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Racism as subtext: the contemporary school desegregation controversy

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**RACISM AS SUBTEXT:
THE CONTEMPORARY SCHOOL DESEGREGATION CONTROVERSY**

by
HEATHER BETH JOHNSON

Submitted in Partial Fulfillment of the Requirements of the
Senior Scholars' Program

COLBY COLLEGE
1994

Abstract

This paper examines the contemporary school desegregation controversy from a sociological perspective. *Sheff v. O'Neill*, a contemporary school desegregation case, is used as a context in which to study the opposition to racial integration. Through close examination of the arguments people use to frame their resistance, the racist subtext of contemporary school desegregation opposition is exposed.

The data for this analysis come from legal briefs, newspaper accounts, and in-depth personal interviews with Connecticut citizens and various key actors in the *Sheff* case collected between January, 1993 and March, 1994.

This paper looks at each of the major arguments people use against desegregation and examines the assumptions on which these arguments are based. The study shows that although people attempted to base their opposition in apparently 'race neutral' arguments, the subtext of these arguments was race-related. Racism, although vehemently avoided in explicit discussion of the *Sheff* case, was implicit in the subtext of the discourse.

Although some of the arguments may be genuinely unprejudiced, the consequence of collective opposition to desegregation is racist in that it reinforces the inherently unequal social structure of race and education in the U.S. The denial of racially bound opposition in arguments opposing racial integration masks the structural inequality, and systematic discrimination, that school desegregation has the potential to change. By resisting the racial integration of schools, people prohibit equalization of resources in contemporary U.S. society.

***Racism As Subtext:
The Contemporary School Desegregation
Controversy***

Heather Beth Johnson
Colby College
1994

Acknowledgments

It was with great encouragement from my professors in the Colby Sociology Department that I decided to pursue this project. Throughout this past year and a half, their support and encouragement has been relentless. This paper is not just one year's work, it is a culmination of everything that has been taught to me by them over the years. I am indebted to each of them for their confidence in me.

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Because this paper examines a current legal case and a contemporary controversy it was necessary for me to rely on people who could give me first-hand-knowledge. The people of Hartford were remarkably open and honest with me in discussing *Sheff v. O'Neill*. It is their information, thoughts, and insights that is the data for my thesis. I received a wealth of valuable newspaper clippings throughout the past year and a half from Carin Peterson, Nancy Wogman, and Geoffrey Fisher. I am especially grateful for the long talks and interesting discussion with John Frahm of the Hartford Courant, John Brittain of the University of Connecticut Law School, and Philip Tegeler of the Connecticut Civil Liberties Union.

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INTRODUCTION

Hartford, the fourth poorest city in the United States, is the capitol of Connecticut, the richest state in the country (U.S. Census Bureau 1980). Connecticut is known for having the highest per capita income in the nation, and one of the most racially segregated public school systems. While Connecticut is the richest state in the U.S., its inner-city schools are poverty stricken, hardly able to stay afloat financially. Connecticut's suburban schools, on the other hand, have some of the best, most expensive public education programs available. Furthermore, Connecticut is renown for its exclusive and very prestigious private boarding, day, and parochial schools. The state captures, thus, the extremes of racial and economic segregation that lie at the core of contemporary school desegregation cases.

The state is divided into 166 fiercely independent school districts, 18 of which educate 80 percent of the state's minority students. 26 percent of the state's public school enrollment is categorized as minority, though 136 of the districts have minority enrollments below 10 percent and 98 below 5 percent (Connecticut Academy for Education 1993). The school districts surrounding Hartford have almost 100 percent white student enrollment and include some of the wealthiest towns in all of Connecticut. Black and Hispanic students make up 93 percent of Hartford's public schools' population and two-thirds of Hartford's students' families live below the poverty line (Frahm Jan 29, 1993).

School performance reflects these inequalities. Last year only one in ten fourth graders in Hartford city schools scored high enough to meet state

reading goals on the Connecticut Mastery Tests. Three out of four scored low enough to qualify for remedial help. Perhaps not surprisingly then, the drop out rate in Connecticut is 37 percent for black students and almost 50 percent for Hispanic students, while for white students it is 17 percent. By contrast, West Hartford, a suburb bordering Hartford, with twice its per capita income has excellent schools that turn out students with some of the highest test scores in the country (State Department of Education 1993).

School segregation in Hartford mirrors its residential segregation like most U.S. metropolitan areas. Anyone who has been there can attest to the extremes of the divisions. One can drive through the area and in one moment be in a black ghetto of Hartford surrounded by decrepit buildings covered with graffiti and only a block later enter the white suburb of West Hartford, home of some of the most well kept, stately colonial homes in New England. There are areas of Hartford a lot of people wouldn't enter without a gun. And there are areas of Hartford's suburbs a lot of people wouldn't enter without a BMW.

The isolation of racial minorities and low income children in the Hartford area educational system is the motivation behind the *Sheff v. O'Neill* case. The lawsuit was filed on April 27, 1989 as a class action against the state of Connecticut on behalf of 18 Hartford area public school children. The plaintiffs claim they have received separate and unequal education from the state of Connecticut. They claim the present situation is in violation of the Connecticut State Constitution which guarantees equal educational opportunity. During his testimony in the *Sheff* trial, Harvard Professor Charles Willie concluded "Hartford is one of the most segregated cities I have seen" (Frahm Jan 14, 1993). Coming from a national expert who has testified

in school desegregation cases all over the country, those words were hard to deny. And almost no one involved does deny them.

Segregation is not unique to Hartford. Today's urban schools are practically all-black while schools outside of cities are almost all-white. More black students attend all-black or predominantly black schools today than they did forty years ago when *Brown v. Board of Education*, the first large scale school desegregation case, was ruled (Carter 1980:25).

The question in the court room (and on the streets) is what, if anything, should be done about it? And whose responsibility, if any one's, is it? Bound up with these questions are the questions behind this research: why do so many people oppose court-mandated desegregation and how do those opponents deny the relevance of race in their objections?

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The Moral Motivation to Desegregate Schools

As a result of civil rights laws and legislation black Americans have made some progress in gaining racial equality. In every area of social life we can see black people who have achieved high levels of power and prestige: Clarence Thomas, the Supreme Court Justice; Oprah Winfrey, the television talk show host; and David Dinkins, the first black mayor of New York City, can all be pointed to in order to prove that some black Americans are making it. But *some* is the key word. Although *some* have made it, *many* have not. Half of nonwhite people remain trapped in lives of poverty (Brittain 1993:168). For this segment of society, life is a constant cycle of struggle. They remain trapped in the downward spiral of disadvantage and despair, isolated in urban areas which offer very few opportunities and very few signs of hope.

Race remains highly conflated with economic well being. Black Americans have twice as much difficulty finding and keeping jobs as their white compatriots: 12.4 percent of blacks are officially unemployed compared to 6 percent of whites (Brittain 1993:168; Hacker 1992:102; Tidwell 1993:251). About 11 percent of black families receive less than \$5,000 in income, compared to only 2 percent of white families (Tidwell 1993:251). Conversely, black families were less than half as likely as white families to receive \$50,000 or more in wages (Tidwell 1993:251). Almost half of all black children live below the poverty line while only 15.9 percent of white children do (Hacker 1992:99). In *The State of Black America*, The National Urban League reports that,

Racial disparities in well-being remain a distinguishing feature of American social and economic life. While the forms that racial inequalities take and the levels on which they are manifest have changed over time, they are far from eliminated, as they continue to define and delimit the relative status of African Americans (Tidwell 1993:244).

For blacks living in urban areas, economic inequalities are particularly pronounced. Blacks are heavily over-represented in the nation's cities: approximately 56 percent of all blacks live in cities as opposed to 26 percent of whites (Tidwell 1993:261), offering little hope for reasonable standards of living (Hacker 1992; Tidwell 1993). Deindustrialization, the exodus of economically secure populations, and the resulting loss of the tax base have isolated these urban blacks in deteriorating conditions (Kasarda 1985). Statistics show that urban blacks are not only far worse off than their white counterparts, but they are also significantly worse off than the 27 percent of blacks who live in suburban communities (Hacker 1992; Tidwell 1993). Seventy percent of black families below the poverty line live in highly concentrated, low-income ghettos (Hacker 1992:100).

While no one has yet offered the perfect solution to the disparity that exists between black and white people in this country, most social scientists point to better education as an effective means of eliminating inequality (Brittain 1993:168). The Census Bureau reports that as years of school completed increases, poverty rates decrease dramatically (Brittain 1993:169):

Educational research data demonstrate a correlation between wealth and racial segregation and educational equity. In turn, equal educational opportunity leads to greater academic achievement and better life opportunities, which especially for the historically oppressed racial and linguistic minorities, offer the best hope of eliminating poverty and its attendant dreadful social consequences (Brittain 1993:169).

More than any other variable, schooling affects the social, economic and residential opportunities open to black people in the U.S. (Massey 1990; Kasarda 1985).

But blacks, as a group, receive many fewer years of education than do whites. 87.5 percent of whites ages 15 and older complete high school, while only 66.7 percent of blacks ever finish (Tidwell 1993:249). Fewer than half as many blacks as whites complete four or more years of college (Tidwell 1993:249). Blacks are severely underrepresented among higher academic degrees; only 3.8 percent of doctoral degrees were awarded to blacks in 1991 (Hacker 1992:124).

Given the economically disadvantaged position that many black children are born into, the limited educational opportunities offered them by the state becomes especially disconcerting:

Of particular concern is the manner in which African-American children are treated by the public institutions charged with promoting their development. Thus, far too many receive highly negative messages in school, the most vital development institution outside the family. African-American students, for example, are disproportionately placed in lower academic tracks where they have limited experience with tasks involving critical

and analytic thinking skills. Many remain in low track placements throughout their school career (Tidwell 1993:253).

Because of the potential that the public school has for helping to equalize life chances for children, civil rights leaders and proponents have emphasized educational reform:

In the absence of all discrimination and prejudice, American Negroes would still suffer the consequences of racial segregation in housing, voluntary associations, and informal social relations. These consequences are not merely psychic or social in character; they can be measured in crude monetary terms as well. The public school thus becomes a doubly important instrument of social mobility for Negroes; in addition to its obvious educational value, it provides an opportunity to begin building the interracial associations which permit an escape from the ghetto (Crain 1975).

Thus, educational equity and desegregation have maintained a place at the forefront of the civil rights agenda. In concept, educational equity means offering learning opportunities for urban, poor, and nonwhite children on an equal basis with those enjoyed by suburban, affluent, white children (Brittain 1993:170). A strong component of this kind of equity in educational opportunity is racial balance. In attempting to achieve interracial associations in schools, desegregation proponents hope to weaken the existing cycle of racism by fostering personal relationships between white and black children.

The fight for racial equity

attempts to overcome the differences in family and racial isolation to restructure education in a manner that will give nonwhite children a better opportunity and provide both white and nonwhite children with increased racial and cultural diversity in their education (Brittain 1993:170).

The civil rights struggle for educational and racial equity has taken the form of an arduous and intense legal battle over school desegregation. But especially more recently, the goal of desegregation has evolved to one of

racial integration. Whereas desegregation implies simply ending racial separation and bringing black and white people together, integration involves positive inter-group contact, cross-racial acceptance, and equal access to resources for blacks and whites (Pettigrew 1975:234).

Research in school desegregation offers solid proof that blacks in desegregated schools have stronger academic achievement than those in segregated schools (Coulson et al. 1977; Crain, Mahard, and Narot 1982; Forehand, Ragosta, and Rock 1976; Krol 1978; Mahard and Crain 1983; Raymond 1980; St. John 1975; Weinberg 1975; Weinberg 1977). The desegregation research also shows that a racially integrated education does not diminish educational opportunity for white children (Stephan 1978; St. John 1975). As Stephan and Feagin point out, "on this point there is near unanimity of opinion among most researchers" (Stephan and Feagin 1980).

School desegregation is an attempt to equalize the starting point for children growing up in the U.S. The moral motivation to desegregate America's schools comes from a commitment to the creation of a social structure which is systematically inclusive and genuinely values freedom for all people. Making real the 'equal opportunity' of education is an extremely important step in achieving this.

The reality of life in every aspect of the U.S. is that racial ghettoization exists. It is easier to claim innocence than to confront these issues and accept responsibility. But who is innocent? If we confront the right to be free from racial caste, we may begin to see our individual obligation, and our institutional duty to accept responsibility for the current situation that has not-so-innocently come about. If we think of racial segregation as an irresolvable moral dilemma that is out of our hands, we will continue to bear witness to the unnecessary disaster of racial inequality.

White opposition to desegregation has been a strong and persistent theme in U.S. race relations since the 1950s, when desegregation was first mandated (Nicoletti and Patterson 1974; Ravitch 1988; Stanfield). Controversy over issues of integration, decentralization, community control and the education of poor and minority children have remained central to the education debate for the past four decades (Ravitch 1988).

We must ask why it is that whites are reluctant to support the racial integration of public schools? Why is the opposition to school desegregation programs so strong? What is at the root of this heated national controversy? These are the questions that I address.

Previous Desegregation Research

Beginning in 1954 with the landmark *Brown v. Board of Education* decision, scholarly interest in school desegregation steadily increased through the 1960s and '70s (Prager, Longshore and Seeman 1986). As desegregation rulings became more and more prevalent, so too did the social science research on the subject. But as the overall interest in, and commitment to, school desegregation decreased in the late '70s and '80s, the scholarly inquiry into the subject greatly diminished (Prager, Longshore and Seeman 1986).

The research that has been done has focused mainly on the *impact* of school desegregation. Most of the research examines the ways in which racially integrated schools either harm or benefit students, communities, or race relations. In general, school desegregation discourse has had an "intense preoccupation with assessing the effects of desegregation" (Prager, Longshore and Seeman 1986:4). Few scholars have asked or considered why people oppose desegregation. In fact, it is hard to find much information at all on

this specific subject, which is surprising considering the strength and persistence of opposition to desegregation in this country.

There is, though, a small body of sociological theory addressing the roots of people's opposition to school desegregation. This literature can be separated into two perspectives: conflict theory and symbolic racism. Each of these perspectives informs my own understanding of the subject.

Conflict Theory

There are three basic premises of conflict theory: 1) people have basic intrinsic interests that they desire and try to acquire; 2) power is the core of social relationships and is scarce, coercive, and unequally distributed; 3) values and ideas (ideology) are weapons used by groups to advance their own ends (Wallace and Wolf 1991:76-77). Conflict theory is fundamentally based on the concept of self-interest. To believe in self-interest is to believe that "political attitudes and behaviors in the general public are influenced strongly by egocentric, instrumental and self-interest considerations" (McConahay 1982:693). The underlying assumption is that people will always strive to maximize their benefits and minimize their costs (McConahay 1982:696). Likewise, group interests reflect the interests of their individual members.

When we look at desegregation policy, conflict theory holds that

a white person's self-interest will vary to the extent that the outcome of the policy decision will have a direct economic or physical comfort and convenience effect upon a person or the person's immediate family (McConahay 1982:696).

Conflict theory emphasizes tangible threats that blacks pose to whites in their private lives as the reason for the opposition to racial change. The theory is derived from classical Marxist theory of direct competition between groups

and individuals for the scarce resources available in society (Kinder 1981:415). The basic theory holds that competitive interdependence within the social order leads to the perception of threat by individuals in power, resulting in hostility toward the threatening group (Kinder 1981:415).

Conflict theorists assume that social attitudes reflect personal interests and, therefore, that whites perceive blacks as a tangible threat to their private lives. Since all whites benefit to some extent from the limitations placed on blacks by racial segregation and discrimination (Dollard 1937; Chesler 1976), conflict theorists argue that all whites have a certain self-interest in maintaining school segregation in order to perpetuate the social order from which they are benefiting. Whites, presumably, evaluate the predicted effect of racial integration as costly because they perceive it as having the potential to take away from their power. According to conflict theorists this perceived threat to status inevitably leads to conflict (Caditz 1975:57).

Symbolic Racism Theory

In the late '70s and early '80s, prompted by the social unrest surrounding court ordered busing, a small body of research surfaced which broke away from the conflict theory perspective. These sociological studies brought forth a theory of symbolic racism as a new explanation for the opposition to school desegregation (Gatlin, Giles and Cataldo 1980; Kinder and Sears 1981; McClendon 1985 McConahay 1982; McConahay and Hough 1976; Raffel 1980; Sears, Lau, Tyler and Allen 1980). The concept of symbolic racism emerged to explain the existence of racism in a culture witnessing a decline in "old-fashioned" or "red-neck" racism, which they defined as "prejudicial or negative attitudes, opinions, and feelings, and of [blatent,

overt] discriminatory acts or behaviors on the part of white Americans directed toward black Americans" (McConahay and Hough 1976:24). These two forms of racism are characterized by overt acts of discrimination or support of them (for example, *de jure* segregation); systematic exclusion of blacks from housing, jobs, social clubs and so on; and the belief in or expression of racial stereotypes (McConahay and Hough 1976:24). According to Symbolic Racism Theory this kind of 'old-fashioned' racism has become fairly obsolete, especially among those who are highly educated, and those in sophisticated and opinion-making social circles (McConahay and Hough 1976:24). They distinguished that from symbolic racism, which they defined as "negative affect toward blacks [because. . .] black demands and government efforts to help blacks violat[e] cherished values embodied in the Protestant Ethic" (McClendon 1985:215). It is "the expression in terms of abstract ideological symbols and symbolic behaviors of the feeling that blacks are...making illegitimate demands for changes in the racial status quo" (McConahay and Hough 1976:38).

Unlike conflict theory, which focuses on interests, symbolic racism theory argues that people take sides based on their emotional and cognitive responses to important stimuli involved in or associated with the issue (McConahay 1983:715). These stimuli, or symbols, can be any kind of object, concept, or experience to which one has attached a particular meaning. People's responses are not based on potential or actual consequences for them personally, but rather on the symbolic meaning attributed to the given stimulus. Symbolic racism differs from 'old-fashioned' racism in its psychological roots and its specific forms of expression.

Scholars argue that the origins of symbolic racism are found in early socialization (McConahay and Hough 1976:37), to values of traditional

religions, secular American civil Protestantism, and 'laissez faire' political conservatism as well as to unacknowledged negative feelings toward blacks (McConahay and Hough 1976:39). Children acquire prejudice according to this theory of sociocultural learning as part of the attitudes and values they learn from their social environments. Conformity and early-learned attitudes lead to persistent prejudice throughout later life (Kinder and Sears 1981:416). Considerable research demonstrates that the acquisition of prejudice begins in childhood (Ashmore and DelBoca 1976; Maykovitch 1975; Middleton 1976).

Attitudinally, symbolic racism is expressed as a set of abstract ideas about blacks as a group (such ideas would include, for example, moral assertions about what blacks deserve, how they should act, and if they are treated differently or not). Behaviorally, symbolic racism is a set of acts (some examples would be voting against blacks as political candidates, opposing affirmative action programs, opposing desegregation in housing and education) that are justified or rationalized on a neutral (or non-racial) basis, "but that operate to maintain the racial status quo with its attendant discrimination against the welfare, status, and symbolic need of blacks" (McConahay and Hough 1976:24): thus, whereas conflict theory explained opposition to school desegregation in terms of self-interest, symbolic racism argued that whites opposed demands such as busing because they believed blacks to have equal opportunity already and were not deserving of any additional benefits.

This Project

School desegregation may not be at the forefront of the nation's public policy agenda or the uppermost priority for the general public, but there is no question that the problems of racial segregation and educational dissatisfaction continue to be pressing (Bell 1992; Franklin 1993; Hacker 1992; Hochchild 1984; Kozol 1991; Prager, Longshore and Seeman 1986; Wolters 1984). This is especially important in light of the fact that as we speak levels of black frustration and racial tension are steadily increasing (Bell 1992; Franklin 1993; Hacker 1992; Terkel 1992; West 1993). Although not as popular as it was in the 1950s when *Brown* was ruled, or in the 1970s when school busing was in the spotlight of national attention, school desegregation has endured as a legal strategy for remedying racial discrimination and educational inequality. For school desegregation debate the quiescent period of the 1980s was only a lull before the storm. Today we are seeing a new wave of desegregation controversy as school segregation lawsuits are being brought to courts across the country.

If we see racial segregation and unequal educational opportunity as important problems we must look to school desegregation as a viable step in attempting to remedy our nation's current situation. The study of the opposition to desegregation can offer us valuable insight: if we can better understand what is at the root of people's opposition to racial integration we can better understand how to overcome the hurdle of resistance.

In this paper, I confront the issue of contemporary school desegregation, specifically the opposition to it. I examine in detail the *Sheff v. O'Neill* case that currently divides the Hartford community. After a review

of the relevant literature on racism, educational theory, and the legal history of school desegregation, and a summary of the arguments in *Sheff v. O'Neill*, I turn to an analysis of the reasons various key actors in the Hartford case gave for their opposition. My data for this analysis come from legal briefs, newspaper accounts, and in depth personal interviews collected between January, 1993 and March, 1994.

RACISM AND SCHOOLS IN U.S. SOCIETY

I: Racism

Oppression is, "a situation in which one, or more, identifiable segments of the population in a social system systematically and successfully act over a prolonged period of time to prevent another identifiable segment, or segments, of the population from attaining access to the scarce and valued resources of that system" (Turner et. al. 1984:1-2). By definition, blacks in U.S. society are an oppressed group. One of the mechanisms that contributes to the process of black oppression is the education system now in place in the United States.

"When the options allowed by the structure and function of institutions are exercised by one race so as to limit the choices of another, such operations constitute racism" (Friedman 1975:387). The system of education is involved in a process of institutionalized racism. Education, "... is supposed to prepare us for our life's competition, and to neutralize our inherited inequalities" but, "an unequal education perpetuates built-in racial, social, class and ethnic privileges" (Aronson 1978:411). Racially segregated education is a major contributing factor to the racial inequality in society.

Any individual act or institutional procedure which helps to create or perpetuate advantages or privileges for whites and exclusions or deprivations for racial minority groups is racism (Chesler 1976). Racism, "usually requires an ideology of explicit or implicit superiority or advantage of one racial group over another, plus the institutional power to implement that ideology in

social operations" (Chesler 1976:22). Ideology serves to reinforce and legitimate the underlying inequality of racism by allowing it to operate in seemingly nonracial practices (Essed 1991). Thus, before gaining an understanding of racism, we must first understand the meaning of ideology.

