't help, either. (

[The relationship between choice and self-segregation](#)
is complicated and will be getting its own Hindsight blog post soon.)

Clearly, disentangling all of this, especially at a time when federal and state governments and the judiciary seem less willing to require active integration of schools, is tricky.

Nor is integration a sufficient end goal in and of itself. When the Supreme Court required integration in the *Brown v. Board* decision, it was doing so at a time when equity of access to services like schools was an open question.

Today's equity questions are more complicated, in part because of the disappointments that followed the deconstruction of the integration era's achievements. We don't have to fight as hard for equity of *access* anymore, but we're still struggling to build a society with more equitable *outcomes*.

That struggle is a bit different from the question facing the Supreme Court 60 years ago. The long-term goals are still the same, but we still have a lot of struggling yet to do before we reach them.