Ideology

The power of ideology is that it cements together systems of dominance within society (Therborn 1980:125). Social life is organized so that some people have power and some do not. When we use belief systems to justify and mask systems of dominance they become ideological (Eagleton 1991:5). This process of justifying what exists is referred to as legitimation. Eagleton describes the process of legitimation as involving different aspects of "mystification" which all interact complexly to create successful ideologies. This process includes promoting beliefs and values congenial to the dominant social group; naturalizing and universalizing these beliefs to render them self-evident and apparently inevitable; denigrating ideas which might challenge the status quo; excluding rival forms of thought blatantly and by unspoken but systematic logic; and obscuring social reality in ways convenient to the dominant power (Eagleton 1991:7). This "mystification" often masks or suppresses social conflict which may expose the truth beneath the surface of ideology (Eagleton 1991:7).

Although power and meaning pervade social life and discourse, not everything is ideological (Eagleton 1991:9). If it were, then the word itself would lose its meaning altogether. Ideologies have to do with, "power struggles which are central to a whole form of social life," non-ideologies do not (Eagleton 1991:8). To see an argument as ideological one must look at

what is at stake in the context of the argument. Ideologies have particular kinds of causes and functions: they are aimed at maintaining the social order and the dominant class's power. Ideology covers the inconsistencies and inequalities of the social order. When ideology fails, we see what is beneath its surface. To recognize something as ideological then, "is to fail to take it at face value, to point to something beyond the mere meaning and substance of the belief" (Manning 1980:12).

To be successful, ideologies must be more than simply illusions imposed upon people. They must put forth a vision of social reality which is recognizable enough not to be rejected outright (Eagleton 1991:15). The ideology must *appear* real to those who use it and to those to whom it is presented. An ideology's success depends on whether there are certain 'facts' which can be held up in defense of it or in order to 'prove' that it is real. These 'proven facts' are often seem self evident but this is because ideological nature of the argument involves deception and carries implications that are deeper than the facts which rest on the surface.

The following statement, for example, is ideological: all citizens of the United States have equal opportunity. On the surface the statement appears to be true. As American citizens we are told that the U.S. is the 'land of opportunity', a place where everyone is given a fair shot at success, and everyone is treated equally. Beginning at an early age we are to believe that no matter who you are or what your situation, you have just as much of a chance as anyone else to succeed in this society. Indeed, the doctrine of equal opportunity is reinforced to us over and over again by parents, teachers, political leaders, and other role models. But at some level most Americans would agree that, in fact, equal opportunity is not the case. Most of us know that depending on what situation one is born into, the odds at 'success' vary.

Yet we pretend that we do have equal opportunity, or at least ignore the fact that maybe we don't.

The notion of equal opportunity is ideological in that it serves to justify dominant group privilege while ignoring advantages passed on through generations. The belief in equal opportunity necessarily denies the fact that some people are born into less fortunate situations than others, and thus are born with relatively less opportunity in life. Therefore, although the statement may appear to be true, as Eagleton would say, it is deceptive in its force. The statement takes as given the idea that everyone starts the race from behind the same line. It ignores the fact that the starting line differs categorically depending on who you are.

Ideological arguments, such as the one above, are used to sustain the status quo. "To say that the statement is ideological is then to claim that it is powered by an ulterior motive bound up with the legitimization of certain interests in a power struggle" (Eagleton 1991:16). Ideologies are, "a set of discourses concealing or legitimizing injustice" (Eagleton 1991:27). They deny social-structural problems while portraying the social order as just. They serve to ignore reality and grant people in positions of power legitimization for their perpetuation of an inherently unequal system.

Racism: The Complex of Prejudice and Discrimination

Racist ideology is so prevalent and successful in contemporary life that we often do not recognize it. It is part of our daily actions and interpretations. It is present in our refusal to acknowledge racism or take responsibility for it (Ben-Tovim et al. 1986). Racist ideologies and racist social structures are recurrently reinforced and reproduced through a complex of attitudes

(prejudice) and actions (discrimination) (Essed 1991). These attitudes and actions serve "to cement and to unify, to preserve the ideological unity of the White group" (Essed 1991:44).

Prejudice

Prejudice is a state of mind – a feeling, opinion, or disposition – held by people with a superior "sense of group position" (Vander Zanden 1990:189). The term refers to attitudes of aversion and hostility toward members of a group based on characteristics which qualify their individual group membership (Allport 1958). Negative attitudes which constitute prejudice are grounded in objections to qualities ascribed to specific groups by the prejudiced person or persons (Allport 1958). These objections are biased and are usually grounded in "faulty and inflexible generalizations" (Allport 1958:9).

As it relates to race, prejudice is the personal dislike or denigration of one race or ethnic group by a member of another (Hochschild 1984:2). However, prejudice is not just an antipathy but a feeling of superiority, a perception of the subordinate race as intrinsically different, a feeling of propriety to certain privileges and advantages, and a sense of fear or suspicion that the subordinate race wants the prerogatives of the dominant race (Blumer 1958).

Discrimination

Whereas prejudice is comprised of attitude or state of mind, discrimination is action or behavior. Discrimination is the systematic denial

of privilege, power and prestige to members of a minority group by members of the dominant group (Vander Zanden 1990:189). It is the denial of equal opportunities to individuals or groups based on prejudice or other arbitrary reasons (Schaefer 1988:92).

Racial discrimination is defined as, "actions that tacitly or explicitly confirm or create racial or ethnic inequality in the existing framework of racial and ethnic domination" (Essed 1991:45). It includes all verbal and nonverbal acts which have intended or unintended negative consequence for racially subdominant groups (Essed 1991).

The attitude of prejudice does not necessarily correlate with the overt action of discrimination. The two do not always operate together (Merton 1949). At the individual level, a person may be both prejudiced in attitude and practice discrimination in his or her behavior. But one can also be prejudiced and not have an opportunity to discriminate (Chesler 1976:44), or behave in ways that are discriminatory without harboring prejudiced attitudes (Merton 1949).

Racism

Racism is comprised of either racial prejudice, racial discrimination, or a complex of the two. It may be intentional or unintentional, conscious or unconscious. But it is more than simply a set of blatantly discriminatory acts or irrational prejudices (Goldberg 1990). Racism is based on the belief that one race is *superior* to another or in some way *deserves* more than another.

It is important to recognize that intentionality is not a necessary component of racism (Essed 1991; Jenkins 1986). Often, racism, "arises from outlooks and assumptions of which we are largely unaware" (Hacker 1992:20).

Racism is a culturally ingrained aspect of U.S. society which is such an integral part of everyday life that it is often seen as being natural or normal. Racism is so enmeshed into the institutional practices of U.S. society that it can easily go unnoticed.

Institutional Racism: Sustaining a Racist Social Structure

Racism manifests itself not only in the particular attitudes and behaviors of individuals but, more covertly, in those institutionalized social practices that systematically disadvantage particular groups of people on the basis of their race. Institutional racism refers to the ways in which various practices of subordination have been routinized or formalized to sustain a racist social structure (Rizvi 1993:128). It is constituted in the ways a society, or part of a society, act in order to discriminate severely and systematically against members of one race (Hochschild 1984:2). Institutional racism is "any action, policy, ideology, or structure of an institution which works to the relative disadvantage of blacks compared to whites, or to the relative advantage of whites as compared to blacks" (Friedman 1975:386).

Institutionalized racism is habitualized behavior which supports and sustains racial discrimination and has become a pervasive aspect of an institution. Racial discrimination is practiced by institutions in their daily operations. It is the denial of opportunities and equal rights to individuals and groups which results from the patterned operations of a society (Schaefer 1988:93). Sometimes racist policies, acts, and attitudes are fairly actively and overtly pursued within institutions, but they may be also be more passive or less explicit (Chesler 1976). Institutional racism exists in:

those established laws, customs, practices which systematically reflect and produce racial inequalities in American society. If racist consequences accrue to institutional laws, customs, or practices, the institution is racist whether or not the individuals maintaining those practices have racist intentions (Jones 1972:131).

Institutionalized racism is not necessarily conscious or intentional; it is not always blatantly prejudiced action. Instead, it is often manifest through collective actions and processes of human organization that we take for granted as being natural, somehow innate, aspects of life in our society. Thus, referring to institutional racism does not imply that everyone who is involved in a certain institution consciously or even unconsciously believes that one group is innately superior to another. Nor does it imply that all people who believe or act in ways that maintain one group's advantage over another are operating with conscious intentions. But whether intentional or not, they help to maintain racial injustice and racism (Chesler 1976).

It is clear that most institutions within American society fit into the definition of institutional racism: by and large they do operate in racist ways and ensure continuing biased distinction between the racial majority (white people) and the racial minority (people of color) (Report of the National Advisory Commission on Civil Disorders 1968; Knowles and Prewitt 1969; Schwartz and Disch 1970). My concern here is with American schools and the ideology of meritocracy, which allows for continued, institutional discrimination.

II: Schools In Society

The Ideology of Meritocracy

Schools are an integral part of the social order. They educate our children and have the capacity to grant access to some of the most valued resources in the U.S.—material well-being, power, and prestige. They are portrayed as the 'door to equal opportunity' and the bedrock of meritocracy. They are the mainstay of our country's tradition of achievement and competition. They legitimate the entire social order by 'proving' that all people begin at the same place and move upward through the system based on individual merit and self-determination. Schools are thought of as being *the* agency of upward mobility (Rubin 1972:204), justly placing students in the hierarchical order based upon their individual competency and educational performance. Supposedly, those who work harder do better and are awarded higher positions in the labor force. As a result, social groups are given legitimacy as having 'earned' their position in the social order through hard work, motivation, and healthy competition in education.

Positions of power and authority in the United States, then, are believed to be achieved, not ascribed. People who hold these positions (who are 'successful' in the eyes of society), are seen as deserving of them. It is assumed that if the system can work for some, it can work for everyone. Those who do not succeed in attaining a high-level position are seen as just not having worked hard enough; if it didn't work for them it is only their own fault.

This meritocratic model of schooling is widely accepted as being a true representation of U.S. public education. It is the cornerstone of our country's

belief in equal opportunity and fair competition. To believe in meritocracy is to believe that everyone has a fair and equal shot at success and those who are not successful fail due to some kind of shortcoming of their own, or characteristic that they lack. This notion allows us to disclaim that the system itself is in any way responsible for people's failure. It puts the focus on the limits of the individual rather than the limits of the social structure. Is it true, though, that opportunity is open to all people equally? Is it true that the system itself places no limitations on individual mobility?

The answer is no: schools are part of the social order, a complex network of patterns which organizes and regulates our social life in systematically discriminatory ways. Schools legitimate the inequality which exists in the social order through the ideology of meritocracy (Apple and Weiss 1983; Bowles and Gintis 1976; Katznelson and Weir 1985). This ideology makes it possible for schools to perpetuate relations of dominance in race and class without being held responsible.

The School's Perpetuation of Race and Class:

Tracking and The Hidden Curriculum

Social stratification is the systematic and unequal allocation of the benefits and burdens of society among people according to the different race and class categories of society (Vander Zanden 1990:154). Stratification is

all those processes . . . that are involved in the unequal distribution of material well-being, power, and prestige; and . . . that create a comparatively enduring system of ranks that divide the population of a society in terms of their relative degrees of access to scarce and valued resources (Turner et. al. 1984:2).

Schools systematically perpetuate social stratification in society by placing people in the labor market according to their race and class of origin. One's relative position in the economic order determines his or her access to societal benefits, including housing, health care and material well-being. Thus, education plays a very important role in determining one's life chances.

Schools produce social relations among children that correspond to the social relations of the workplace (Bowles and Gintis 1976). Students are taught differently depending on their socio-economic background and are rewarded for behavior which corresponds to personality traits required for different strata in the occupational hierarchy (Bowles and Gintis 1976). Aside from the explicit expectations schools place on children, there are implicit expectations for student behavior which directly relate to the student's family's socio-economic position (Snyder 1971).

The majority of U.S. schools track students into different educational programs on the basis of their apparent 'ability' (Oakes 1985). Whether or not an explicit tracking program exists, all schools have course placement in one form or another. Students from working class backgrounds are placed in vocational or general tracks that train them to hold working class jobs (Colclough and Beck 1989). On the other hand, students from white collar backgrounds are placed in college-bound tracks and become destined for white collar positions in the work force (Colclough and Beck 1989). In these ways the institution of education reproduces and perpetuates class stratification.

Because blacks are disproportionately represented as the nation's poor and hold a disproportionate number of blue collar jobs (Hacker 1992; Tidwell 1993), it follows that class reproduction patterns correspond to race reproduction patterns (Colclough and Beck 1989). Within each of these tracks,

students confront different intellectual and behavioral expectations. The 'hidden curriculum' of education consists of the sometimes subtle, sometimes not-so-subtle values, attitudes, and behaviors that mold children in the image given to them by their place in the social order (Apple and Weis 1983). Teachers model and reinforce traits that embody societal standards of industry, responsibility, conscientiousness, reliability, thoroughness, self-control, and efficiency (Apple and Weis 1983). Children learn more than simply reading and writing in the classroom. They also "learn to be quiet, to be punctual, to line up, to wait their turn, to please their teachers, and to conform to group pressures" (Vander Zanden 1990:304). In this way schools provide a place for society to prepare students for the work force.

But they also provide a place for social stratification to take place. The class backgrounds of students determine the ways in which they are treated within the educational system. For students from working class backgrounds docility and obedience are emphasized, while the emphasis for students from white collar families is on initiative and personal assertiveness (Bowles and Gintis 1976). Students do not receive equal educational experiences and therefore, do not receive equal opportunity for their futures.

The U.S. Public School System:

Racial Segregation Equals Institutional Racism

By long standing tradition children attend neighborhood schools. Government officials set up district lines which determine which schools serve which neighborhoods. District lines are drawn according to residential areas, which tend to be organized according to the economic level of the people who live there. Although most schools receive some sort of state or

federal aid, the bulk of their funding comes from local taxes. People of higher income brackets can afford to pay higher taxes, thus funding for their schools is higher. With more funding, schools can offer resources that schools with lower funding cannot. The 'better' schools (those with more resources) are in turn more attractive, enhancing the attractiveness of their local area for prospective home owners. This draws in people who can afford to live there, while excluding those who cannot. Not only are people from lower classes kept from living in the area, but they are also kept from access to the area's schools.

Because of residential racial segregation, neighborhoods segregated according to income in this country are also segregated by race (Massey 1993). Consequently, neighborhood schools are frequently racially segregated schools. Once racial segregation has been effectively institutionalized only minimal maintenance is required to maintain it (Lawrence 1980:56). It becomes an aspect of institutional racism that is not viewed as an actual part of the system. It is ignored because it appears to be non-existent since it is not blatant racist action taken by an individual to an individual. Once the institutionally racist system is established it is difficult to distinguish between active involvement in upholding it and passive tolerance of it (Lawrence 1980).

But segregation in itself is very active: it is "a form of isolation which places limits or restrictions upon contact, communication, and social relations" (Berry 1965:198). It is not simply to separate; it is to stigmatize and subordinate. Segregation is a "systematic labeling device" (Lawrence 1980:53), injurious in that it classifies groups as inferior and superior (Lawrence 1980:51).

Thus, despite their socioeconomic disadvantages as a group, black children begin school with similar test scores as whites their age (Steele 1992), but the longer they stay in school, the more they fall behind. By the sixth grade black students in many school districts lag two full grade levels behind their white peers in academic achievement. This is directly correlated to race not class; the pattern holds true for middle class as well as lower class black students (Steele 1992). Black achievement only continues to worsen in high school (Tidwell 1993).

These students are not ignorant: they know they are separated from whites and isolated in the relatively worse schools. They internalize this inferiority and realize that in effect, they are being written off by society (Steele 1992). The consequence is that "for too many black students school is simply the place where, more concertedly, persistently, and authoritatively than anywhere else in society, they learn how little valued they are" (Steele 1992:78).

The fact is, if you are poor, if you are a minority, and if you live in an urban area, you start the game at a disadvantage. Although you have an equal capacity to learn, the odds are stacked against you. You are assigned to a school with fewer resources, less helping hands, less attention and less guidance. Schools as institutions, and the curriculum, teaching, and evaluation that go on inside them favor white students over black students (Shor 1987:xi). As agencies that reproduce and legitimate the social order schools benefit white individuals at the expense of blacks (Vander Zanden 1990:304).

SCHOOL DESEGREGATION

The ideology that schools are ivory-towers separate from the 'real world' is a notion which disguises the real power of the immense social institution of education. If schools were truly powerless to affect society, education would be more ignored and less troubled than it is (Shor 1987:185). In fact, schools are at the center of society: involving tens of millions of people from all corners of daily life (Shor 1987). Education reform is thus social reform.

The Institution of Education as an Arena for Social Change:

The School Desegregation Controversy

Schools stand at the intersection of the economic, cultural, and political spheres of our society, thus the impact they have on society is perhaps greater than any other institution. Educational policy shapes the future of the nation by preparing its labor force, transmitting our cultural heritage(s) to a new generation, and translating political values into practice. As a consequence, schools have long been a political and legal battleground (Ravitch 1988) at the center of larger conflicts because they represent "symbolic territory over which opposing sides compete for advantage" (Hunter 1991:224). The battles over education reveal the dynamics, the passions, and the political stakes involved in our most deeply held national beliefs.

The school has been used as a tool for social reform throughout its existence (Ravitch 1988). Perhaps the most controversial issue in the history

of school reform has been the movement for school desegregation for racial integration. Gary Orfield, one of the most widely respected experts on desegregation, refers to three reasons that the notion of school desegregation has been such an explosive controversy in American society:

First, the schools are the largest and most visible of public institutions, directly affecting million of families. Second, school assignment patterns, unlike housing or job patterns, are wholly determined by public officials and can thus be rapidly changed by a court order to those public officials. Third, because of the strong base of constitutional law and the massive evidence of illegal local actions, school desegregation is still proceeding (Orfield 1978:2).

Despite the continued controversy over school desegregation, the effort to racially integrate schools persists today. The history of the school desegregation movement reveals the intense struggle for, and commitment to, education as a means for social change and racial equality in our society.

The History of School Desegregation:

A Socio-Legal Perspective

As the Civil War concluded and the 13th and 14th amendments declared "due process of law" and "equal protection of the laws", there was a sense of hope for ending discrimination against the black citizens of the United States. Although these were great steps in the history of the law, they were written words, and in many real ways an unequal and discriminatory system was left intact with little progress for civil rights and not much social change. Perhaps the greatest example of this was *Plessy v. Ferguson*, decided in 1896. *Plessy* permitted the states to declare the races to be "separate and equal" (*Plessy v. Ferguson*). *Plessy* defined it as constitutional to enact laws that separated people on the basis of race, setting a standard of segregation

and racism for the nation. Nowhere could this attitude be seen more clearly than in the public schools with separate 'black schools' and 'white schools' throughout the South and much of the North.

In the 1930s the National Association for the Advancement of Colored People (NAACP) began casework to attack the constitutionality of segregated schools. It began with segregation suits against graduate and professional schools (Greenberg 1959:179). On four separate occasions—*Missouri ex rel Gaines v. Canada*; *Sipuel v. Board of Regents*, *Sweatt v. Painter*, and *McLaurin v. Oklahoma State Regents*—the Supreme Court ordered the admittance of black students into previously all-white graduate schools. These cases did not expressly overturn the separate-but-equal standard, but they testified to the substantial inequality which existed between the white and black schools (Blaustein and Zangrando 1991:407).

Elementary and high school educational segregation was not seriously approached until 1950. At that time the attorneys of the NAACP took it upon themselves, under the direction of Thurgood Marshall (lead counsel and director of the NAACP Legal Defense & Education Fund), to mount a full-scale attack on public school segregation (Miller 1969:181).

On May 17, 1954, the U.S. Supreme Court decided *Brown v. Board of Education* (Brown I). After deliberating for nearly a year and a half the justices ruled unanimously to desegregate U.S. public schools. The *Brown I* decision was a precedent, legally mandating the end of any government action excluding students from public schools on the basis of race. In this landmark case, state-imposed racial discrimination was struck down as unconstitutional. The case held that, "discriminatory racial practices are inherently unreasonable; a racial classification can have no reasonable relation to any legislative purpose; therefore any state-imposed classification

based on race is unconstitutional per say as violative of the equal protection mandate" (Blaustein and Zangrando 1991:406). *Brown* was the first major case to use sociological and psychological findings in a racial segregation decision (Harowitz et al. 1969). The justices ruled that "separate is inherently unequal because it leads to a feeling of inferiority in the discriminated group" (*Brown v. Board of Education (I)*).

The *Brown* case was the climax of more than two centuries of litigation on the legal status of blacks. *Brown* "opened a new era in the legal struggle for Negro equality" (Blaustein and Zangrando 1991:415). It was perhaps the most significant court case in the history of civil rights in the United States. It directly affected more individuals than perhaps any other case did or ever will.

Whether the court was saying not to segregate, or to integrate is a question that is still being asked today. But something no one would question is the fact that *Brown* did not include guidelines for how to implement the imposed desegregation. After months of unrest and controversy over the implications of the case, the Supreme Court decided *Brown II* in May of 1955. The decision placed the burden of implementing and enforcing school desegregation on district courts. This decision ordered school desegregation "with all deliberate speed," and required "good faith compliance at the earliest practicable date" rather than seeing segregation as worthy of requiring immediate remedy (*Brown v. Board of Education (II)*).

The vague mandate issued in *Brown II* undercut the progress that had been made in *Brown I*:

Even as it acted, the Court was necessarily concerned about the political implications of its decision. That concern influenced both the way in which the Court identified the wrong and the scope of the remedy it ordered (Kirp 1981:396).

Although segregated public schools were declared unconstitutional, the court eschewed a preemptive role in treating the problem. Instead of setting a clear and strict standard for desegregation, the court simply affirmed the necessity of accomplishing racial integration and left the duty to local officials who were responsible for the segregation in the first place (Kirp 1991:398-399).

After the *Brown II* decision, "the lower courts increasingly exercised their discretionary authority to hasten desegregation" (Kirp 1991:397). *Brown II* rested on cooperation in implementing desegregation, but the fact was that the white majority was opposed to the decision. Thus, *Brown II* easily allowed local officials to defy desegregation. This set the pace for desegregation in the U.S.: a painfully slow and agonizing process ineffective in securing much more than token compliance (Blaustein and Zangrando 1991:447).

In the weeks and months that followed the *Brown* decision white politicians everywhere were in a state of upheaval, dropping "tons of rhetoric" in legislative branches across the country (Powledge 1991:141). Perhaps the most dramatic example of this took place in March, 1956, when nineteen senators and eighty-one representatives unveiled the *Southern Manifesto* on the floor of Congress. It defended segregation based on "elemental humanity and common sense." It accused the Supreme Court of going out of bounds with the *Brown* decision and predicted that if *Brown* stayed in effect it would cause a revolution that would destroy the public schools. The signatories pledged themselves to the "use of all lawful means to bring about a reversal of this decision" (*Southern Manifesto* 1956).

Resistance to desegregation was extremely strong, especially from those in positions to implement *Brown*: educators, community leaders, judges, and politicians. In the first four years following the *Brown* decision,

Southern legislatures passed 196 laws designed to overcome or circumvent the ruling (Powledge 1991:157). The legislative resistance to desegregation explicitly introduced new mechanisms for institutional discrimination. This strategic legislation generally fell into three categories: pupil placement laws, school closings, and the use of public funds to create private schools which would, of course, continue the tradition of segregation (Powledge 1991:157).

The pupil-placement statutes gave school districts the power to assign students to different public schools based on different individual characteristics. The characteristics included merit, preparedness, test scores, psychological well-being, morals, conduct, health, home environment, and personal character (Schwartz 1986:51). None of the criteria mentioned race specifically but there was ample leeway in such laws to guarantee perpetual segregation (Powledge 1991:157). These laws gave control to local boards of education, which were generally comprised of whites opposed to race-mixing. They decided which students went to which schools. By not admitting that school assignments were still based on race, the pupil-placement laws disguised the racism of decision makers and re-legalized a new type of racial segregation.

In *Shuttlesworth v. Birmingham Board of Education*, the Supreme Court affirmed Alabama pupil-placement laws, therefore declaring them Constitutional nationwide. In 1959, five years after Brown I, there was only one black student in all of the 'white schools' of Charlotte, North Carolina (Schwartz 1986:52). This pattern repeated itself in many U. S. schools in racially diverse areas.

Resistance legislation also included school closing laws. These statutes, "allowed the governor or others to act to close public schools if a certain trigger were squeezed--such as the receipt of an integration order from

a federal court" (Powledge 1991:157). These laws usually worked along with tuition plans in which states gave grants to attend private schools to students whose public schools had been closed, or who just simply did not want to attend integrated public schools (Powledge 1991:158). The states enacted a plethora of laws intended to thwart school desegregation. But, "the chief weapon contained in all the legislation was delay" (Powledge 1991:158). The delaying strategy worked well. Legally, it was easy to do—*Brown II* had left virtually no guidelines as to how long it was supposed to take to desegregate the schools.

Even in districts that did have legal mandates to desegregate their schools, the social resistance was strong. Probably the most widely known example is the Little Rock Crisis. In 1955 a desegregation plan for the Little Rock, Arkansas area had been designed. Three years later, in 1957 the courts finally ordered the plan to be implemented. On September 4th of that year, when black students tried to enter the public school, they were met at the door by National Guardsmen whom the Governor had ordered to prevent their entrance. The pressure from civil rights activists was so strong that President Eisenhower issued an executive order to federalize the Arkansas National Guard and use regular military personnel to allow the students to enter the school (Mills 1973; Blaustein and Zangrando 1991).

Obviously, there was a problem achieving court mandated desegregation. In order for progress to occur, the Court had to set standards. In 1963, the Supreme Court ruled two cases declaring racial discrimination in violation of *Brown I*, even if the school districts involved did have desegregation programs in effect (*McNeese v. Board of Education*; *Goss v. Board of Education*). In other words, the court declared that unless desegregation plans were actively being employed, they were illegitimate.

Nevertheless, change was very slow, mainly because of massive resistance to racial integration from the elite, politically powerful segment of society. There was incredible unrest over the issue in this country:

For ten years after the 1954 supreme Court decision in *Brown*, little was done to desegregate the schools. . . But professionals were at work on the problem. The NAACP Legal Defense Fund continued to bring case after case into court to circumvent the endless forms of resistance to a full and complete desegregation of the dual school systems. . . The federal courts, having started on this journey in 1954, became educated in all the techniques of subterfuge and evasion, and in their methodical way struck them down one by one. The federal executive establishment, reluctant to enter the battle of school desegregation, became more and more involved (Glazer 1973:190-191).

A decade after *Brown v. Board of Education of Topeka*, the constitutional declaration for school desegregation was still not much more than a paper right. Only 2.14 percent of the nearly three million black students in the south were receiving anything even resembling a desegregated education (Blaustein and Zangrando 1991:415).

Under pressure from civil rights attorneys infuriated by desegregation delays, the Supreme Court spoke strongly in three cases, between 1963 and 1964 and denounced segregated schools (*Watson v. Memphis*; *Calhoun v. Latimer*; *Griffin v. Prince Edward School Board*). On a one-by-one basis some cases were won in court, but,

. . .these victories were being undermined by demographic conditions as a result of local school districting, neighborhood school policy and the rapid growth of the northern black ghetto, and the heavy concentration and containment of blacks in the public schools of the central city (Carter 1980:24).

Through the '50s and into the '60s, whites moved out of cities and non-white minorities moved in, or stayed in, urban areas. This demographic trend,

referred to as 'white flight', made it less and less possible for courts to come up with extensive integration plans (Ravitch 1980:39).

But school desegregation proceeded at a faster pace with the enactment of the Civil Rights Act of 1964. This piece of civil rights legislation was the most comprehensive ever proposed by Congress (Blaustein and Zangrando 1991:524). The law insured maximum rights for blacks in every area of life in the U.S.. Title VI declared that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (The Civil Rights Act of 1964). The Civil Rights Act of 1964 made it possible for the Department of Justice to bring lawsuits against segregated school districts and declared that federal funds could not be used in districts with racial segregation. The 1965 Elementary and Secondary Education Act made large federal funds available to schools that were desegregated.

Although these were noteworthy steps taken by government, racial tension increased nationally and erupted in cities plagued by racism and economic discrimination. Blacks everywhere grew restless, unsatisfied with the state of race relations in the U.S., and frustrated with unsuccessful efforts to decrease racial discrimination and institutional inequality (Fogelson 1971). Riots broke out in densely populated urban areas and tore apart whole sections of cities. The most famous of these, of course, was the Watts Ghetto Uprising in Los Angeles in August, 1965 (Aptheker 1971:245). The race riots of the 1960s were not just violent outbursts, they were "...a manifestation of race and racism in the United States, a reflection of the social problems of black ghettos, a protest against the essential conditions there, and an indicator of the necessity for fundamental changes in American society" (Fogelson

1971: 51). Considering the deliberately slow pace of racial integration, it should be surprising that blacks acted with such restraint and selectivity until the late '60s: an oppressed people can only take so much before they exhaust their patience with non-violent channels and turn to violent protest as a means to express their frustration with the system (Fogelson 1971).

By the late '60s, the school desegregation controversy was fully inflated. It was in the national spotlight: at the center of public policy debate and the focus of the educational reform movement (Ravitch 1988). In 1968 the Supreme Court ruled *Green v. Board of Education* declaring that unconstitutional dual systems must not be deliberately perpetuated. The ruling was that segregated districts must adopt or be ordered to adopt plans that "so far as possible eliminate discriminatory effects of the past as well as barlike 'discrimination in the future" (*Green vs. Board of Education*).

The *Green* decision ordered district courts to begin actively seeking effective remedies to implement *integration*, not simply desegregation. It denounced so-called 'freedom of choice' plans, which theoretically opened schools to blacks, but in reality did not make any actual efforts toward racial integration. The decision was that a district could not simply say they were open to blacks, they had to truly integrate their schools. It said that desegregation plans must remain in effect until racial balance was achieved. The court identified six components of "racial balance," which included student assignment, faculty and staff composition, transportation, facilities, and extracurricular activities (*Green vs. Board of Education*). But once again it ruled that district courts must supervise and monitor the operation of desegregation plans (Schwartz 1986:61). The implications of this case were great. It lessened the burden on plaintiffs to prove the existence of dual systems and unsuccessful desegregation laws. It made courts across the

country start taking segregation more seriously, and it gave attention to administrative details of desegregation planning including specific options, such as busing students across district lines to achieve integration (Schwartz 1986:65).

During the '60s, the 'culture of poverty' entered public debate. The cultural poverty thesis held that the value systems, morals and ethics of black culture were the reason that blacks were not rising to the top in economic, social and political life (Steinberg 1981). This started a trend in which social scientists focused on the need for black assimilation to 'white culture' and stressed the negative characteristics of 'black culture' (Steinberg 1981). Blacks were defined as an inferior caste, culturally and psychologically damaged by a history of racial discrimination (Ravitch 1980:42). Black children were said to be hurt because of their lack of contact and experience with the majority group. The notion of the 'culture of poverty' conceptualized poverty as a personal problem of blacks. It rejected racism as being the source of systematic inequality and blamed poverty alone. It was a way to blame individuals and deny societal responsibility for limited opportunity, systematic inequality, and socio-structural problems (Steinberg 1981).

While the desegregation laws of the 1950s attempted to identify the wrong, they were not overly concerned with how to remedy it. But the legal goal of the 1970s was to find a cure (Freeman 1980:75-76). Shaped by the 1960s' theme of black cultural pathology legal theory focused on an 'integrationist ideology,' which sought to remedy the problem by promoting black assimilation (Brittain 1993). The idea was that blacks should assimilate to white culture in order to escape the inferior 'culture of poverty' (Ravitch 1980:42). From this legal theory stemmed the desegregation plans of the 1970s, which focused on blacks 'coming into' white society. The court-

ordered plans tended to be different variations of one-way transfers in which black students were bused out of the city to attend suburban, virtually all-white schools (Brittain lecture). The expectation was that individual blacks would leave their roots behind and assimilate to 'white culture'.

The backlash to these types of busing plans was extremely strong. At all levels of government officials condemned busing and supported the notion of neighborhood schools—schools that served, exclusively, the students who resided in the immediate proximity of the school building (Hughes, Gordon and Hillman 1980). The Nixon administration promised to halt desegregation by keeping the U.S. loyal to residential separation and neighborhood schools (Dimond 1985:v).

In 1971 the Supreme Court ruled *Swann v. Charlotte-Mecklenburg Board of Education*, the landmark decision declaring mandatory busing for desegregation constitutional. The court upheld a desegregation program which included a busing plan to be put into effect immediately (Schwartz 1986:185; *Swan v. Charlotte-Mecklenburg Board of Education*). The *Swann* decision gave solid support for judges who took vigorous measures to end dual systems, it gave courts the authority to order mandatory busing for desegregation, and it approved the use of mathematical ratios to help prepare remedy plans (Schwartz 1986:189). All in all, *Swann* led to widespread busing orders in courts across the country.

The busing issue became bigger than ever once it began to affect northern cities. With northern whites made vulnerable, public sentiment turned against the concept of 'group rights' to favor the notion of 'individual liberty' (Solomone 1986:195). The politically liberal protest of the '60s gave way to a much more conservative climate in which anti-busing protest took place. The tactics of civil disobedience, disrespect for authority, and public

opposition to government were no longer reserved for black activists and radical special interest groups. In the '70s, the protest turned to former members of the 'silent majority': working class whites who had typically obeyed authority (Formisano 1991:228). Now the silent majority was speaking up to 'defend' their children against racially integrated education.

In 1970, 71.8 percent of black students were still in schools whose student bodies were 80-100 percent black and Hispanic, yet in a television address President Nixon declared to the nation that, "the dismantling of the old dual system has been substantially completed" (Stone 1973:187). As tension over busing grew, Nixon used more and more of his power to halt desegregation. Congress passed the Student Moratorium Act of 1972 freezing court ordered busing until it could adopt a long range solution (Bork 1972:1). The 'solution' was the Equal Educational Opportunities Act of 1972, which shifted the focus from busing to other measures for improving education of disadvantaged groups (Bork 1972:3). This act represented yet another strategy for whites to avoid desegregated schools. Rather than force whites to attend schools with blacks, the act sought to channel funds to black schools—an extension of the 'separate but equal' logic *Brown* had supposedly overturned.

Civil rights attorneys pressed on with school desegregation cases mostly funded by the NAACP. In 1973, the Supreme Court decided *Keyes v. Denver School District*. This case stated that "proof of state-imposed segregation in a substantial part of a school district will suffice to support a finding of a dual school system unless school authorities can show the area in question is a separate and unrelated part of the district" (*Keyes v. Denver School District*). The ruling declared that deliberate segregation in a significant portion of a school district requires a district-wide remedy. Once again, the Court had the opportunity to uphold a clear and strict order, but

took a less-than-hard line, saying that discrimination is "diverse, multifaceted, amorphous, and immense; for that reason the district court judge determines the scope of the solution" (Kirp 1981:398).

The Supreme Court left open the possibility of segregated districts. In 1974 it decided *Milliken v. Bradley*, overruling a Detroit case where the district court had ruled to include suburbs in a busing program because too few whites resided in the city for real segregation to occur (Formisano 1991:229; *Milliken v. Bradley*). *Milliken* declared it constitutional to require busing in cities such as Detroit, Boston, and San Francisco, but not between those cities and their suburbs (Wolters 1984:288). It also limited the financial responsibility for desegregation remedies to urban districts, many of which were too poor to be able to afford them. Basically, the *Milliken* decision undermined both the practice and framing of inter-district remedies and gave affluent whites the ability to escape desegregation by suburban residence. "That opinion seemed to absolve suburban white America from any responsibility for the ghetto" (Dimond 1985:v). The burden of integration was thus placed on poor whites as well as blacks which helped to conflate race and class antagonism in northern cities.

School desegregation continued to be a hot issue throughout the '80s, despite the Reagan Administration's philosophy of "getting the government off the peoples' backs," a sentiment right in line with anti-desegregation discourse (Formisano 1991:236). White backlash framed its opposition in a new language of "back to basics", and "excellence in education." Conservatives blamed prior efforts to address inequality for the mediocrity of student performance and for placing the nation "at risk" of economic decline (National Commission on Excellence in Education). Popular discourse focused on a return to stability, tradition and individualism. Popular

sentiment was that civil rights had been won and that more than enough had been done already to soothe race relations (Formisano 1991:236). The business of education was to raise standards and to support the talented students.

In the Reagan years rhetoric conflicted with practice in the busing debate. For example, Reagan declared his opposition to racial discrimination, yet vetoed Federal aid for school desegregation, made tax exemptions for racially exclusive private schools, and promised to appoint judges who would not actively intervene to end racial separation (Dimond 1985:vi). He also proclaimed that mandatory busing was unacceptable, yet did not allow for funds to stimulate reform (Salomone 1986:77). The Reagan Administration professed to be anti-racist, but instituted racist policy.

In the late '80s and early '90s the attitude of Americans toward school desegregation continued to grow increasingly conservative. A 1990 study by the Institute for Social Inquiry reported that 84 percent of respondents favored the notion of neighborhood schools over desegregation (Carter 1991:178). White Americans continued to evade the racial integration of schools by any means necessary. In 1989, for example, white parents in one Mississippi city gave fictitious addresses, and falsified their children's legal residences and guardianships in order to facilitate transportation to predominantly white schools of their choice and thus avoid desegregated schools. A district court ruled that there was no Constitutional violation in doing this, and that the problem was not significant enough for judicial intervention (Lufler 1990:88).

Recent years have witnessed racial tensions erupting to violence. The L.A. riots of April, 1992 riveted public attention. Other incidences, such as South Boston High School's race riots in May of 1993, received little notice in the national press, but resulted in serious injuries to white and black students and necessitated shutting down the school for a week in order to gain some

resemblance of order (Nealon 1993). Twenty-six years ago the Kerner Commission declared that the gap between whites and blacks in every aspect of life in the U.S. was clear and distinct. The report put forth the vision of two nations: one black and one white. A 1993 report concerning the state of urban ghettos reported that the Kerner Commission vision is, "more relevant today than in 1968, and more complex, with the emergence of multiracial disparities and growing income segregation" (Lewis 1993).

It is a well documented fact that historically in the U.S. white children educated in predominantly white schools have had a better education than black children educated in predominantly black schools (Hesburgh 1973:179). Today in most American cities there are few all-white schools, but many all-black schools (Willie 1991:200). It has been forty years since *Brown I*, and schools are not only separate, but, as in the days of *Plessy*, they are separate and unequal (Kozol 1991). Black student containment in urban schools is commonplace in this country and it is a widespread belief that segregation remedies have done more harm than good (Mills 1973). School desegregation has failed: court approved plans have somewhat integrated white schools but left ill-equipped segregated schools for blacks and Hispanics (Willie 1991:201).

Summary: The Three Generational Phases of School Desegregation Litigation

Since the *Brown* decision there have been three generational phases of school desegregation cases (Brittain 1993; Brittain lecture; Brittain interview). The first phase took place in the 1950s and '60s and was motivated by the goal to dismantle the dual system of racially segregated education. The rulings which came out of that era imposed numerical mixing of white and black

children in the same schools (Brittain 1993:169). The responsibility to come up with the actual plans to accomplish this was left to school officials. They slowly dismantled the black school system, and only nominally integrated white schools. Although no school was allowed to discriminate legally on the basis of race, the majority of schools remained highly segregated due to residential segregation and the unaltered tradition of neighborhood schooling.

The second phase occurred in the '70s and was motivated by the goal of quality education for all children. While the *Brown* decision had legally banned enforced segregation in education, it had left intact a system of stratified school districts. School district lines were drawn according to residential districts, and as a result of massive 'white flight' out of cities and demographic patterns of increasing residential racial segregation, vast discrepancies between urban black and suburban white schools emerged (Massey 1993).

To overcome the problem of unequal educational opportunities and inferior academic results for black students in inner-city, racially segregated schools, desegregation advocates pursued remedies designed to increase educational resources for nonwhite students (Brittain 1993:169). This period of legal school reform centered on new types of school desegregation, including one-way busing transfer plans, magnet schools, and private voucher programs. The outcome was that token black children attend—and were expected to assimilate into—white schools. Generally, the 'best and the brightest' black students were the ones chosen for these programs. This enhanced academic opportunity only for those students and slightly increased racial diversity in the suburban, predominantly white schools, but left inner-

city schools in no better position than they had been before the programs were implemented (Brittain lecture).

The 1990s have brought the third phase. Whereas the first phase sought racial equality and the second phase sought educational equality, this new wave of school desegregation seeks a holistic approach to accomplish both (Willie interview). These cases center on questions of what equality, as a legal concept, is and should be, and how it can be achieved (Brittain lecture). The plaintiffs attempt to move away from measuring equality by the degree of integration, and look to other measures. These desegregation cases seek to end gross gaps in equity of resources, facilities, special programs, and potential for upward mobility. The *Sheff v. O'Neill* case exemplifies this third and present phase. As John Brittain, lead attorney for the plaintiffs, explains:

...the quest for educational and racial equity attempts to overcome the differences in family and racial isolation to restructure education in a manner that will give nonwhite children a better opportunity and provide both white and nonwhite children with increased racial and cultural diversity in their education (Brittain 1993:170).

Exactly forty years ago, the Supreme Court told our country that racially segregated schools are "inherently unequal" (*Brown v. Board of Education*). Today no one can deny that our schools are racially segregated and that depending on a child's race, he or she will receive a relatively better or worse education. We can not begin to consider our nation one of equal opportunity until we face up to the difficult task of truly integrating our children's schools. A desegregation case such as *Sheff v. O'Neill* has the potential to do just that.

**SHEFF V. O'NEILL:
A CONTEMPORARY SCHOOL DESEGREGATION CASE**

Sheff v. O'Neill is one of about twenty school desegregation cases presently on trial in courts around the country. Most of these cases focus on funding with plaintiffs usually calling for equalization of education financing within district or state lines. The *Sheff* case is unique in that it focuses on the racial isolation and substandard schooling of poor and minority urban children. The plaintiffs argue that equal funding is not enough; that racial integration through some type of court-ordered school desegregation plan is necessary to overcome the education system's problems.

The *Sheff* case has compelling interest sociologically because it addresses the separate and unequal status of black and white Americans. It confronts what Jonathan Kozol describes as the "central moral agony of our society" (Frahm Feb 7, 1993). The *Sheff* case brings to the forefront of debate the issues that school desegregation litigants have been struggling with since *Brown v. Board of Education*. The *Sheff* case directly confronts issues of racial and socio-economic inequality and asks for no less than a full-scale, court-mandated school desegregation remedy. If the plaintiffs in *Sheff* are successful it will be the first case to prove, under a state constitution, that racial segregation in education is unconstitutional independent of how it got there.

The case is highly controversial and has ignited substantial opposition. It is perhaps the most disruptive school desegregation case on trial in the country right now. It has the potential to break new ground in civil rights

and set precedents for future desegregation cases. It is quite possibly the first in a new wave of equal education litigation. The attorneys from both sides agree that it has a good chance of going all the way to the U.S. Supreme Court.

The History of Sheff v. O'Neill

In the early 1980s civil rights attorneys, law professors, concerned education officials, and activist citizens from all around Connecticut began seriously questioning the state's education system. People were feeling unsettled by Connecticut's situation: a major study by Columbia University had just shown enormous disparities in test results between urban and suburban school children; racial and economic segregation between cities and suburbs was intensifying; drop out rates in city schools were getting worse; and state officials and government bodies were seemingly doing nothing to respond.

Concerned by the state of the education system and poverty concentration and racial isolation in Connecticut's cities' citizens began organizing grassroots meetings. The meetings studied the public education problems of Connecticut's cities and the residential and educational segregation throughout the state. Attorneys from the Connecticut Civil Liberties Union, the Connecticut chapter of the National Association for the Advancement of Colored People (NAACP), and other organizations saw the potential for a full-scale legal attack on the Connecticut public education. These were small and barely heard of meetings, but this was the beginning of what today is the hottest school desegregation case in the country.

At the time of these initial meetings, activists and civil rights proponents had a hard time gaining speed. Connecticut's citizens were not

ready to deal with the notion of a large-scale lawsuit. They wanted to wait and see if the Connecticut legislature, the Department of Education, or other such bodies would act on the problems first. It was a waiting game that civil rights activists had seen played for years, but the situation was clear:

Connecticut was not ready to mobilize for a full blown legal battle.

As the Connecticut's situation worsened and showed no signs of improvement, the making of a lawsuit began. During the 80s more and more people became frustrated with the education and basic standard of living in Connecticut cities. The legislature was proclaiming to take action, but over and over again results were unimpressive.

The meetings that had begun in the early 80s started growing in attendance and people across the state were becoming more and more discontent. The situation seemed ripe for civil rights attorneys to step in, and thus, the legal battle got underway.

In 1987, the New York based NAACP Legal Defense Fund sent representatives to Connecticut to survey the scene. They began the process of formally interviewing and organizing people, researching the situation. People, especially minorities from urban areas, reacted strongly. Out of these sessions and meetings came a sense of urgency on the part of Connecticut's concerned citizens. It seemed that they were ready for action. All the information was pointing in the same direction: Connecticut was prime for a potentially precedent-setting lawsuit.

The interviews, studies, and meetings raised a host of concerns and a wide variety of issues to be considered; a major lawsuit, however, needed a narrow focus. Thus, three major issues were targeted: the racial segregation, the economic segregation, and the unequal educational opportunity across

the state. Together, these three issues became the components of one potential case.

In January of 1988, Connecticut Civil Liberties Union and NAACP representatives as well as the other organizers working on the case called in researchers, social scientists, civil rights attorneys, legal scholars, and education experts from all over the country to take part in a huge conference addressing Connecticut's problems. The prospects of a successful lawsuit were seriously considered. It was agreed that the potential outcome looked good, and research was to continue.

In April 1989, after he had toured the state to "get the pulse of the citizens", Gerald Tirozzi, the state Commissioner of Education, released a report concerning the segregation of Connecticut's schools (Tirozzi II 1989). An earlier report had called for inter district school integration and admitted that real desegregation would not be achieved through voluntary means (Tirozzi I 1988), but the 1989 report called for purely voluntary measures to desegregate the state's schools (Tirozzi II 1989). This report was just another instance in a long history of legislative inaction. To the civil rights attorneys organizing at the time it symbolized that really nothing was going to be done by the legislature to combat the state's problems:

For over 25 years, [legislators] have failed to respond to the growing racial and economic isolation of Hartford schoolchildren. Beginning in the mid-1960s, up to the present, the state has been repeatedly reminded of the harmful effects of racial and economic isolation on schoolchildren in Hartford and other cities, and urged to take strong action. Nothing was done (Plaintiffs' Brief 1993: 64).

After the release of the second Tirozzi report, it was clear to the plaintiffs that the situation in Connecticut not only warranted, but demanded, legal action. The *Sheff* case was then officially born.

Of the three cities originally researched, Hartford's poverty and racial segregation statistics were the worst, so thus, it was decided that Hartford was the city in which the legal battle was to be fought. Attorneys and experts began meeting regularly, interviewing, studying, and preparing the dimensions of the class action suit. They carefully hand picked plaintiffs to make the case as strong as possible. *Sheff* was ten years in the making and the case of a lifetime for the litigators who were to try it in court. Strong opposition was expected, so it had to be as bullet-proof as possible. On April 27, 1989 *Sheff v. O'Neill* was filed in Connecticut Superior Court.

Twice the defendants motioned for dismissal of the case based on the argument that the case involves social problems that should be the responsibility of the legislature, and that it is not the court's role to decide such complex issues. Twice the presiding judge, Harry Hammer, denied the state's motions, saying that the plaintiffs had the right to a trial of the case.

The Trial of Sheff v. O'Neill

The trial of *Sheff v. O'Neill* began on December 16, 1992 in Connecticut Superior Court. It was named for Milo Sheff, a black eighth grader from Hartford, and William A. O'Neill, the Governor of Connecticut at the time the action was filed.

The plaintiffs are a racially diverse group of 18 schoolchildren ranging in age from six to 21 (present ages). Five of the students are black, seven are Puerto Rican, and six are white. The plaintiffs being blacks and Hispanics from the inner city and whites from the suburban districts makes the case truly unique. The plaintiffs' lawyers are 15 national legal experts on school desegregation and race issues. The lead attorneys are John C. Brittain,

Professor of Law at the University of Connecticut School of Law, and Wesley W. Horton, attorney at Moller, Horton and Rice, a private Hartford law firm. The others are attorneys representing the NAACP Legal Defense and Educational Fund, the Puerto Rican Legal Defense and Education Fund, the Hispanic Advocacy Project Neighborhood Legal Services, the Connecticut Civil Liberties Union Foundation, and the American Civil Liberties Union Foundation. The lawsuit is supported through grants from the organizations listed above and others. The Connecticut Civil Liberties Union Foundation is the main litigating office, housing an entire room full of paper related to the *Sheff* case.

The defendants include the Governor, the State Board of Education, the Commissioner of Education, the State Treasurer, and the State Comptroller. Legal defense for the state is the Attorney General's Office. There are three lawyers for the defendants: John R. Whelan, Martha Watts, and Alfred A. Lindseth. John Whelan and Martha Watts (who specializes in the legal field of education and was hired as an Assistant Attorney General specifically with this case in mind) are assistants to the Attorney General. Alfred A. Lindseth is an Atlanta based lawyer who has defended high-profile school desegregation suits in major U.S. cities. He was hired by the state to question and cross-examine prominent expert witnesses for the plaintiffs.

The judge for the case is 65 year old Harry Hammer. He graduated from Columbia Law School in 1954 and has been a Superior Court judge since 1978. He is considered meticulous and scholarly and has presided over a number of high-profile cases. He is held in high regard by the people who know his work and have been following the *Sheff* case.

Expert witnesses, including Robert Crain, Gary Orfield, Christine Rossell and David Armor, were called in from all over the country to testify

for the trial. Hartford area education officials, students, teachers, social workers and parents were also represented on the stand. In total, the case included the testimony of over 50 witnesses.

The trial lasted over 11 weeks. Some days dragged on with ten or more witnesses heard in the course of the day. Reporters would struggle to stay awake and the benches would be empty by the end of the afternoon. But then there were days when the court room was full of tension and packed with people. Lines would wait at the door to get into the standing-room-only court room and catch a glimpse of some of the most compelling legal testimony possible. Some testimony would have the witnesses, as well as the majority of the court room, in tears. The media would jam microphones at attorneys faces and journalists would scribble furiously. Everyday Hartford school children were brought in to here portions of the case and see history being made.

The Legal Theory and Moral Motivation

At the Heart of Sheff v. O'Neill

The arguments of *Sheff v. O'Neill* are emotionally intense, highly controversial and deeply personal. What is at stake in *Sheff v. O'Neill* is the nature of the fundamental right protected by the Connecticut Constitution that ensures all children receive an equal education. The plaintiffs argue that it is the right of Connecticut children not only to receive an education, but to receive "an equal education, a quality education, and an education unencumbered by racial, ethnic or economic isolation" (Plaintiffs' Brief 1993:1). Plaintiffs claim that the educational system in the Hartford area is segregated on the basis of race, ethnicity and economic status and that as a

result the students of Connecticut are not receiving the equal educational opportunity to which they are entitled, and the education system fails to provide a minimally adequate education to Hartford city children. As stated in the Plaintiffs' Post Trial Brief,

Plaintiffs, eighteen white, African American and Latino schoolchildren in the Hartford and West Hartford public schools, have brought this lawsuit to vindicate their personal rights under the Constitution and laws of the State of Connecticut. They challenge the racial, ethnic and economic isolation in the Hartford metropolitan area schools as infringing on their fundamental right to education and their right to equal protection of the laws.

The remedy plaintiffs seek includes a declaration by this Court that the defendants have failed to provide all plaintiffs an equal educational opportunity, a non-segregated education, and a minimally adequate education. Plaintiffs also seek an injunction requiring the state to provide: (1) an equal educational opportunity; (2) a non-segregated public education; and (3) a minimally adequate education. Moreover, plaintiffs request this Court to order a court-supervised planning process forthwith to remedy the constitutional inadequacies" (Plaintiffs' Brief 1993:3).

The plaintiffs argue that the court has the institutional duty to ensure that the educational problems of Hartford are eliminated. They claim that the state has not done its job in providing an equal education to Connecticut's citizens and for that reason the court must step in. As Philip Tegeler, a Connecticut Civil Liberties Union attorney and one of the lawyers for the plaintiffs, says, the plaintiffs "point a finger at the state and say, you've failed to act. You've known what you had to do for 25 years and you've done nothing!" (Tegeler interview).

The plaintiffs argue that although segregation in Connecticut is not necessarily the direct result of conscious action on the part of the state, the situation exists and is illegal. The theory held by the plaintiffs is that segregation by race, ethnicity, and economic poverty places Hartford

schoolchildren at a severely adverse educational disadvantage, and thus denies them an education equal to that afforded to suburban, white schoolchildren (Brittain 1993). As Jonathan Kozol, a national expert on segregated schooling, testified in the trial, the *Sheff* case "addresses . . . the central moral agony of our society--and that is the fact that we remain two nation" (Frahm Feb 7, 1993). The plaintiffs claim that the only way the schools can be successfully desegregated is by a regional, court-mandated and monitored integration plan.

The defendants agree and admit that there is segregation in the Hartford area and that the educational problems in Hartford schools are serious. The disagreement lies in how the problem should be addressed and what kind of remedy should be pursued. As stated in the Summary of the State's Position as presented in the state's closing arguments,

The defendants in *Sheff v. O'Neill* are as concerned about the problems in the Hartford area as the plaintiffs. The State has taken action on those concerns and worked hard to improve education in Hartford. The plaintiffs, by contrast, have complained about the problems, but have proposed no specific solutions. They ask that the court rule that the problems facing Hartford are themselves a violation of the constitution regardless of how those problems came about. They offer no solutions, other than to urge the court to take over the schools in 22 cities and towns in the greater Hartford area and restructure the system of education in those cities and towns in some as yet unspecified way. What the plaintiffs seek is unwarranted as a matter of law, unsound as a matter of public policy, and unworkable as a means of attaining the very goals that the plaintiffs and the defendants seek to pursue (Defendants' Brief 1993:1).

The defendants argue that the court lacks the institutional power to address the inequalities and inadequacies in the public schools. The problem is too complex and should be handled by the legislature not the courts. The defendants argue,

A court, in the context of litigation such as this, cannot relieve poverty, cannot improve health care, cannot solve the problems of broken families, cannot eliminate the problems of inadequate housing and limited housing opportunities, cannot direct initiatives to address environmental hazards such as lead poisoning in children, and, in general, cannot address the varied social and economic problems that we recognize as the real obstacles to educational achievement" (Defendants' Brief 1993:10).

Despite the situation in the schools, the defense argues, the state has made plausible efforts to eliminate the problems and are not able or required to do more.

Defendants argue that the state has attempted all along to be a leader in the country in implementing policy which encourages diversity and educational quality. They claim that the Connecticut legislature and policy makers have gone above and beyond what they are constitutionally responsible for doing. Because the segregation is unintentional and 'de facto', the state can not and should not be held legally responsible. They argue that a mandatory desegregation plan will not work, and that the only remedy that would stand a chance in achieving real change is a voluntary program.

The decision is anxiously awaited and has been many times delayed since April 1993 when the testimony ended. The litigation process has been long and arduous. On December 16, the date scheduled for final summaries, Judge Hammer ordered both sides to file briefs addressing the authority that the court has to rule the case in light of recent education legislation passed in the State Legislature. Hearings on this issue were scheduled by the judge for early May of this year.

The Response to Sheff v. O'Neill:

Outside the Courtroom

It is generally agreed that the majority of people in Connecticut are opposed to the large-scale desegregation that *Sheff* has the potential to implement. At times the case has sparked a strong negative reaction from the public. Especially during the trial there were sporadic outbursts of intense opposition, including Ku Klux Klan threats to people involved in the case. There have also been KKK protests at the State Capitol with members clad in white-hooded uniforms chanting "We oppose desegregation of schools!" (Adams Feb 22, 1993).

Aside from these examples of extreme opposition, the public has remained fairly even-keeled in its response to *Sheff*. Extensive media coverage and consistent public proclamations by state officials have prompted a constant 'buzzing' of conversation over *Sheff*. In general, the public knows about the case and people are talking about it. Tension surrounds these discussions, but in general the public does not realize the impact it could have (Frahm Dec 27, 1992; Frahm Interview). Those close to the case agree that people are waiting to respond until the case is ruled. As Clifford Greene, Director of Public Policy at Hartford Seminary says, "the public is playing a waiting game--what will the judge do?" (Greene Interview).

The Legislature Responds

The state legislature, on the other hand, has been playing the exact opposite game. They are not willing to wait for a moment for fear that the

judge will rule for the plaintiffs. They, therefore, have not wasted any time in trying to get *Sheff v. O'Neill* out of court.

On opening day of the 1993 General Assembly for the state of Connecticut, just days after the trial had begun, the governor dedicated his 1993 State of the State address to the education of Connecticut's children. The entire speech focused on the issues raised in *Sheff v. O'Neill*. He made his position clear: "desegregation should not be left to the courts" (Jacklin Jan 7, 1993). Governor Weiker said in the address,

Today, while the nation watches, a debate on opportunity continues in a Connecticut courtroom. The plaintiffs in *Sheff vs. O'Neill*, nineteen Hartford-area schoolchildren, are pressing the case that they and other Hartford children have been deprived of their rights to an equal educational opportunity by school districts divided sharply along racial, ethnic and economic lines... If we fail to act, the courts, sooner or later, will do that which by election was entrusted to us (Weiker 1993:8).

He proposed a plan to provide a "quality and integrated learning experience for all Connecticut public schoolchildren" (Meehan and Murphy Jan 6, 1993:1). Weiker was not trying to hide his motivation for proposing the bill. He was completely open in admitting that his main goal was to keep the court from ordering a mandatory school desegregation plan. He does not hide the fact that his attempt to get an education act approved by the legislature is a reaction to the *Sheff* case and a way to circumvent it (Jacklin Jan 7, 1993).

The plan that Weiker proposed in his State of the State address was converted to a bill and submitted to the General Assembly in early February. His legislative proposal set forth a local and regional planning process to assist communities in cooperating with each other to develop workable plans for enhancing the future of Connecticut's schools. Weiker's plan was basically a timetable for discussion. Different communities were to begin meeting in

committees to come up with ideas for how to combat their regional district's education problems. The plan's goal was that,

... over a five-year period, beginning in September 1995, each region will be responsible for moving all of its schools toward racial balance to reflect region-wide school demographics. Since the number of minority students differs from region to region, each group of communities would be expected to develop an approach that reflects their needs and resources (Meehan and Murphy Jan 6, 1993: 2).

The proposal was based on a geographical configuration of six regions that were already in place.

While supporters of the *Sheff* plaintiffs thought Weiker's plan was weak and just another attempt to maintain the status quo, conservatives were outraged by the strength of plan and pushed for a more subtle desegregation approach. Weiker's plan was a spark plug that set off a whole series of acts proposed in the legislature. One after another new bills were introduced, all in an attempt to circumvent Weiker's plan. The proposed legislation included many different kinds of so-called remedies for the state's educational crisis. Most were variations of desegregation plans which were implemented in various areas of the U.S. during the '70s, including plans for magnet schools, school choice, and funding vouchers.

In the end Weiker's plan won out, but a very watered-down version of it. At a ceremony at the State Capitol on June 28, 1993, Governor Weiker signed into law P.A. 93-263, "An Act Improving Educational Quality and Diversity." The new law established a planning process that Weiker said would give local communities a "voice and a choice" in the future of Connecticut's schools (Meehan and Murphy June 28, 1993:1). The process was designed to "develop a voluntary, cooperative inter district Education and

Community Improvement Plan" (Meehan and Murphy June 28, 1993:2) The plan established 11 educational planning regions which would each,

... have approximately one year to develop a plan accepted by its communities that addresses the issues and sets forth initiatives that (1) improve the quality of school performance and student outcomes; (2) reduce barriers to opportunity; (3) enhance student diversity and awareness of diversity; and (4) address the programmatic needs of limited-English-proficient students (Meehan and Murphy June 28, 1993:2).

Each plan must be voted on and approved by their respective communities. The last stage of the plan is that the regional suggestions be submitted to the General Assembly as recommendations for state legislation.

This law is presently in effect. It, the State Department of Education assures, "does not dictate a state plan for educational quality and diversity or a prescription for communities to implement... The legislation offers a choice-- to develop solutions on our own terms or face a decision by the court" (Office of the Commissioner 1993:1 and 3). It, the plaintiffs argue, does nothing but attempt to subterfuge the *Sheff v. O'Neill* case (Brittain Interview; Tegeler Interview).

The Prospects for the Future of Sheff v. O'Neill

It has been a year since the final witnesses were called to the stand in the trial of *Sheff v. O'Neill* and still the judge has not ruled on the case. But indeed, a decision is inevitable and the implications of this case are great and wide-reaching.

The Connecticut Superior Court has never decided a case concerning claims of racial segregation or discrimination under Section 20 of the State Constitution (Brittain 1993:175), and the U.S. Supreme Court has developed

rather stringent requirements of proof of intent before a court may order a school desegregation remedy (*Columbus Board of Education v. Penick*; *Dayton Board of Education v. Brinkam*; *Milliken v. Bradley*). If the plaintiffs in *Sheff v. O'Neill* are successful the court will rule to impose an inter-district remedy to prohibit racial segregation in education without legal proof of intent to discriminate. Thus, the case presents a landmark decision.

If the state wins, it will show that the situation in Connecticut is legally valid in the eyes of the court. If the plaintiffs win, the court will order a desegregation plan that could very well set new standards for education in Connecticut and across the country. In either case, the ruling will ignite controversy because it will attempt to redefine the concept of equality and mandate compliance by people who will inevitably disagree with the court's definition.

Even now, not knowing what the judge will decide, the prospects of a decision ignite people's opposition. People in the Hartford area are quite vehement about their support for, or opposition to, the racial integration of Connecticut's schools. An analysis of the arguments people use against *Sheff v. O'Neill* is worthwhile in our attempt to better understand the opposition to contemporary school desegregation.

THE OPPOSITION TO SCHOOL DESEGREGATION:

THE ARGUMENTS AGAINST *SHEFF V. O'NEILL*

Since raw racism is no longer socially acceptable in our society (Carter 1980:25) people generally do not declare publicly that their opposition to public policy such as school desegregation is rooted in racism. People are not blatant racists today (Bell 1987), at least according to the popular definition of racism. Most whites do not profess to be in support of the re-enslavement of blacks or believe that blacks are a sub-human species which is incapable of living a civilized lifestyle. These types of ideas are not common today. But despite the current rejection of these types of beliefs, they have a long history that has created the "ideological hegemony" of white racism (Marable 1981:156).

All of our society's institutions of education and information provide the populace with rationale to justify, explain, legitimize, uphold, or tolerate racism (Marable 1981). These institutions may be religious, civic, political, or otherwise and they may do this knowingly or unknowingly. Together the collective consensus within the social order of the U.S. re-affirms and perpetuates a racist system. Contemporary ideological hegemony is not the result of a white conspiracy. It is not a consciously planned scheme. It is instead a system of culturally ingrained social beliefs and practices that are so imbedded into the society that they are hardly ever even recognized. This

kind of unconscious racism and discrimination needs to be consciously recognized to be overcome.

In discussing the *Sheff* case with people in the Hartford area, many of whom are closely linked to the case, I became aware of just how far these people are from consciously recognizing their own racism and taking responsibility for it. Instead of trying to understand their own emotional and intellectual reactions to school desegregation as being essentially racist, people reject this notion altogether.

Avoiding the 'Racist' Label

Since racism (as it is popularly defined) is no longer socially acceptable, most people do not want to be labeled or perceived as 'racist'. Of course, there are exceptions. In certain social groups racism is the accepted or endorsed attitude. The most well known example would be Ku Klux Klan (KKK) "with its philosophy of hatred toward minorities, its propensity for violence, and its total disregard for human rights and civil liberties" and an estimated membership of about 4,000 nationwide (George 1992:411). But in general people do attempt to avoid being perceived as racist.

When confronted with race-related issues the attempt to avoid being perceived as racist is especially noticeable. A subject such as school desegregation, for example, is a perfect medium through which to see the extent of that avoidance. When discussing *Sheff v. O'Neill* with people in Connecticut this kind of label deflection was easy to observe. I saw evidence in every interview I conducted, of the desire to be perceived as non-racist was evident.

In many of the interviews the respondents openly acknowledged their will to be perceived as non-racist and their fear of being considered racist by other people. As Geoffrey Fisher, an assistant in the Connecticut House of Representatives and a member of the West Hartford Board of Education, stated quite clearly, "You don't want to be accused as a racist" (Fisher 1994). In Geoffrey Fisher's interview I asked him if he really believed that racism was not at all involved in the opposition to the *Sheff* case and his response was the following:

There may be an element of racism behind some of this. But I think most people, even if they have some racist tendency in the 1990s are uncomfortable even with those feelings. So, I think what really motivates them is the safety issue.

Even white children seem to have absorbed the idea that one should attempt to deflect being seen as racist. Children, like their adult role models, were uneasy with labeling anyone as racist, but especially uneasy with the prospect of others labeling *them* racist. In their attempt to deflect the 'racist' label, children as well as adults accused others of discriminatory attitude or behavior in order to take the spotlight off of themselves. This section of an interview with a white fourth grade boy reveals this:

How would you feel if a bunch of kids who were black or Hispanic changed to your school?

I wouldn't care very much. I'd just try to get along with them.

Do you think other kids would care?

Yeah.

Yeah?

They [the other white kids] don't listen to any teacher there.

Whenever she's out of the room we're bound to have developments.

Would they be the kind of kids who would be mean to kids who were black and Hispanic?

Yes, and they are.

They are mean to those kids?

(nods)

What do they do?

They call them names and push them on the ground
(Anonymous Interview).

Later I asked this boy why he thought the minority students "wouldn't listen to any teacher." He explained that they were "just bad kids" and that they were that way because "that is just the way black and Spanish [meaning Spanish-speaking] kids are." His mother told me that he had been having some "problems getting along with the black kids because they just aren't as smart as him." These remarks reveal obvious racist assumptions that the student and his mother make. Yet the boy deflects attention away from his own racism and is able to use the other kids in his school as an excuse for why racial integration of his classroom would not work.

Because the 'racist' label is such a social taboo, people treated it with extreme sensitivity. Even those who approved of school desegregation did not feel comfortable accusing the most staunch opponents of being in any way racist. Often people spoke about the subject of school desegregation with extreme caution:

The state of Connecticut is one of the most segregated states with housing patterns and education in the country. You know, and it's in the liberal northeast! You know, it's just kind of developing that way. And it's not just a matter of happenstance. It's very possibly been orchestrated that way.

What do you mean? How do you mean that?

Well, I think that those who live in the suburbs are willing—And, and, and, again, it's not, it's not, I mean, they're good people. I mean, they're not bad people, you know, they're not meaning to hurt anybody—It's just the sociology of it. It's just the climate of it. It's how people just live. That they are just kind of sucked into a situation where they are paying—they're signing big checks—to separate poor and minority people in cities. It costs a lot to do that.

And why do they do that?

They do that because, well, one I think it's traditionally more acceptable to do that. Suburban people are—uh, as well as people in the city—are used to what they're used to. Specifically in the

northeast. You know, that's the climate in the northeast. You know, very parochial (Forman Interview).

This man, a white liberal, and Assistant Superintendent to the Hartford schools, came very close to naming the problem and discussing aspects of racism, yet got nervous about implying that those involved might be "bad people", and avoided any accusations even though he first claimed that the racial segregation in Connecticut was "not just a matter of happenstance." He says that it has "very possibly been orchestrated that way." But when I pressed him to explain himself he backed off and denied that there was conscious or deliberate discrimination involved.

I found that people strove to be racially inoffensive in their speech regardless of their political views. Most acknowledged that at some level racism was involved in segregation and unequal education, but only admitted this when pressed very hard. Even when those I interviewed did acknowledge that racism was involved, they always deflected any responsibility from themselves and blamed only others of having any sort of racist tendencies.

School Desegregation Opposition: Framing the Arguments To Appear Non Race-Related

Every time I brought up racism, racial discrimination, or even simply the concept of race for that matter, white respondents became nervous and apparently uncomfortable. Those interviewed tried to avoid any discussion of race whatsoever. Over and over when I asked people about the *Sheff* case I heard them tell me that, "It's not a race issue."

At the beginning of every interview I asked each person what she or he thought was really going on with the controversy over the *Sheff* case. I asked about the root of the opposition, why people got so uptight about desegregation, how the resistance could be so emotionally charged, and so on. Never once did a white person's immediate response include any explicit acknowledgment of racism. Quite commonly, however, they became anxious about how to phrase their initial thoughts. Even those who had considerable knowledge of the case and were professionals whose jobs were linked to it refused to acknowledge the significance of race. Instead they attempt to place of their discussion of the case in a non-racial framework.

The attempt to frame the discussion in a non-racial manner was especially interesting considering the fact that *Sheff v. O'Neill* openly and publicly addresses race as an aspect of school segregation. Since the *Sheff* case clearly concerned racial segregation and racial discrimination in public education, I found it odd that people take great pains to justify their opposition to desegregation in arguments that were not related to race. They articulated their resistance to integration in terms of class, ethics, morality, or practically any other subject which was unconnected, at least on the surface, to race (Carter 1980:25).

The State's argument in the *Sheff* case offers a perfect example of the attempt to oppose desegregation without reference to race. Their position, as presented in the trial's closing arguments and the post-trial brief, illustrates this:

The plaintiffs maintain, and it is true, that we as a State have not reached our educational ideals. Poverty and conditions associated with poverty, family problems, poor health care, substandard housing, crime, drug abuse, unemployment, and other social problems, which have been shown to have a negative impact on children's ability to learn, continue to

present obstacles that keep children from being able to take advantage of the educational opportunity presented to them. Housing discrimination and complex demographic and economic forces also keep us from achieving the kind of diversity in our communities and schools that is an important policy goal of the State (Defendants' Brief).

Using this discursive strategy in opposition to school desegregation, the state constructed a number of arguments that masked the racial character of the controversy. Apparently race-neutral arguments deflected any implication of racial discrimination or any hint of racism. These arguments were non-racial on the surface but have, I contend, a fully racist subtext.

The arguments against desegregation are ideological in that they justify social inequality and legitimate the social order. They frame the discussion in such a way that it becomes difficult to confront race directly. The most popular arguments against contemporary school desegregation were those involving issues of busing, white flight, neighborhood schools, 'de-facto' segregation, family values, safety, and the belief in earned privilege. In the following pages I examine each of those arguments.

The Contemporary Arguments Against School Desegregation

Busing

The most popular argument against school desegregation is that it will lead to busing. The busing issue has been the focus of most school desegregation debate since the early 1970s when large scale busing was used for the transportation of students to achieve racial desegregation of schools (Orfield 1978:1). The busing argument remains the most widespread reason to oppose school desegregation and causes by far the most emotional

response. Opposition focuses on transporting children in and out of their home school districts or neighborhoods. People both for or against desegregation adamantly oppose busing, but those who live in comfortable areas and have well-functioning schools to send their children to oppose it most strongly. In a 1985 poll, 95.6 percent of respondents opposed the general idea of busing black and white children from one school to another to achieve desegregation (McClendon 1985:222).

Every adult that I interviewed brought up busing either as an argument against desegregation or as an explanation for why others oppose desegregation. Almost all of them brought it up themselves and spoke out strongly against it. Whether they were a lead attorney in the case or simply a tax-paying citizen, busing was usually one of the first things respondents would talk about when asked what they thought of the *Sheff v. O'Neill* case. The following excerpt, taken from the first minute of an interview with a mother of a student enrolled in a private elementary school and unconnected to the case, exemplifies the quickness with which respondents would bring up the busing issue:

So do you know about this at all [the Sheff case]?

I know—not the specifics of it—but I know that there is a lot of fear that they're going to take these inner city kids and bus them to all the suburbs. And they're going to infiltrate the school system and most of the people that I work with are not happy about it. And there is talk that if this does occur then they will also be looking for private schools for their children (Eager Interview).

The most remarkable thing about the busing argument in this case is that it is completely hypothetical. Although it is true that because of residential racial segregation the integration of schools would require a massive desegregation plan, that plan would not necessarily include busing students to different schools. Other options, such as redistricting and consolidating, are available

and have been alluded to by lead plaintiffs in the *Sheff* case (Brittain 1993; Brittain 1994; Tegeler 1994). The *Sheff* case itself does not put forward a busing plan as a remedy for segregation. Never in the trial or in any of the plaintiffs' arguments has busing been used as a suggested plan for racial integration. The *Sheff* plaintiffs have not yet put forth any plan at all.

Busing has become a symbol of the racial integration of children used to spark an emotional response in those who have reservations about racial integration but who do not know a lot about the controversy. Today it is not socially acceptable to express negative feelings toward blacks, although many whites still have them. Therefore, feelings are displaced onto other issues, such as busing. Busing then, becomes an issue concerning much more than simply children getting onto a school bus. Busing represents full-scale racial integration and "has come to symbolize what are perceived to be unfair black demands and unfair black gains in status as well as economics" (McConahay 1982:716). These symbolic issues can become extremely emotional and lead to real upheaval.

In Connecticut, the busing argument is being widely used to breed opposition to the *Sheff* case. Opponents of the plaintiffs' use busing as an argument for why school desegregation is wrong for Connecticut. This is extremely frustrating for the supporters of desegregation because busing has not been proposed, nor even implied as a possible remedy by the plaintiffs. As one person interviewed said:

Desegregation, as you know, is a pretty volatile issue no matter where it is tried. And uh, and so people are, well, you'll see even in the *Sheff* case that people are—You know, instantly there were fear mongers out there um, using the phrase 'busing'. And I thought, this is going to be something! And they were saying, 'This is going to lead to busing!'. And of course they were calling up the images connected with Boston—primarily because that's what people in this part of the country think of—a very

volatile case that did involve busing people onto school buses. You heard people, you heard politicians in the state saying this was going to wind up forcing people to get on buses (Frahm Interview).

Busing for transportation is not questioned unless it is as a means to racially integrate a school. About 22 million U.S. school children are bused to their local schools everyday without anyone thinking twice about it (Stephan and Feagin 1980:123). Even in rural areas where the bus ride can last over an hour, it is not contested. Parents who send their children to private schools often pay to have their kids ride a bus out of their own neighborhood to avoid public schools. Transporting students to school on buses is normally thought of as necessary and good.

It is when busing is used for racial desegregation that it becomes controversial. Busing is the "...polite, culturally sanctioned way to oppose the racial desegregation of the public school" (Pettigrew 1975:232). Basically, busing for segregation is acceptable, but busing for integration is not. The fact is that,

Ever since there have been buses, white parents have been busing their children to where the best education was—as black children were bused only to inferior schools, away from whites. It was only when it looked as if the process might be reversed that the furor began (Hesburgh 1973:179).

As John McConahay, a well known researcher of the busing issue, says, "in short, it is not the buses, but the blacks that arouse the ire of so many whites—parents and non-parents" (McConahay 1982:715).

Presumably most people (even those most adamantly opposed to busing), if offered a free education at an exclusive private school, would want their children to be put on the bus to go as soon as possible. They would jump at the chance, regardless of the bus ride. It is clearly not the bus then, that they are opposed to. Nor is it the movement outside the 'neighborhood'.

It is the integration that would be the result of the bus ride that they are against. Framing the argument in terms of busing is just a way to avoid the real issue—the racial discrimination and educational inequality—that has been and is being revealed by plaintiffs in school desegregation suits. The discussion of busing, "leads us away from more basic social problems and pits us against each other in a fight over ideologically derived issues" (Aronson 1978:410). At the core of the argument is the real problem that cannot be confronted directly: racial stratification. Education

... is supposed to prepare us for our life's competition, and to neutralize our inherited inequalities. An unequal education perpetuates built-in racial, social, class, or ethnic privileges. Such favoritism can never be the goal of a public school system in a society committed to equality of opportunity (Aronson 1978:411).

Those busing programs which receive the most support tend to be small, private programs that bus minorities to suburban, high income district schools. These programs run one way. White students are not reciprocally bused to inner city, all-black schools. Sometimes people interviewed declared that they were supportive of busing, but qualified their statement by saying that they only favored busing plans in which students from the inner city are bused into the suburbs, and opposed suburban students being bused into the city. As one mother said,

Some of the mothers don't mind if the kids come in. But they don't want their kids to be bused out (Eager Interview).

Is this kind of support for busing truly altruism on the part of the host community, or is it a way to get around legalities while only benefiting themselves? By only supporting the integration of a few minority children to suburban schools whites are revealing their assimilationist attitude. The black student is expected to assimilate and internalize the belief system of the

white community and the white student is to stay separated from the values of the black community. Moreover, it leaves the majority of black students in underfunded, poorly staffed, urban schools.

The idea of a large scale busing program evokes a large scale response from those opposed to desegregation. The potential for serious change in the status quo of segregated schooling that busing could offer is highly contested. Many parents who were interviewed stated that they would 'just not stand' for a mandatory plan. Even though in the *Sheff* case busing is not being proposed, people were adamant about how they would respond if the court ruled in favor of the plaintiffs and set forth a plan to desegregated Connecticut's schools:

My feeling is that the average person on the street will not stand in the way of voluntary programs. But they will stand in the way of anything that's mandatory. And there will be a revolution if any mandatory proposals include busing. Absolute revolution.

What do you mean by that?

Well, what I referred to earlier. People will take their kids out of school the next day. . . And it would reap havoc! It would be a continuation of what they refer to as 'white flight'. Are you familiar with that term?

Yes.

Yeah, and uh, I think it would in many ways cause absolute havoc in public education. Uh, I think a lot of people, including myself, think it's a very hot-headed way to go about it, and that they want to just basically skip the legislative process and go straight through the courts and try to shove it down people's throats (Fisher Interview).

White Flight and the Escape to Private Schools

Arguments are often made that a ruling for the racial integration of Connecticut's schools would speed white flight from those areas effected by

the order, or that white parents would take their children out of the public schools and enroll them in private schools. Opponents claim that the cure would be worse than the disease and therefore it was in the best interest of the state to not desegregate the public schools. Many of the people I interviewed used the threat of the escape to private school and the so-called 'white flight' arguments to explain opposition to the *Sheff* case:

This case is big, I mean this could cause serious change in the way the system is run here. So do you hear people talking about it and if you do what do they say?

Well I think their biggest fear is that it is going to happen.

What is going to happen?

That they will break down the Hartford School System and start farming them out. I work with nurses primarily because that's who I work with, and they all have children about my son's age. What I hear is that they're going to take their children out of public school. Even if it means, they are part time employees now, and they will go to full time. They will go to full time not to have their children subjected to what they feel would be a bad element (Eager Interview).

People opposed to the *Sheff* case often explained that if the judge ruled in favor of the plaintiffs, Connecticut's public schools would be deserted by white parents who could afford to pull their children out. They predicted that private schools would become flooded and used that prediction to argue that desegregation was not appropriate for the well-being of the state's public school system. When asked about what he thought people would do if the judge in the *Sheff* case rules in favor of the plaintiffs one respondent, an elected public official answered,

They will take appropriate action. This is why a lot of academies spring up overnight. Because state statutes in Connecticut say you have to educate your child. Who's to say that has to be public education though? . . . With *Sheff* you know, it would have been mandatory, there would have been a judgment, and it wouldn't be a judgment for the voluntary methods, it would have been something--It may have been short of busing, but it wouldn't have been for voluntary school desegregation or

something of this nature. That would have caused, in my opinion, absolute *havoc*! If you ask what the people in the suburbs think of that, I think a lot of people would have removed their kids from schools and sent them to private schools, parochial schools, or would have just simply moved to a part of the state, where, uh, an inter-district remedy would have been perhaps, uh, only on paper (Fisher Interview).

Those parents who have their children in private school already use the threat of desegregation as a way to legitimize having their kids in schools outside of the public school system. One mother of a privately schooled child said:

I can't imagine what would happen if I as a parent was already upset with the public school system as it was and then they brought all the inner city kids in, that would make a big impact on me and I would definitely keep [my son] in private school (Eager Interview).

The negative reaction toward desegregation from private school students' parents is understandable when one realizes that it helps to justify their children being in private school—schools not only considered to be of the highest quality, but also automatically exempt from having to abide by desegregation plans. "Whether intentionally or not, these parents have made a decision that has exempted their children from the integration order and guaranteed their attendance in predominantly white schools" (Jacobson 1978:699).

Private schools have the presumed legal right to exist independent of desegregation laws that mandate obedience to what are proclaimed to be universal laws to all citizens. Of course, the only people who can send their children to private schools are the people who can financially afford to. Even if these people do not wish to send to their children to private schools, they have the option of moving out of the area the desegregation plan has been implemented in. This allows for 'white flight'—an acceleration of the decline

in white student enrollments in public schools that are being, or have been desegregated (Smock 1991: 278). According to the white flight theory, if the *Sheff* case resulted in a desegregation order white families would either flee from racially integrated areas or pay for their children to attend racially exclusive private schools.

The white flight phenomenon is an aspect of school desegregation controversy which has received considerable attention from the academic community. A series of studies have shown white flight to be the inevitable result of school desegregation (Armor 1978; Coleman 1975; Farley and Wurdock 1977; Rossell 1976; Rossell 1978). On the other hand, opposing studies have refuted this position, saying that white flight and school desegregation are independent of one another (Cunningham and Husk 1979; Cunningham and Husk 1980; Green and Pettigrew 1967; Willie 1991).

Whether or not school desegregation in Connecticut would lead to an increase in white flight is unknown. Opponents of desegregation argue that it would (Fisher interview; Eager Interview), and proponents argue that it would not (Brittain Interview; Willie Interview). Either way, engaging in debate over white flight is ignoring the real issue: the persistent effort by whites to maintain the racial segregation and unequal educational opportunity which exists in the Hartford area.

People who use the white flight argument to oppose school desegregation must probe further into their analysis of the situation and ask what kind of assumptions this argument implies. The argument that Connecticut should not desegregate its schools because wealthy whites might flee the public school system gives more weight to the interests of wealthy whites than to poor blacks. Is it fair to rule out the possibility for enhanced life chances of black children simply because of the possibility of white flight?

Instead of concentrating on the goals of desegregation, opponents who use the white flight argument are concentrating on the concerns of wealthy white suburbanites who are already in advantaged positions. Instead of condemning white flight for the racism it implies, these people play off of the concept to resist desegregation.

Neighborhood Schools

Both the busing and the white flight arguments are based on the premise that locally based schools (neighborhood schools) are the best way to educate and therefore should not be altered. When asked what they would do about the segregation problem in Connecticut, white respondents opposing desegregation usually expressed some version of maintaining the tradition of neighborhood schooling. Their images were extremely unrealistic and were composed of picture-perfect suburban towns with top quality schools and nuclear families. Here one man gives his view:

In your perfect view of things, in your mind, if it could be utopia, what would you do about this? ...We have a case in court that has some people, whatever percentage, who are unhappy and unsatisfied with segregated schooling. What would you do? ... First of all, I guess I do hope that Hammer throws out the court case. I hope that the regional forums endorse magnet schools. I hope they would endorse at least public school choice. I think that would be an interesting concept. But my caveat to all of that would be that elementary schoolers all have a first choice of going to their neighborhood schools. I'm very big on little kids walking with their little book bags to their grammar schools. And the parents driving to the grammar schools for school plays, and the bands, and the soccer leagues. I'm very big on that (Fisher Interview).

This "perfect view" of the neighborhood school is exemplary of those described by the respondents in my interviews. The image portrays a small,

tight-knit community where everyone knows each other and all the mothers drive their children to extracurricular activities while Dad is at work. This simply is not the case for the vast majority of the country. The neighborhood school is a myth in that it simply does not exist that way in the U.S. today (Pettigrew 1975:299). As more women work full time and fewer families conform to the 'traditional' nuclear model, the small, tight-knit community that includes the 'neighborhood school' becomes more and more rare. This is a fact of life that the opponents of school desegregation do not like to admit. Not only do they deny the fact that this image is totally unrealistic, but they assume is that neighborhood schools are good, natural, and normal. Many argue that "it is natural for parents to want their children in schools near their homes" (Robinson 1993). This leads obviously to the idea that desegregation, if it takes students away from neighborhood schools, is wrong and unnatural.

What may make neighborhood schools so attractive is that they are set up according to residential districts and are thus organized along racial lines. There is no question that in the U.S. a persistent and high degree of residential racial segregation exists (Farley 1977; Massey 1979; Massey 1989; Massey 1991; Massey and Denton 1987; Sorenson, Taeuber and Hollingsworth 1975). Suburban towns generally do not do their share of providing low-income housing, and work hard to keep their neighborhood schools free from poor families and racial minorities (Formisano 1991:239). Many people who are welcoming to blacks in other spheres of life can not accept the idea of contact in schools between poor ghetto blacks and non-poor whites (Rossell 1990:493). So although proponents of the notion of neighborhood schools may claim to be open to racial integration, the racial separation of residential living patterns—which their choices in home ownership created—makes

racially integrated neighborhood schools an impossibility. Thus by opposing the breakdown of the neighborhood school these people are opposing the breakdown of racial barriers.

Our country has a long standing tradition of neighborhood schools that have separated students according to residential areas. The neighborhood school policy, compounded with wide-scale residential segregation, and local control rather than statewide responsibility, has led to segregated and unequal education for different social groups. In 1971 Supreme Court Justice Warren Berger summed it up well:

All things being equal, with no history of discrimination, it might well be desirable to assign pupils to schools nearest their homes. But all things are not equal in a system that has been deliberately constructed and maintained to enforce racial segregation (Mills 1973:3).

Homogeneous residential areas necessarily equal homogeneous neighborhood schools. Under these circumstances the neighborhood school has become a conservative symbol of a tradition of separation and inequality.

This allurence to neighborhood schools takes on an even more pernicious meaning once we acknowledge their connection to local funding for education, a major factor in the perpetuation of inequality. Here, a mother of two children attending public school in the Hartford area explains her attachment to the notion of the neighborhood school:

And what about having kids from inner city schools come to your children's school? Maybe not having them bused out? If they came in here that's a different story. I don't want my children going anywhere else. You know, if they came here that's fine.

And the reason you don't want your kids going anywhere else is because you don't want them riding the bus for long periods of time?

No, I don't want them riding the bus for long periods of time.

What about if it was only 15 or 20 minutes, but they were still going into an inner city school? I mean, hypothetically speaking. I want them in the same town where they live. That was my main—then again it could just be that I'm against change. I mean that's what I grew up with, that's just how it's always been.

You mean a neighborhood school?

Yeah, their neighborhood school. The idea, you chose a town not only because that's where you want to live but because that's where you want your children to go to school. And that doesn't seem to apply anymore. It's, I can understand that they want to do more for the inner city children, but busing them is, you know, maybe I'm being, I'm not open enough to this but how's that really going to bring them ahead any? What is that really going to do for them? I mean just putting them on the bus an hour in the morning and an hour at night, it's two extra hours of their day on the bus. How is this going to better their lives (Johnston Interview)?

Desegregated schools are a threat to the continuation of belief systems that have succeeded in granting and allowing for the power and privilege of specific groups in this society. For this woman to favor desegregation she would be giving up some of her privilege and her children's advantaged position in the education system. At the root of the opposition is the fact that a threat to neighborhood schools is a threat to the perpetuation of race and class inequality.

'De Facto' Segregation and Self-Segregation

Another commonly used argument against desegregation is that racial segregation is 'de facto', or caused by the free choices of individuals. This perspective holds that it would be wrong to interfere with these choices. Unlike desegregation rulings in the past, when segregation was 'de jure', or legally mandated, now only 'de facto' segregation exists, and therefore there is

no reason that the law should interfere. The issue thus becomes whether or not to do something about the segregation, not whether it exists.

When questioned, even the most conservative people interviewed reluctantly admitted that racial segregation does exist:

In West Hartford we don't have the same type of problems [segregated schooling]. Ironically, we're very diverse. We have about 20 percent of our population that are minorities, which is equivalent, I think, of the state. So, we're, you know, well, we have pockets, but you know, that's just the whole thing. Some people can afford certain neighborhoods, some people can't. People like to live in certain neighborhoods, some people don't. Now, when you say, 'West Hartford', are you talking about a school district?

(nods)

O.k., so when you say 'pockets', they're still all going to the same school?

Yeah, you might have within West Hartford's borders ethnic groups living among themselves.

Right, but they're still all going to the same school?

Schools, not school.

O.k., so are they going to schools that are 20 percent minority?

No. In fact, we have a problem. . . Parents don't want to move (Fisher Interview).

Even when people acknowledge that segregation is a problem they almost always argue that it is not anyone's fault—that the segregation is 'de facto', a reality but not one that is imposed on people and not one that one person or group of people should be responsible for remedying. The common belief is that people, blacks as well as whites, live in racially segregated residential areas 'by their own free will':

My feeling is that you want to provide opportunities for any student, or any, well, family, to move wherever they want, to attend any school they want and uh, that discrimination needs to be barred from any facet. However, if people *choose* to live someplace, either by just pure choice, or by economics, then there's a whole other argument (Fisher Interview).

People opposed to desegregation in Connecticut (suburban whites, such as this man, especially) see themselves as having *chosen* to escape the inner city and see desegregation as a threat to the life they have provided for their children. This woman who lives in a middle class suburb of Hartford explains:

I chose to live in Cromwell because I chose my children for the Cromwell School District because I like that school district.
So when you were deciding where to live that played a big part?
Yes it did (Johnston Interview).

The notion of self-segregation implies that *all* people choose to live where they do and that they have the option to live elsewhere but simply do not choose to. This simply is not the case for most people, but especially for low income blacks whose options are extremely limited. The idea that people choose to live where they do is an aspect of the ideology of equal opportunity. It masks the fact that the options available for some are much fewer than for others.

Under the assumption of equal opportunity, racial segregation is interpreted simply as the coincidental by-product of segmentation based on tastes and economic resources. The ways in which people discuss segregation as 'de facto' segregation implies that all households are free to move wherever they choose. There is considerable evidence, though, that residential segregation does not stem from black preferences or from lower income level alone (Massey 1990). Research shows that blacks strongly support the principle of residential integration and express a clear preference for living in integrated neighborhoods (Farley et al. 1978; Schuman et al. 1985). In spite of this, blacks are typically isolated in segregated black neighborhoods even when they have the financial resources to live in white neighborhoods. Studies show that even as education, income, and

occupation levels rise for black Americans, racial segregation persists (Massey 1979; Massey 1981; Denton and Massey 1988).

Black segregation does not stem from tastes or socioeconomic status, but from the constraints to black residential mobility imposed by the collective behavior and institutional actions of whites (Massey 1990). Racial discrimination and prejudice are still widespread in areas such as the real estate industry. Studies show that real estate agents systematically steer blacks away from white communities (Molotch 1972; Muller 1981; Pearce 1976; Wienk et al. 1979; Yinger 1986). These kinds of actions are linked to high levels of residential segregation (Galster 1986).

Even when blacks do succeed in moving into white neighborhoods they are often met by white resistance and hostility (Bauman 1987; Berry et al. 1976; Berry 1979; Cass 1986; Hirsch 1983 Logan and Stearns 1981; Stearns and Logan 1986). If blacks do settle in previously all-white communities subsequent white home seekers are likely to avoid the neighborhood resulting in eventual resegregation (Massey and Mullan 1984).

Individual actions of white residents and institutional practices within our society have the collective effect of segregating housing along racial lines despite a strong demand for integration by blacks (Massey 1990). The effect of racially separate housing in creating and sustaining racial segregation in the U.S. is a crucial aspect of the socioeconomic position of blacks today. Barriers to residential mobility are barriers to social mobility (Massey 1990). Socioeconomic inequality among households and geographic inequality among places are linked. The two systems of stratification reinforce each other:

High status within the social hierarchy can bring access to the most desirable places . . . and a guarantee of a rewarding future for whatever place one controls. At the same time a high status

for one's geographical place means the availability of resources . . . that enhance life chances generally (Logan and Molotch 1987:49).

Perhaps the most crucial resource tied to residential location is public schooling. But access to other economic and social resources are also tied to our residence. Poverty is concentrated in inner city black neighborhoods where deindustrialization has left urban dwellers without access to unskilled or blue collar jobs (Kasarda 1985; Wilson 1987). Exposure to concentrated poverty is known to systematically undermine the life chances of blacks by creating a social environment which lacks the norms, values, roles, and institutions conducive to success in American society (Wilson 1987:55-58).

When people speak of 'de facto' segregation, they imply that it is unaffected by state action of any kind. That is not the case. State action as a cause for racial segregation need not be an explicit law. It can be a combination of restrictive zoning laws (Marshall and Stahura 1979), school board decisions, public housing limitations, and so on (Pettigrew 1975:228). The truth is that, "*De jure* racial segregation is the harsh fact of American society; so-called *de facto* segregation simply does not exist" (Pettigrew 1975:229).

The isolation of blacks to urban areas systematically ensures that they will be denied access to equal societal opportunity in areas such as education. Racial segregation is not the result of different people simply choosing to live in different areas. Racial segregation is the result of stigmatization and subordination. Even if the opponents of desegregation do believe that housing patterns are merely coincidences of people choosing to live in certain neighborhoods, the fact remains that racial segregation is the pattern. Whether it is intentional or not, people are segregated by race in residential areas. If one truly supports non-discrimination, equal opportunity, and

educational equity one would support equalization and, therefore, desegregation. As long as whites choose segregated neighborhoods by relocating geographically, they select and enforce segregated schools.

Family Values

Family values are blamed for almost every type of recent social problem in our country, including educational failure educational failure. Not surprisingly, the importance of family values often appears in the discourse on school desegregation. The argument identifies a decline in family values as the root of all evils. The typical logic is that desegregation is unnecessary—and would be ineffective—because the real problem with urban schools is not racial isolation, discrimination, or educational inequality, but the absence of family values. Compared to the arguments described thus far, the family values argument is the most straightforward in its basic nature. Those who use it state their stand clearly and appear unaware that their comments could be offensive: "Where there are problem schools, the biggest source of the problem is the parent...Show me the worst school districts in Chicago, Detroit, New York, Los Angeles, and I will show you parents who should not be raising a Chia Pet, much less a child" (Royko 1993).

The family values argument places the blame on the individual victims of institutional racism and holds them accountable for the demise of the U.S. inner city. Often people I interviewed brought up lengthy stories about what they saw as the faulty parenting skills and immoral personal values of people in urban areas. These stories, although about 'urban' people were quite clearly referring to black people. They relied heavily on popular stereotypes of black people being irresponsible, lazy, and ignorant. These

stories not only played off of racist assumptions about the differences between black and white people, but they served to reinforce them as well by being told over and over again:

I would think that the attorneys are summing up the feeling of most legislators: that the state has done the best they can, that they've poured in a ton of money. . . . Because my own personal feeling, you know, I believe regardless of other philosophies, that this is a horrendous thing that's going on in urban areas: violence in the streets, breakdown of the family, ah And these kids come home from school, and many of these kids have parents who are not working, but if they're not there, they're addicted to drugs. Um, or they're having babies at a very young age, some of them much younger than you are. Uh, I heard about this one girl who had three kids, and two were toddlers and one was, I think, ten months, maybe a year, but, she was on the phone, and the kids were taking a bath. And her ten-month-old walked in the bath tub, and she just assumed everything was fine, but the baby drowned. Now its a horrible thing for her to be feeling, but also, she has her fourth child coming along, and now *two* others, one who has *died*, and now who's fault is that? Is that the state's fault? You know, that's a horrendous thing to have happen, and I feel sorry for these people, but you know, people have to base their decisions on something. Some people have a religious impulse about what they should or shouldn't do. Now, I think that's a good example, because here we have someone—she's 19, not even 20 years old—*four children!* Four children! And, you know, my reaction is that parents like that should not be bringing up four children. It's hard for anyone to bring up four children. And it can be misdome. If the parents are a drug addict, you're asking for trouble.

So, getting back to the Sheff case--Am I right that people in the legislature agree that this is a serious problem but they feel that this is not their responsibility? And if so, whose responsibility is it?

Well, I don't think there is any disagreement that public education is the responsibility of the state at all. But there is plenty of money spent on schools, and these problems we're talking about, well, they don't have to do with schools (Fisher Interview).

The argument is that we should not be wasting our time talking about integrating our schools or equalizing education because they are not policies

which confront the real problem. Rather, we should be talking about how to improve family values and urban people's morals. In line with this reasoning, others expressed the notion that inner city students are not taking advantage of what they have now, so more time and money should not be spent on schools for them:

I work for a bank in Hartford. I see a way of life is that these girls get pregnant at an extremely young age—14, 15, 16 years old—and go on welfare. Drop out of school and are now going to raise their children on welfare. To them, that's a way of life. So being at school doesn't really mean anything to them because it's just some place to go until they can get pregnant and go on welfare (Johnston Interview).

The family values argument attempts to undermine the entire concept of school desegregation by saying that the problem is not a result of segregation. The basic assumption is that the problems with inner city schools are due to the individual problems of the people who live there. The argument is that black urban children lag behind their suburban white counterparts due to bad parenting. If these parents would motivate or discipline their children, their children would succeed in school, but until they perform better parenting, any kind of school reform will be useless in enhancing urban education. Never do they acknowledge that people living in urban areas are often trapped into lives of poverty and locked into a downward spiral that is practically impossible to escape due to the inaccessibility of adequate employment (Kasarda 1985). Never do they portray urban social problems as a result of the systematic limitations placed upon black citizens in this country. They ignore these structural aspects of black urban life. Thus the conclusion is reached: schools don't make a difference in the face of bad family values, so why even bother with desegregation?

Studies show that schools do in fact make a difference (Rutter et al. 1979; Weis, Farrar and Petrie 1989). They have an important impact on children's behavior, achievements, and post-schooling attainments (Rutter et al. 1979; Scrupski 1975). Variations in student outcomes are systematically and strongly associated with characteristics of the schools they attend more than any other variable, including race and family background (Brookover et al. 1979; McDill and Rigsby 1973; Rutter et al. 1979; Schneider et al. 1979). Clearly, the notion that schools do not make a difference is wrong. Indeed, "schools can do much to foster good behavior and attainments, . . . and even in a disadvantaged area, schools can be a force for the good" (Rutter et al 1979:205). As Steele notes, "whatever other factors also depress black achievement, they may be substantially overcome in a schooling atmosphere that reduces racial and other vulnerabilities" (Steele 1992:77). Under the current organization of schools, however, children from the most disadvantaged backgrounds receive the most disadvantaged education.

Opposition to desegregation rested not only on its uselessness to improve black students' education, but also on its likelihood of harming white students' education. People I interviewed argued that desegregated schools would lead to their children being exposed to "bad kids" (Anonymous Interview) who had been exposed to bad family values: . A white suburban mother explained her perception of black students:

They don't know how to sit down and mind. I mean, everything is just constantly on the move. There is nothing constructive at home. Okay, 'let's sit down and read a book, let's it down and color, let's sit down and do something'. I see a lot of mothers on drugs, and this is their life. They're children. So, yeah, I'm scared for my children to go to school with these children (Johnston Interview).

White suburban parents often claimed that they themselves were "good parents" and that they were simply concerned about their children going to school with the children of "bad parents" (Anonymous Interview). For instance, another white suburban mother portrayed herself as the 'good mother' while implying bad parenting skills on the part of black parents:

I feel that I'm committed to my son's education so I make sure he does his homework. I make sure he eats three square meals a day. And unfortunately I think part of the problem is the inner city kids are not, I mean I think *he* can learn anywhere, but I think part of *their* problem is social—that they come from unstable families; that they don't have a learning environment at home; that often they come home and there's nobody home or if they come home it's to drugs and alcohol.

And why do you think that is?

I'm not going to solve Clinton's problem for him. I think it's been going on for generations and generations. And I think you have a mother and a father that, number one, may not be together or there's not, either it's a teenage pregnancy, they never got an education and next thing you know she's 24 years old and she's got three kids. And I think you have children raising children, number one is a problem. And I think the drugs and alcohol is their route for escape and consequently the children suffer...If they bused 35 kids to Cromwell, it wouldn't have an impact on me because I chose not to have him [her son] in a public school system, but I think you're going to find that most of the people will be very upset.

Why?

Because they feel that the teaching will be taken away from their children because teachers will have to spend time on these inner city children, and I think you're going to find a big educational difference as far as that (Eager Interview).

In this case, the argument this woman used against desegregation changed when I pressed her to explain herself. Her argument shifted from family values to the idea that integrated classrooms would force teachers to spend more time on the so-called 'problem students' (the black students). She, as well as many of the people interviewed, went even further to say that this would result in having time taken away from the 'good students' (the white

students). Clearly black students did not 'deserve' that attention, especially if it meant their children, who did deserve it—presumably because they came from good families—received less.

The Belief in Earned Privilege

White suburban parents in opposition to the Sheff case, as we saw above, were convinced that racial integration would lead to their children receiving a lesser quality education than they do now. They argued that their children deserved to have a good education in which teachers had time to work with the children individually. The unspoken corollary was that black children did not deserve the same education, or at least, not if their gains were at a white student's expense. The ideology of meritocracy leads them to attribute the poverty of blacks to bad family values, a bad work ethic, or other such beliefs. These beliefs reinforce the notion that low income black children have less ability or motivation.

Philip Tegeler, a Connecticut Civil Liberties attorney and one of the lawyers for the plaintiffs in *Sheff v. O'Neill*, said that desegregation represents a threat to suburban whites in that to them it symbolizes a loss of what they believe they deserve. This threat is one of the motivating factors behind the opposition to the case. Referring to the opposition he said, "Part of it is taking away something people think belongs to them. They don't want their position in life diminished" (Tegeler Interview).

The argument that white suburban children deserve better than they would get in integrated schools rests on two connected beliefs. One is the racist stereotype that black children do not have the capacity to perform at the level of white children in school. The other is that white suburban families

have *achieved* their positions in society and therefore *deserve* the privileges they receive. As one man from West Hartford (one of the wealthiest suburbs in Connecticut) explained, "We've worked hard to get to where we are" [i.e. the suburbs; a comfortable income; good schools for their children] (Anonymous Interview). People such as this feel entitled to their privilege. They argue that it would be unfair to lose their assurance of exclusive schools since they worked hard to earn access to those schools. But the fact is that although they do pay taxes that support education, the State actually owns the schools. And the State has the responsibility to provide equal opportunity to all students. As John Brittain, the lead attorney for the plaintiffs in the *Sheff* case explained,

The suburb people think they own their privilege, own their schools. That is untrue, the state owns them. But people don't think of it that way (Brittain Lecture 1993).

Almost everyone, including suburban whites, agrees that inner city students have worse schools than those outside of the city. The plaintiffs in *Sheff v. O'Neill* argue that it is the responsibility of everyone to provide a quality education for every child in the state, regardless of their color, their residence, or their parents' incomes.

The reason for the emotional reaction by people on the outside [suburbs]? There are a couple of reasons: Number one, for a long time people have felt, 'well, I moved to West Hartford' or 'I moved to Farmington because that's where I want my children to go to school, and that's where my taxes should pay for school.' I think this case is about trying to, well the plaintiffs at least would want to say that those people who live outside of the city of Hartford have some responsibility for what happens in Hartford also. And that they can't simply say, 'Well, I live out here so it's not my problem. It is their problem--that's what the plaintiffs are saying (Frahm Interview).

But suburban whites opposed to desegregation reject this responsibility. Many suburban whites take the position that if blacks want better for

themselves, they should work harder or strive further. At the root of all of the controversy and opposition to the *Sheff* case, I contend, is the fundamental belief on the part of those opposed that some children deserve more than others.

Safety, Crime, and Violence

People argue that their opposition to school desegregation has "nothing to do with race", but that "It's a safety issue" (Robinson 1993). Crime statistics and stories of drive-by shootings are often cited as proof that it would be unsafe for white children to attend school with black children. This line of argument was used often by people in my interviews:

Desegregation is bad because it will expose my kids to crime and violence. It is dangerous and unsafe for them and I am only doing what any sane parent would do by opposing it. *It is not the color of their skin [black people], it is their violent tendencies* (Anonymous Interview).

Segregation of the schools, now I am scared for my children where they school some of the other children here. It happened in New Britain with a student getting shot. Granted that could happen anywhere, but it was in the New Britain School District. You hear about kids carrying knives to school. Guns to school. And it really scares me.

You're afraid for your kids?
I'm afraid (Johnston Interview).

As far as the individual, I think most white people look at a person regardless of their color. And I think it mainly is a safety factor. ...Well, and again, there might be *some* racism behind it, I mean, it depends on the individual. But I think most people take desegregation seriously. Plus the fear that if there is integration of the schools there will be, um, crime. The horrible thing that happens is that you do have some of the negative elements of the urban areas that come with even voluntary programs. That's my feeling. You know, *there has been an increase in minorities and a tremendous increase in crime in the*

West Hartford schools. I don't know, but there is a correlation. It may not be cause and effect, but we're having more problems in West Hartford. And its alarming. So that's the difficult thing (Fisher Interview).

The assumption, evident in the explanations of these parents, that black people are naturally more prone to criminal activity, is in itself a racist one. Safety, though a legitimate concern of any parent, does indeed have to do with race; their opposition relies on racist stereotypes as well as crime rates.

Crime rates themselves are social constructions, frequently ideological in their nature and influenced by racist stereotypes and responses to public attitudes (Fishman 1978). The reported surge in gang-related violence in the Hartford area in the fall of 1993, only a few months after the trial of *Sheff v. O'Neill*, may have been produced by police and other officials taking closer notice of and a tougher stance toward inner city gang violence because of all the talk about racial integration and school desegregation. It is also possible that gang violence actually did increase due to the racial tension the case caused. But, either way, it has been speculated that the media played up the problem of gang violence in the Hartford area (Greene 1994). This resulted in the implementation of curfews for the Hartford area. These curfews only made people feel more unsettled about the safety of the inner cities.

One of the things that is occurring mainly in the urban areas, somewhat in the suburban areas, is gang-related violence. And its a real problem, because gang members are now bringing weapons into the classes and this type of thing. And...parents are very protective of their children. ...And you just don't want to put your own child into a potentially dangerous or uh, violent situation. So, I think that in the suburbs there is real apprehension toward this [school desegregation (Fisher Interview)].

People—white, black, urban and suburban alike—are afraid for their children in many inner city areas. The difference for most whites is that they do not,

or at least have not had to, worry about their children being in unsafe schools. They frame their resistance to desegregation in terms of safety, crime or violence, but ignore the fact that a disproportionate number of black children need to deal with unsafe circumstances on a daily basis—a position that might be lessened by the increased opportunity and equity desegregated schools could provide.

The fear of white parents for their children being in unsafe areas is understandable, but what they do not mention is the fact that children who actually live in unsafe areas live there all the time. They have no channel for escape, let alone an option of going to a good, safe, well-functioning school. They too easily side step the fact that it is no more fair for them to have to be victims of these circumstances than any other child.

As with other ideological arguments, the safety arguments are deceptive in their force. Crime rates are higher in urban areas, but not—as suburban objections would suggest—because urban blacks are inherently more violent. The argument hides the fact that urban areas are mostly populated mostly by blacks who are isolated and unable to escape poverty and that inferior schools ensure that poverty and isolation. It avoids exposing the fact that the person making the argument has the privilege of having a choice, or at least some say, in the matter, whereas the black parents of children going to city schools do not. What is really being said is that the urban schools, which are not good enough for the white child, are the product of the black community's own making. The safety arguments, like the other arguments posed by suburban parents, legitimate the superior schooling that suburban whites receive and help to sustain relations of domination.

Opposition to School Desegregation:

The Myth of Parental Concern

All of the main arguments that people used to frame their opposition to the *Sheff v. O'Neill* case are built upon the notion that people are just genuinely concerned for their children and want the best for them, and that is why they oppose school desegregation. It was reiterated over and over to me that those opposed were simply looking out for the best interest of their children:

Well, you see, it's real dynamite because when you're talking about people's own children they're very, very concerned. . . . People, when it comes to their own children, are very protective (Fisher Interview).

But what about people who do not have children who would be effected by a school desegregation order? Many of those opposed do not have school-aged children or do not have children at all. Are they simply looking out for the best interest of other people's children? And if so, why are they not looking out for black people's children too?

When confronted with these questions people did not know how to respond. Either they would become very nervous and defensive or they would ignore the questions all together:

When we're talking about the people who are in opposition to the kind of desegregation that is possible could happen in Hartford, we're talking about a lot of people who aren't parents. Who are opposed to it?

Yes, who are opposed to it. We're talking about tax payers who aren't actually parents or they have children in private schools, or they don't have school aged children. So, what would be behind that?

(long pause) The fact that ahhh--(pause) well, I don't know—that's a difficult question.

Simply concern for other people's children?

I would say that some of it stems from the fact that they feel that this kind of thing is engaging in social experimentation (Fisher Interview).

Questions confronting the parental concern issue were the most difficult for people to deal with. This is quite obviously because they exposed the truth of the matter: parental concern is not really what it is all about. The extent of contact one has with schools or school children is not related to one's attitude concerning desegregation (Nicoletti and Patterson 1974). In fact, studies have shown that the opposition to desegregation often comes from people with less contact with the desegregation program than those with more contact (Mahan 1968).

At the heart of the opposition to *Sheff v. O'Neill*, or any other contemporary school desegregation case, is not—or is not only—parental concern about long bus rides or unsafe neighborhoods. The opposition to school desegregation is rooted in a simple opposition to racial integration. Yet, even for people who are very much in favor of desegregation this is hard to admit:

I'm just curious about what you're saying is behind people's opposition to Sheff. Because you keep talking about parents, but I wonder about people who are not actually parents themselves and why they would oppose it. Do you know what I mean? Because we both know that a lot of people do not have kids who would be affected by school reform right now, and many don't have children at all.

The issues sometimes, I think, well, let me think about this, because I, I, I believe that there is kind of a larger issue for people who don't have, uh, children. And it may or may not have to do with the issue of desegregation. I think it has more to do with the issue, well, kind of a generational gap. . . . Well, the plaintiffs are trying to say that there is a collective responsibility for all of the state's children. And there appears to be an element of selfishness involved [in white suburban people's reactions to the case] (Frahm Interview).

The selfishness is a commitment to protecting white privilege and a refusal to acknowledge or take responsibility for the connection between white privilege and black poverty.

Conclusion

When we look at the meaning of the opposition to school desegregation we are looking at the basic nature of the relationship between black people and white people. Although people attempt to frame their arguments to appear non race-related, they clearly are. Not only are they racially motivated arguments, but their subtext is racist. Until we, as a nation, can admit that we still have a problem with racism (and more specifically racial discrimination in education), and take on the responsibility for resolving it, we will not see successful school integration, let alone genuine racial equality. The problems are huge and overwhelming, but they are not irrevocable. We who have created them have the capacity to tear them apart if only we can admit that they are too offensive to remain socially acceptable.

RACISM AS SUBTEXT

Before *Brown v. Board of Education*, racial segregation was the law. An openly racist ideology of white supremacy supported that law and the structure of social relations that systematically empowered whites and disempowered blacks. After *Brown*, racial segregation became illegal and the ideology of white supremacy was called into question, challenged and silenced. Many whites seem to believe that racism has since disappeared and is no longer a concern. But little has changed in the distribution of power within society since *Brown v. Board of Education*, we just use different language to justify it. Today's racism is supported by ideas and practices that are less openly and less self-consciously racist, but that have racist consequences which perpetuate a racially discriminatory social structure.

Although racism has moved from the text to the subtext of contemporary discourse, opposition to school desegregation continues to create racial discrimination and structural disadvantage. But because today's racism is buried in the subtext, hidden behind supposedly 'neutral' code words, it is harder to see, harder to confront, and harder to overcome. It would be an oversimplification of the situation to say that blatant racism is the only factor at all involved, though clearly it is one of the major factors: fifty-three percent of non-blacks still believe today that blacks are less intelligent than whites (Terkel 1992:1).

On the other hand, people may oppose desegregation without holding prejudiced or bigoted beliefs. People may be genuinely concerned for their children's safety and educational well-being. But their lack of prejudice does

not mean that their actions are nondiscriminatory. Although language and law are no longer intentionally racist, opposition to desegregation perpetuates a set of structural relations that are indeed racist. Prejudice may characterize many fewer people's reactions and actions today as compared to years past; but those unprejudiced responses are still discriminatory in their consequences. Perhaps because the American public has difficulty seeing structural or institutional forms of racism, these major factors in racial inequality go unnoticed.

Notions such as meritocracy and equal opportunity allow people to believe that their positions in the social order are deserved, and thus, are just. It is from this standpoint that they oppose change. But these beliefs are ideological. White privilege is in fact "unearned entitlement" and "unearned advantage" (McIntosh 1988:14); black non-privilege is unearned disadvantage. One of the, if not the, most powerful ways this disadvantage is enforced is through the racial isolation of blacks. Segregation in general, and school segregation more specifically, lies beyond the capacity of any individual to change and it limits black life chances independent of character, personality, or motivation. The ideology of meritocracy has been very successful in that by ignoring the structural constraints and institutional limitations placed on blacks through segregated and unequal educational experiences, it allows people to disclaim responsibility for the structural problems of the system. Opponents of desegregation then, can ignore that their opposition contributes to the perpetuation of racism.

This blindness to structural problems is a form of participation in institutional racism. The consequence of this blindness, and the inaction that results from it, is that urban black students are trapped in inferior schools that white parents spend considerable energy and money ensuring that their

children will not have to attend. Structural problems require structural remedies. School desegregation has the potential to be one such remedy.

Contemporary Racism: The Racism-No-Longer-Exists Myth

Contemporary color barriers are much less visible today than they were in any previous time. As a result of the grueling struggle to eliminate blatantly racist legal discrimination, separation laws are no longer on the books. Today one can travel to any part of the U.S. and never see a building with a sign on the front designating it a 'Colored School' or a 'White School'. This absence of obvious signs of discrimination breeds an atmosphere of perceived racial neutrality and encourages people—or at least white people—to believe that racism no longer exists. It allows people, especially those not directly hurt by racial discrimination, to believe that racism is a thing of the past.

Public policies and civil rights legislation have, in effect, made blatant racist behavior socially unacceptable. But what those laws also did was "to persuade untold numbers of Americans that it was somehow inappropriate for them to crusade for racial equality that presumably had been achieved in the newly recognized color-blind society" (Franklin 1993: 43). The result is that people today think the struggle for racial equality has no place in the present. Whites, in general, do not want to think about race relations or racial problems (Lewis 1993; Massey and Denton 1993). They believe that since blacks and other minorities enjoy equal protection of the law, complaints about discrimination or inequality are unfounded. Specific plans to facilitate equal opportunity—in this case, school desegregation programs—

are not necessary and are unfair because they give special favors to the racial minority, thus discriminating against the majority group.

Thus, increasingly over recent decades, we have seen race issues dropped from the national agenda. School desegregation programs have declined as local, state, and federal governments have moved on to other concerns (Callan 1988:18; Massey and Denton 1993). New issues, the most recent of which is the environment, have commanded the concern once given to race relations (Hacker 1992:64). Few white people appreciate the depth of racial segregation or the degree to which it is maintained by ongoing institutional practices and collective individual action (Massey and Denton 1993). When people acknowledge segregation, they see it as merely an unfortunate holdover from a racist past (Massey and Denton 1993). Since "white Americans either do not hold old-fashioned racist beliefs or they feel guilty about the ones they do hold, whites tend to think of racism as a thing of the past" (McConahay, Hardee and Batts 1981:578).

Yet since 1980 income and unemployment inequality has widened between blacks and whites (Bell 1987:45; Hacker 1992:102). In a 1993 report, the National Urban League stated that in every area blacks had made strong progress in the 1960s, peaked during the '70s, and have been regressing ever since. Today, black family income averages only 57 percent of white family income and the unemployment rate for blacks is more than two times that for whites (Tidwell 1993:251, 254). Half of all black children in the U.S. live in poverty (Terkel 1992:1).

A Skewed Definition of Racism

Racism in the pre-Brown era was blatant and obvious. The racial discrimination that existed then was easy to pinpoint, it was clear and stark and difficult to deny. In fact, it was often not denied. It did not have to be; it was perfectly legal. But modern discrimination is not practiced as obviously or self-righteously. It can't be; it is illegal. Today's racism is harder to see, harder to point out, and, in turn, harder to fight.

White Americans mainly recognize only 'old-fashioned' racism as 'real racism,' ignoring any other opinions, beliefs, or actions that work to disadvantage blacks (McConahay, Hardee and Batts 1981). Institutional racism, systematic discrimination, and structural inequality are not considered. Whites are served by the popular myth in the U.S. that racism results only from bigotry and conscious discrimination (Friedman 1975), a definition of racism that includes only a small spectrum of the prejudiced, discriminatory attitudes and behaviors that pervade society. The majority of whites, therefore, can proclaim themselves non-racist even while their actions perpetuate and uphold a racist and exclusionary social structure.

The racism-no-longer-exists myth is a contemporary ideology which legitimizes the social order as it is. Through unwillingness to expand the definition of what is racially insulting, and/or discriminatory, whites have allowed some of the most offensive of social realities to remain part of everyday life. Today, our society isolates a significant portion of our black citizens to deteriorating urban areas with limited opportunity for upward mobility. Even as we consider ourselves a non-racist society, many of us

stand by and watch half of all our black children spend their youths growing up in families which live below the poverty line (Terkel 1992).

The Moral Responsibility to Desegregate Schools

"Individuals can choose to take responsibility and initiate change... There are 'resisters' who produce alternative perspectives of society... And there are alternative non-racist ways to use power with the purpose of change" (Essed 1991:46).

It has been forty years since *Brown v. Board of Education* and the United States remains a racially divided and unequal society. Prejudice and discrimination continue to poison race relations and the demolition of legal segregation has not yet resulted in 'de facto' integration.

The leaders of this country possess the policy instruments to reform racist structures and substantially reduce remaining levels of segregation. School desegregation is one of those instruments. Some who recognize this have been struggling with school desegregation cases in court for over forty years. Until others follow their lead and take on the responsibility for working to achieve racial integration, we will not see racial harmony. School desegregation can be a means to achieve massive societal change and national unity.

There is a growing respect, small though it may be, between black kids and white kids, an appreciation for each other as humans if you look beyond the lawsuits, the court decisions, the protesters' debates, all of it, that's what you find—that growing respect. To me, it's worth anything." -Julius Chambers, Civil Rights Attorney who prosecuted *Swann v. Charlotte-Mecklenburg Board of Education* (Barroux 1973:267).

Privilege grants permission to be thoughtless, and the "license to be ignorant, oblivious, arrogant and destructive" (McIntosh 1988:11). It allows

people to participate in the American system of "organized irresponsibility" (Mills 1956:361). But privilege also grants the power to change. White people, especially those in positions of power and authority, have the option to take responsibility for their own action, and for the structure of their society's institutions:

Until policy makers, social scientists, and private citizens recognize the crucial role of America's own apartheid in perpetuating urban poverty and racial injustice, the United States will remain a deeply divided and very troubled society (Massey and Denton 1993:16).

Americans need to recognize that racism, especially in the forms of institutional discrimination and structural inequality, is a contemporary problem for which all members of our society, especially those of us who are white, must be held responsible for.

Appendix:
Brief Biographies of Interview References

All interview sessions were conducted in January of 1994 in the Hartford, Connecticut area. Each interview was between one to two and a half hours in length and, when permission was granted, the interviews were cassette recorded.

Anonymous Interviews

I interviewed thirteen people, in addition to the twelve interviews listed below, who requested that their interviews remain confidential. Some allowed me to use quotes from their interview sessions in the text but wished to remain anonymous. All of the thirteen live in the Hartford area. Ten are adults and three are children. Seven of the group are black, one is Hispanic, and five are white.

Brittain, John

John Brittain is a Professor of Law at the University of Connecticut School of Law. He is one of two lead attorneys for the plaintiffs in *Sheff v. O'Neill* and is well respected for his knowledge of the legal and socio-legal dimensions of school desegregation law.

Eager, Sue

Sue Eager lives in a suburb of Hartford and is a nurse at a hospital in the Hartford area. She is a parent of a fourth grade boy. She pays tuition for her son to attend a private parochial day school.

Fisher, Geoffrey

Geoffrey Fisher is Assistant to Representative Tim Barth, and is a member of the West Hartford Board of Education. He has been very involved with the issues in the legislature surrounding the *Sheff v. O'Neill* case, and the issue of desegregation more generally. He is politically conservative and was a strong supporter of Tim Barth's Voucher Bill which was proposed to the Connecticut State Legislature in the spring of 1993.

Forman, Jeff

Jeff Forman is the Special Assistant to the Superintendent of Hartford Public Schools. He is a member of many area education committees and has been very involved in the issues surrounding the *Sheff v. O'Neill* lawsuit. He testified in the *Sheff* trial as a witness for the plaintiffs.

Frahm, Robert

Robert Frahm is the Education Reporter for the Hartford Courant, the most widely read newspaper in the Hartford area. He has been covering the *Sheff v. O'Neill* case, the School Desegregation Bill that was passed in the Connecticut Legislature, and other topics related to the *Sheff* case. Mr. Frahm has previously reported on desegregation cases and educational issues in other parts of the U.S.

Green, Clifford

Clifford Green is the Director of the Public Policy Center at Hartford Seminary and is very knowledgeable concerning the public policy issues involved with the *Sheff v. O'Neill* case. He is well known in the Hartford

area, especially amongst clergy and different local church organizations. He is in close contact with many predominantly black churches and in touch with the concerns the *Sheff* case raises for the black community.

Johnston, Audrey

Audrey Johnston lives in a suburb of Hartford and is a banker in downtown Hartford. She has two children, both who attend public elementary school.

Meehan, Avice

Avice Meehan is the Governor of Connecticut's Press Secretary. Due to her close contact with the governor and her work in the State Executive Chambers, Ms. Meehan is one of the most knowledgeable regarding the *Sheff v. O'Neill* case and the Governor's political position in relation to it.

Tegeler, Philip

Philip Tegeler is a lawyer for the Connecticut Civil Liberties Union Foundation. He is the main litigating attorney for the plaintiffs in *Sheff v. O'Neill*. He has been actively involved in the case since it originated in the '80s. He lives in the Hartford area and has young children. He is the only attorney working on the *Sheff* case whose children will be directly effected by it if the judge rules for the plaintiffs.

Watts, Martha

Martha Watts is an Assistant to the Attorney General for the State of Connecticut. She is one of three attorneys defending the state in the *Sheff v. O'Neill* case. As a lawyer, her specialty is education law and she had worked

in the private sector before accepting the position as Assistant Attorney General. She was hired by the Attorney General's Office when the *Sheff* case's trial was first formally accepted by the court specifically for her legal expertise in the field of educational law.

Willie, Charles

Charles Willie is a Harvard Sociologist and education expert. He is infamous in the field of school desegregation for his direct involvement with Boston's famous school desegregation program and implementation. He is a national expert on school desegregation, education, poverty, and race.

Wogman, Nancy

Nancy Wogman lives in a suburb of Hartford and is the Program Director for the Connecticut Academy for Education. Thus, she is in close contact with educators from around the state as well as very active in different community organizations in the Hartford area. She is a mother of three children, one who recently graduated from a public high school in the town in which the family lives, and two who are presently enrolled there. For these reasons Ms. Wogman has a keen insight regarding different peoples' views on the *Sheff* case.

References

- Allport, G.W. (1958). The Nature of Prejudice. New York, Doubleday.
- Alston, Jon P. and Melvin J. Knapp (1972). "Black Attitudes Toward Speed of School Integration, 1969." Journal of Negro Education 41(4 Fall): 331-336.
- Anderson, Carolyn (1982). "The Search For School Climate: a Review of the Research." Review of Educational Research 52(3): 368-420.
- Apple, Michael W. and Lois Weis (1983). Ideology and Practice in Schooling. Philadelphia, Temple University Press.
- Aptheker, Herbert (1971). Afro-American History: The Modern Era. Secaucus, NJ, Citadel Press.
- Armor, D. J. (1978). White Flight, Demographic Transition, and the Future of School Desegregation. The American Sociological Association.
- Aronson, Ronald (1978). "Is Busing the Real Issue?" Dissent 25(4(113) fall): 409-415.
- Ashmore, R.D. and F.K. DelBoca (1976). Psychological Approaches to Understanding Intergroup Conflict. Towards the Elimination of Racism. New York, Pergamon Press.
- Ballantine, Jeanne H. (1989). Schools and Society. Mountain View, CA, Mayfield Publishing Company.
- Barnes, Barry (1988). The Nature of Power. Chicago, University of Illinois Press.
- Barroux, Frank (1973). School Busing: Charlotte, NC. The Great School Bus Controversy. New York, Teachers College Press, Columbia University.
- Bauman, John F. (1974). Public Housing, Race, and Renewal: Urban Planning in Philadelphia, 1920-1974. Temple University Press.
- Bell, Derrick, Ed. (1980). Shades of Brown: New Perspectives on School Desegregation. New York, Teachers College Press.
- Bell, Derrick (1987). And We Are Not Saved. U.S.A., Basic Books, Inc.
- Bell, Derrick (1992). Faces at the Bottom of the Well: The Permanence of Racism. New York, Basic Books.

Ben-Tovim, G. and J. Law Gabriel I and K. Stredder (1986). The Local Politics of Race. London, Macmillan.

Berger, Peter L. and Thomas Luckmann (1966). The Social Construction of Reality. New York, Doubleday.

Berry, Brewton (1965). Race and Ethnic Relations. Boston, Houghton Mifflin.

Berry, Brian J. L. (1979). The Open Housing Question: Race and Housing in Chicago, 1966-1976. Cambridge, MA, Ballinger.

Berry, Brian J. L. and Carole A. Goodwin and Robert W. Lake and Katherine Smith (1976). Attitudes Toward Integration: The Role of Status in Community Response to Racial Change. The Changing Face of the Suburbs. Chicago, University of Chicago Press.

Bickford, Adam and Douglas S. Massey (1991). "Segregation in the Second Ghetto: Racial and Ethnic Segregation in American Public Housing, 1977." Social Forces 69(4): 1011-1036.

Blaustein, Albert P. and Robert L. Zangrando, Ed. (1991). Civil Rights and African Americans: A Documentary History. Evanston, IL, Northwestern University Press.

Blumer, Herbert (1958). "Race Prejudice as a Sense of Group Position." The Pacific Sociological Review 1(1): 3-7.

Blumer, Herbert (1965). The Future of the Color Line. The South in Continuity and Change. Durham, NC, Duke University Press. 322-336.

Blumer, Herbert (1971). "Social Problems as Collective Behavior." Social Problems 18(3): 298-306.

Bork, Robert H. (1972). Constitutionality of the President's Busing Proposals. Washington, DC, American Enterprise Institute for Public Policy Research.

Bossert, Steven T. (1979). Tasks and Social Relationships in Classrooms. Cambridge, Cambridge University Press.

Bowles, Samuel and Herbert Gintis (1976). Schooling in Capitalist America: Educational Reform and the Contradictions of Economic Life. New York, Basic Books.

Brittain, John C. (1993). Educational and Racial Equity Toward the Twenty-First Century – A Case Experiment in Connecticut. Race In America: The

Struggle For Equality. Madison, Wisconsin, University of Wisconsin Press. 167-183.

Brookover, W.B. and C. Beady and P. Flood and J. Schweitzer and J. Wisenbaker (1979). School Systems and Student Achievement. New York, Praeger.

Brudnoy, David (1974). "Fear and Loathing in Boston." The National Review 26(October 25): 1228-1231.

Bureau, U.S. Census (1980). Cities With a 1980 Population of 100,000 or More Ranked by Persons, Poverty Rate in 1979. U.S. Census of Population and Housing.

Caditz, Judith (1975). "Dilemmas Over Racial Integration: Status Consciousness vs. Direct Threat." Sociological Inquiry 45(4): 51-8.

Callan, Patrick M. and Joni E. Finney (1988). "State Policy and Minority Achievement in Higher Education." Peabody Journal of Education 6(1): 6-19.

Campbell, Angus (1971). White Attitudes Toward Black People. Ann Arbor, Institute For Social Research, The University of Michigan.

Carter, David G. and James P. Sandler (1991). "Access, Choice, Quality, and Integration." Education and Urban Society 23(2): 175-184.

Carter, Robert L. (1980). A Reassessment of Brown v. Board. Shades of Brown: New Perspectives on School Desegregation. New York, Teachers College Press. 20-28.

Cass, Julia (1986). The Elmwood Incident. The Philadelphia Inquirer Magazine.

Cataldo, Everett F., Michael W. Giles, and Douglas S. Gatlin (1978). School Desegregation Policy: Compliance, Avoidance and the Metropolitan Remedy. Lexington, MA, Lexington Books.

Chesler, M.A. (1976). Contemporary Sociological Theories of Racism. Towards the Elimination of Racism. New York, Pergamon Press. 21-72.

Colclough, Glenna and E. M. Beck (1989). The American Educational Structure and the Reproduction of Social Class. Schools and Society. Mountain View, CA, Mayfield Publishing Company. 319-332.

Coleman, J.S. (1975(a)). "Recent Trends in School Integration." Educational Researcher July: 3-12.

Coleman, J.S. (1975(b)). "Racial Segregation in the Schools: New Research With New Policy Implications." Phi Delta Kappan 1975: 75-78.

Colman, William G. and Gary Orfield and Charles T. Clotfelter (1978). "Schools, Housing, Jobs, Transportation: Interlocking Metropolitan Problems." Urban Review 10(2, summer): 92-107.

Combs, Michael W. (1986). "The Federal Judiciary and Northern School Desegregation: Law, Politics, and Judicial Management." Publius 16(2 spring): 33-52.

Connecticut, Academy for Education (1993). Informational Packet: State of Contradictions. Connecticut Academy for Education.

Converse, Philip E. (1975). Public Opinion and Voting Behavior. Handbook of Political Science. Reading, MA, Addison-Wesley. 75-170.

Coser, Lewis A. (1956). The Functions of Social Conflict. Glencoe, IL, The Free Press.

Coulson, J. E. and D. G. Ozenne and S. D. Hanes and C. Bradford and W. J. Doherty and G. A. Duck and J. A. Hemenway (1977). The Third Year of Emergency School Aid Act (ESAA) Implementation. Santa Monica, CA: System Development Corporation.

Crain, Robert L. (1968). The Politics of School Desegregation. Chicago, Aldine Publishing.

Crain, Robert L. (1975). School Integration and Occupational Achievement of Negroes. Racial Discrimination in the United States. New York, Harper and Row. 206-224.

Crain, Robert L. and Rita E. Mahard (1982). "The Consequences of Controversy Accompanying Institutional Change: The Case of School Desegregation." American Sociological Review 47(6 Dec): 697-708.

Crain, R. L. and R. E. Mahard and R. E. Narot (1982). Making Desegregation Work: How Schools Create Social Climates. Cambridge, MA, Ballinger Press.

Cunningham, G.K. and W.L. Husk (1979). The Impact of Court-Ordered Desegregation on Student Enrollment and Residential Patterns in the Jefferson County Kentucky Public School District. NIE.

Cunningham, George K. and William L. Husk (1980). "White Flight: A Closer Look at the Assumptions." Urban Review 12(1): 23-30.

Defendants', Brief (1993). Summary of the State's Position as Presented in the State's Post Trial Brief and in Closing Arguments by Assistant Attorney General John R. Whelan on December 16, 1993: *Sheff v. O'Neill*. Attorney General's Office, State of Connecticut.

Denton, Nancy A. and Douglas S. Massey (1988). "Residential segregation of Blacks, Hispanics and Asians by Socioeconomic Status and Generation." *Social Science Quarterly* 69: 797-817.

Dimond, Paul R. (1985). *Beyond Busing: Inside the Challenge to Urban Segregation*. Ann Arbor, University of Michigan Press.

Disorders, National Advisory Commission of Civil (1968). *Report of the National Advisory Commission on Civil Disorders*. New York, Bantam.

Dollard, J. (1937). *Caste and Class in a Southern Town*. New Haven, Yale University Press.

Eagleton, Terry (1991). *Ideology: An Introduction*. New York, Verso.

Edelman, Murray (1971). *Politics as Symbolic Action*. New York, Academic Press.

Edelman, Marion Wright (1973). "Southern School Desegregation, 1954-1973: A Judicial-Political Overview." *Annals of the American Academy of Political and Social Science* 407(May): 32-42.

Ekstrom, Ruth B. and Margaret E. Goertz and Judith M. Pollack and Donald A. Rock (1987). Who Drops Out of High School and Why? Findings From a National Study. *School Dropouts: Patterns and Policies*. New York, Teachers College Press. 52-69.

Erbe, Brigitte Mach (1977). "On 'The Politics of School Busing'." *Public Opinion Quarterly* 41: 113-117.

Essed, Philoma (1991). *Understanding Everyday Racism*. Newbury Park, CA, Sage.

Farley, Reynolds (1975). "Residential Seregation and Its Implications For School Integration." *Law and Contemporary Problems* 39(1): 164-193.

Farley, Reynolds (1977). "Residential Segregation in Urbanized Areas of the United States in 1970: An Analysis of Social Class and Racial Differences." *Demography* 14: 497-518.

Farley, Renolds and C. Wurdoch (1977). Can Governmental Policies Integrate Public Schools? University of Michigan, Population Studies Center.

Farley, Reynolds and Howard Schuman and Suzanne Bianchi and Diane Colasanto and Shirley Hatchett (1978). "Chocolate City, Vanilla Suburbs: Will the Trend Toward Racially Separate Communities Continue?" Social Science Research 7: 319-344.

Fine, Gary Alan and Kent Sandstrom (1993). "Ideology in Action: A Pragmatic Approach to a Contested Concept." Sociological Theory 11: 21-38.

Fishman, Mark (1978). "Crime Waves as Ideology." Social Problems 25: 531-543.

Fogelson, Robert M. (1971). Violence as Protest. Garden City, NY, Doubleday.

Fordham, Signithia and John U. Ogbu (1986). "Black Students' School Success: Coping With the "Burden of 'Acting White'". " The Urban Review 18(3): 176-206.

Forehan, G. A. and M. Ragosta and D. A. Rock (1976). Conditions and Processes of Effective School Desegregation. Princeton, Educational Testing Service.

Formisano, Ronald P. (1991). Boston Against Busing. Chapel Hill, University of North Carolina Press.

Frahm, Robert A. (1992). Trial Has Many In Suburbs Uneasy Over Home Rule, Busing. The Hartford Courant. Hartford, CT.

Frahm, Robert A. (1993). Expert Backs Boston Plan For Desegregation. The Hartford Courant. Hartford, CT.

Frahm, Robert A. (1993). Only Court Can End Segregation, Author Says. The Hartford Courant. Hartford, CT.

Frahm, Robert A. (1993). State Drafts Racial Quotas for Schools. The Hartford Courant. Hartford, CT.

Franklin, John Hope (1993). The Color Line: Legacy for the Twenty-First Century. Columbia, MO, University of Missouri Press.

Freeman, Alan David (1980). School Desegregation Law: Promise, Contradiction, Rationalization. Shades of Brown: New Perspectives on School Desegregation. New York, Teachers College Press. 70-89.

Friedman, Robert (1975). Institutional Racism: How to Discriminate Without Really Trying. Racial Discrimination in the United States. New York, Harper and Row. 384-407.

Galster, George C. (1986). More than Skin Deep: The Effect of Housing Discrimination on the Extent and Pattern of Racial Residential Segregation in the United States. Housing Desegregation and Federal Policy. University of North Carolina Press. 119-140.

Gatlin, D.S., and Giles, M.W. and E.F. Cataldo (1978). "Policy Support Within a Target Group: The Case of School Desegregation." American Political Science Review 72: 985-995.

George, John and Laird Wilcox (1992). Nazis, Communists, Klansmen, and Others on the Fringe. Buffalo, NY, Prometheus Books.

Gerber, David A. (1973). "Education, Expediency, and Ideology: Race and Politics in the Desegregation of Ohio Public Schools in the Late 19th Century." Journal of Ethnic Studies 1(3 Fall): 1-31.

Giddens, Anthony (1980). The Class Structure of Advanced Societies. London, Hutchinson.

Giles, Michael W. and Douglas S. Gatlin (1980). "Mass-Level Compliance with Public Policy: The Case of School Desegregation." Journal of Politics 42(3 Aug): 722-746.

Glazer, Nathan (1973). Is Busing Necessary? The Great School Bus Controversy. New York, Teachers College Press, Columbia University. 190-217.

Goldberg, David Theo, Ed. (1990). Anatomy of Racism. Minneapolis, University of Minnesota Press.

Green, R. L. and T. F. Pettigrew (1976). "Urban Desegregation and White Flight: A Response to Coleman." Phi Delta Kappan February: 400-402.

Greenberg, J. (1959). Race Relations and American Law. Law, Lawyers and Social Change. Bobbs-Merrill.

Grier, William H. and Price M. Cobbs (1980). Black Rage. New York, Basic Books.

Hacker, Andrew (1992). Two Nations. New York, Ballantine Books.

Harowitz, Harold W. and Kenneth L. Karst (1969). Law, Lawyers and Social Change: Cases and Materials on the Abolition of Slavery, Racial Segregation and Inequality of Educational Opportunity. Indianapolis, Bobbs-Merrill.

Hatcher, Richard and Barry Troyna (1993). Racialization and Children. Race, Identity and Representation in Education. New York, Routledge.

Herbst, Robert L. (1973). "The Legal Struggle to Integrate Schools in the North." Annals of the American Academy of Political and Social Science 407(May): 43-62.

Hesburgh, Theodore M. (1973). Father Hesburgh's Program for Racial Justice. The Great School Bus Controversy. New York, Teachers College Press, Columbia College.

Hill, Herbert and James E. Jones, Jr. (1993). Race In America: The Struggle For Equality. Madison, WN, University of Wisconsin Press.

Hirsch, Arnold R. (1983). Making the Second Ghetto: Race and Housing in Chicago, 1940-1969. Cambridge, MA, Cambridge University Press.

Hochschild, Jennifer L. (1984). The New American Dilemma: Liberal Democracy and School Desegregation. New Haven, Yale University Press.

Hughes, Larry W. and William M. Gordon and Larry W. Hillman (1980). Desegregating America's Schools. New York, Longman.

Hunt, Janet G. (1977). "Assimilation or Marginality? Some School Integration Effects Reconsidered." Social Forces 56(2 Dec): 604-610.

Hunter, James Davison (1991). Culture Wars: The Struggle to Define America. Making Sense of the Battles Over Family, Art, Education, Law, and Politics. New York, Basic Books.

Illich, Ivan (1970). Deschooling Society. New York, Harper and Row.

Isaac, Amos (1977). "The Issue Is Not Busing But the Furteenth Amendment: Strategies for Evasion." Education and Urban Society 9(3 May): 259-276.

Jacklin, Mark Pazniokas and Michele (1993). School Regions Sought To End Racial Imbalance. The Hartford Courant. Hartford, CT.

Jackman, Mary R. (1976). "The Relation Between Verbal Attitude and Overt Behavior: A Public Opinion Application." Social Forces 54(3): 646-667.

Jacobson, Cardell K. (1978). "Desegregation Rulings and Public Attitude Changes: White Resistance or Resignation?" American Journal of Sociology 84(3 Nov.): 698-705.

Jenkins, R. (1986). Racism and Recruitment. Cambridge, Cambridge University Press.

Johnson, David Allen (1991). "The Relationship Between School Integration and Student Attitudes Toward Residential Racial Integration." Dissertation Abstracts International, A: The Humanities and Social Sciences 51(7): 2527A-2528A.

Jones, James M. (1972). Prejudice and Racism. Reading, MA, Addison-Wesley.

Kasarda, John D. (1985). Urban Change and Minority Opportunities. The New Urban Reality. Washington, DC, Brookings Institution.

Katznelson, Ira and Margaret Weir (1985). Schooling For All. New York, Basic Books.

Kelley, Jonathan (1974). "The Politics of School Busing." Public Opinion Quarterly 38: 23-39.

Killian, Lewis M. (1989). "Working for the Segregationalist Establishment." Journal of applied behavioral sciences 25(4): 487-498.

Kinder, Donald R. and David O. Sears (1981). "Prejudice and Politics: Symbolic Racism Versus Racial Threats to the Good Life." Journal of Personality and Social Psychology 40(3): 414-431.

Kirp, David L. (1981). "The Bounded Politics of School Desegregation Litigation." Harvard Educational Review 51(3 Aug): 395-414.

Knapp, Melvin J. and Jon P. Alston (1972). "White Parental Acceptance of Varying Degrees of School Desegregation: 1965 and 1970." Public Opinion Quarterly 36: 585-591.

Knowles, L. and K. Prewitt, Ed. (1969). Institutional Racism in America. Englewood Cliffs, NJ, Prentice-Hall.

Kozol, Jonathan (1991). Savage Inequalities. New York, Crown Publishers.

Krol, R. A. (1978). "A Meta Analysis of Comparative Research on the Effects of Desegregation on Academic Achievement." Dissertations Abstracts International, 1978 39: 6011A.

Laue, James H. and Daniel J. Monti (1980). "Intervening in School Desegregation Conflicts: The Role of the Monitor." Research in Social Movements, Conflicts and Change 3: 187-218.

Lawrence, Charles (1980). 'One More River to Cross' – Recognizing the Real Injury in Brown: A Prerequisite to Shaping New Remedies. Shades of Brown: New Perspectives on School Desegregation. New York, Teachers College Press.

Lehr, Dick (1993). High Court Backs Off Race-Based Preferences. The Boston Sunday Globe. Boston, MA.

Lewis, Anthony (1993). A Look at Urban 'Miseries' 25 Years After Kerner Warning. Telegram and Gazette. Worcester, MA.

Lipset, Seymour Martin and William Schneider (1978). "Racial Equality in America." New Society 44(811 Apr 20): 128-131.

Logan, John R. and Harvey L. Molotch (1987). Urban Fortunes: The Political Economy of Place. University of California Press.

Logan, John R. and Linda B. Stearns (1981). "Suburban Racial Segregation as a Non-Ecological Process." Social Forces 60: 61-73.

Lufler, Henry S. Jr. (1989). "Pupils." Yearbook of Education Law 1989: 59-94.

Lufler, Henry S. Jr. (1990). "Pupils." Yearbook of Education Law 1990: 59-94.

Lufler, Henry S. Jr. (1991). "Pupils." Yearbook of Education Law 1991: 65-88.

Lukes, Steven (1986). Power. New York, New York University Press.

Mahan, T. (1968). "The Bussing of Students for Equal Opportunities." Journal of Negro Education 37: 291-300.

Manning, D.J. (1980). The Form of Ideology. London, George Allen and Unwin.

Marable, Manning (1981). "Beyond the Race Dilemma." Nation (April 11, 1981): 428-431.

Marshall, Harvey H. and John M. Stahura (1979). "Determinants of Black Suburbanization: Regional and Suburban Size Category Patterns." Sociological Quarterly 20: 237-253.

Massey, Douglas S. (1979(a)). "Residential Segregation of Spanish Americans in United States Urbanized Areas." Demography 16: 653-654.

Massey, Douglas S. (1979(b)). "Effects of Socioeconomic Factors in the Residential Segregation of Blacks and Spanish Americans in U.S. Urbanized Areas." American Sociological Review 44: 1015-1022.

Massey, Douglas S. (1981). "Social Class and Ethnic Segregation: A Reconsideration of Methods and Conclusions." American Sociological Review 46: 641-650.

Massey, Douglas S. and Brendan P. Mullan (1984). "Processes of Hispanic and Black Spatial Assimilation." American Journal of Sociology 89: 836-73.

Massey, Douglas S. and Eric Fong (1990). "Segregation and Neighborhood Quality: Blacks, Hispanics, and Asians in the San Francisco Metropolitan Area." Social Forces 69(1): 15-32.

Massey, Douglas S. and G. A. Condran and N.A. Denton (1987). "The Effect of Residential Segregation on Black Social and Economic Well-Being." Social Forces 66: 29-56.

Massey, Douglas S. and Nancy A. Denton (1987). "Trends in the Residential Segregation of Blacks, Hispanics, and Asians: 1970-1980." American Sociological Review 52: 802-825.

Massey, Douglas S. and Nancy A. Denton (1988(a)). "The Dimensions of Residential Segregation." Social Forces 62(2): 281-315.

Massey, Douglas S. and Nancy A. Denton (1988(b)). "Suburbanization and Segregation in U.S. Metropolitan Areas." American Journal of Sociology 94(3): 592-626.

Massey, Douglas S. and Nancy A. Denton (1989). "Hypersegregation in U.S. Metropolitan Areas: Black and Hispanic Segregation Along Five Dimensions." Demography 26(3): 373-391.

Massey, Douglas S. and Nancy A. Denton (1993). American Apartheid: Segregation and the Making of the Underclass. Cambridge, MA, Harvard University Press.

Maykovich, M.K. (1975). "Correlates of Racial Prejudice." Journal of Personality and Social Psychology 32: 1014-1020.

McCarthy, Cameron and Warren Crichlow (1993). Race, Identity and Representation in Education. New York, Routledge.

McClendon, McKee J. (1985). "Racism, Rational Choice, and White Opposition to Racial Change: A Case Study of Busing." Public Opinion Quarterly 49(2 summer): 214-233.

McConahay, John B. (1982). "Self-Interest versus Racial Attitudes as Correlates of Anti-Busing Attitudes in Louisville: Is It the Buses of the Blacks?" Journal of Politics 44(3 Aug): 692-720.

McConahay, John B. and Betty B. Hardee and Valerie Batts (1981). "Has Racism Declined in America?" Journal of Conflict Resolution 25(4): 563-579.

McConahay, John B. and Joseph C. Hough Jr. (1976). "Symbolic Racism." Journal of Social Issues 32(2): 23-45.

McDill, E.L. and L.C. Rigsby (1973). Structure and Process in Secondary Schools: The Academic Impact of Educational Climates. Baltimore, MD, Johns Hopkins University Press.

McIntosh, Peggy (1988). White Privilege and Male Privilege: A Personal Account of Coming to See Correspondences Through Work in Women's Studies. Wellesley College Center for Research on Women, Wellesley College, Wellesley, MA.

Meehan, Avice and Tom Murphy (1993). Press Release: A Voice and A Choice for Connecticut: Governor Weiker Unveils Plan for Quality, Integrated Schools. State of Connecticut Executive Chambers, Governor Lowell P. Weiker, Hartford CT.

Meehan, Avice and Tom Murphy (1993). Press Release: Governor Weiker Signs Law on Improving Educational Quality and Diversity in Connecticut's Public Schools. State of Connecticut Executive Chambers, Governor Lowell P. Weiker, Hartford CT.

Merton, Robert K. (1938). "Social Structure and Anomie." American Sociological Review 3(October): 672-682.

Merton, Robert K. (1949). Discrimination and the American Creed. Discrimination and National Welfare. New York, Harper.

Middleton, R. (1976). "Regional Differences in Prejudice." American Sociological Review 41: 94-117.

Miller, L. (1969). The Petitioners. Law, Lawyers and Social Change: Cases and Materials on the Abolition of Slavery, Racial Segregation and Inequality of Educational Opportunity. Indianapolis, Bobbs-Merrill.

Miller, Randi L. (1990). "Beyond Contact Theory: The Impact of Community Affluence on Integration Efforts in Five Suburban High Schools." Youth and Society 22(1): 12-34.

Mills, C. Wright (1956). The Power Elite. New York, Oxford University Press.

Mills, Nicolaus, Ed. (1973). The Great School Bus Controversy. New York, Teachers College Press, Columbia University.

Molotch, Harvey (1972). Managed Integration: The Dilemmas of Doing Good in the City. University of California Press.

Muller, Peter O. (1981). Contemporary Suburban America. Englewood Cliffs, NJ, Prentice-Hall.

National, Commission on Excellence in Education (1984). A Nation At Risk: The Full Account. Cambridge, MA, USA Research.

Nealon, Patricia and John Ellement (1993). South Boston High Erupts. Boston Globe, Boston, MA.

Nicoletti, John A. and Tom W. Patterson (1974). "Attitudes Toward Busing as a Means of Desegregation." Psychological Reports 35: 371-376.

Oakes, Jeannie (1985). Keeping Track: How Schools Structure Inequality. New Haven, Yale University.

Office, of the Commissioner of Education (1993). Informational Pamphlet: Questions and Answers: The New State Law on Improving Quality and Diversity. Connecticut State Department of Education, Office of the Comissioner.

Orfield, Gary (1978). Must We Bus? Washington, DC, The Brookings Institution.

Pearce, Diana M. (1979). "Gatekeepers and Homeseekers: Institutional Factors in Racial Steering." Social Problems 26: 325-42.

Peebles-Wilkins, Wilma (1987). "Reactions of Segments of the Black Community to the North Carolina Pearsall Plan, 1954-1966." Phylon 48(2 June): 112-121.

Pettigrew, Thomas F., Ed. (1975). Racial Discrimination in the United States. New York, Harper and Row.

Plaintiffs', Brief (1993). Plaintiffs' Post-Trial Brief, Milo Sheff, et al. v. William A. O'Neill, et al. CV89-0360977S. Superior Court, Judicial District of Hartford/New Britain at Hartford.

Powledge, Fred (1991). Free At Last?: The Civil Rights Movement and the People Who Made It. New York, Harper Collins.

Prager, Jeffrey and Douglas Longshore and Melvin Seeman, Ed. (1986). School Desegregation Research: New Directions in Situational Analysis. New York, Plenum Press.

Raffel, Jeffrey A. (1980). The Politics of School Desegregation. Philadelphia, Temple University Press.

Ravitch, Diane (1980). Desegregation: Varieties of Meaning. Shades of Brown: New Perspectives on School Desegregation. New York, Teachers College Press. 31-47.

Ravitch, Diane (1985). The Schools We Deserve: Reflections on the Educational Crisis of Our Time. New York, Basic Books.

Ravitch, Diane (1988). The Great School Wars: A History of the New York City Schools. New York, Basic Books.

Raymond, L. (1980). Busing: Five Years Later – Test Score Trends: Blacks Gain, Whites Hold. Louisville Times. Louisville, KY.

Rist, Ray C. (1977). "Imperatives of Integration." Society 14(4): 32-34.

Rizvi, Fazal (1993). Children and the Grammar of Popular Racism. Race, Identity and Representation in Education. New York, Routledge.

Robinson, Lauren (1993). Hearing Eyed on 'Walk-To' Schools. Boston Globe. Boston, MA.

Rossell, C. (1978). Assessing the Unintended Impacts of Public Policy: School Desegregation and Resegregation. Boston University, Political Science Department.

Rossell, Christine H. (1987). "Does School Desegregation Policy Stimulate Residential Integration? A Critique of the Research." Urban Education 21(4 Jan): 403-420.

Rossell, Christine H. (1990). "The Carrot or the Stick for School Desegregation Policy?" Urban Affairs Quarterly 25(3): 474-499.

- Rossell, Christine H. and Willis D. Hawley, Ed. (1983). The Consequences of School Desegregation. Philadelphia, Temple University Press.
- Rothbart, Myron (1976). Achieving Racial Equality: An Analysis of Resistance to Social Reform. Toward the Elimination of Racism. New York, Pergamon.
- Royko, Mike (1993). Stop Coddling Failed 'Families'. Worcester Sunday Telegram. Worcester, MA.
- Rubin, Lilian B. (1972). Busing and Backlash. Berkley, University of California Press.
- Rutter, Michael and Barbara Maughan and Peter Mortimore and Janet Ouston and Alan Smith (1979). Fifteen Thousand Hours. Cambridge, MA, Harvard University Press.
- Salomone, Rosemary C. (1986). Education Under Law: Legal Rights and Federal Policy. New York, St. Martin's Press.
- Sarason, Seymour B. (1982). The Culture of the School and the Problem of Change. Second Edition. Boston, Allyn and Bacon, Inc.
- Schaefer, Richard T. (1988). Racial and Ethnic Groups. Glenview, IL, Scott, Foresman and Company.
- Schneider, J.M. and J.D. Glasheen and D.W. Hadley (1979). "Secondary School Participation, Institutional Socialization, and Student Achievement." Urban Education 14: 285-302.
- Schuman, Howard and Sharlotte Steech and Lawrence Bobo (1985). Racial Attitudes in America: Trends and Interpretations. Cambridge, MA, Harvard University Press.
- Schwartz, Bernard (1986). Swann's Way: The School Busing Case and The Supreme Court. New York, Oxford University Press.
- Schwartz, B. and Dirsch, R., Ed. (1970). White Racism. New York, Dell.
- Scrupski, A. (1975). The Social System of the School. Social Forces and Schooling. Anthropological and Sociological Perspectives. New York, David McKay.
- Sears, David O. (1975). Political Socialization. Handbook of Political Science: Vol.2. Micropolitical Theory. Reading, MA, Addison-Wesley. 96-136.

Sears, D.O. and T. Tyler and R.R. Lau and H.M. Allen (1980). "Self-Interest vs. Symbolic Politics in Policy Attitudes and Presidential Voting." American Political Science Review 74: 670-684.

Sears, D.O. and J.B. McConahay (1973). The Politics of Violence: The New Urban Blacks and the Watts Riot. Boston, Houghton-Mifflin.

Sears, D.O. and Kinder, D.R. (1971). Racial Tensions and Voting in Los Angeles. Los Angeles: Viability and Prospects for Metropolitan Leadership. New York, Praeger.

Shor, Ira (1987). Culture Wars: School and Society in the Conservative Restoration 1969-1984. New York, Routledge and Kegan Paul.

Shuman, Howard and M.P. Johnson (1976). "Attitudes and Behavior." Annual Review of Sociology 2: 161-207.

Sitkoff, Harvard (1993). The Struggle For Black Equality 1954-1992. New York, Hill and Wang.

Smith, Charles U. (1975). "Public School Desegregation and the Law." Social Forces 54(2): 317-327.

Smock, Pamela J. and Franklin D. Wilson (1991). "Desegregation and the Stability of White Enrollments: A School-Level Analysis." Sociology of Education 64(4): 278-292.

Sniderman, Paul M. and Michael Gray Hagen (1985). Race and Inequality: A Study In American Values. Chatham, NJ, Chatham House Publishers.

Snyder, Benson (1971). The Hidden Curriculum. New York, Knopf.

Sorensen, Annemette and Karl E. Taeuber and L.J. Hollingsworth Jr. (1975). "Indexes of Residential Segregation for 109 Cities in the United States: 1940-1970." Sociological Forces 8: 125-42.

St. John, N.H. (1975). School Desegregation: Outcomes for Children. New York, Wiley.

Stanfield, Rochelle L. (1993). "Learning Curve." National Journal 25(27): 1688-1691.

State, Department of Education (1993). Connecticut Mastery Test Results: Student Performance Results for 1993. State Department of Education.

- Stearns, Linda and John R. Logan (1986). "The Racial Structuring of the Housing Market and Segregation in Suburban Areas." Social Forces 65: 28-42.
- Steele, Claude M. (1992). *Race and the Schooling of Black Americans*. Atlantic Monthly. 68-78.
- Steinberg, Marc W. (1993). "Rethinking Ideology: A Dialogue with Fine and Sandstrom from a Dialogic Perspective." Sociological Theory 11(3): 314-320.
- Steinberg, Stephan (1981). The Ethnic Myth: Race, Ethnicity and Class in America. New York, Atheneum.
- Stephan, W.G. (1978). "School Desegregation: An Evaluation of Predictions Made in *Brown v. Board of Education*." Psychological Bulletin 85: 217-238.
- Stephan, Walter G. and Joe R. Feagin (1980). School Desegregation: Past, Present, and Future. New York, Plenum Press.
- Stone, I.F. (1973). Moving The Constitution to the Back of the Bus. The Great School Bus Controversy. New York, Teachers College Press, Columbia University. 180-189.
- Strickman, Leonard P. (1975). "School Desegregation at the Crossroads." Northwestern University Law Review 70(5 Nov-Dec): 725-769.
- Swanson, Austin, D. (1979). "An International perspective on Social Science Research and School Integration." Journal of Negro Education 48(1 winter): 57-66.
- Terkel, Studs (1992). Race: How Blacks and Whites Think and Feel About the American Obsession. New York, Double Day.
- Therborn, Goran (1980). The Ideology of Power and the Power of Ideology. London, Verso Editions and NLB.
- Thomas, William B. (1985). "Schooling as a Political Instrument of Social Control: School Response to Black Migrant Youth in Buffalo, New York, 1917-1940." Teachers College Record 86(4): 579-592.
- Tidwell, Billy J., Ed. (1993). The State of Black America 1993. New York, National Urban League, Inc.
- Tirozzi, Gerald (1988). (Tirozzi I) Report on Racial/Ethnic Equity and Desegregation in Connecticut's Public Schools. Commissioner of Education, State of Connecticut.

Tirozzi, Gerald (1989). (Tirozzi II) Quality and Integrated Education: Options for Connecticut. Commissioner of Education, State of Connecticut.

Turner, Jonathan H. and Royce Singleton Jr. and David Musick (1984). Oppression: A Socio-History of Black-White Relations in America. Chicago, Nelson-Hall.

Vander Zanden, James W. (1990). Sociology: The Core. New York, McGraw-Hill.

Vergon, Charles B. (1990). "Introduction: The Context of School Desegregation Policy." Education and Urban Society 23(1): 3-21.

Wallace, Ruth A. and Alison Wolf (1991). Contemporary Sociological Theory: Continuing the Classical Tradition. Englewood Cliffs, NJ, Prentice - Hall.

Weiker, Lowell P. Jr. (1993). State of the State Message for Connecticut. Office of the Governor, State of Connecticut.

Weinberg, M. (1975). "The Relationship Between School Desegregation and Academic Achievement: A Review of the Research." Law and Contemporary Problems 39: 240-270.

Weinberg, M. (1977). Minority Students: A Research Appraisal. Department of Health, Education and Welfare, Washington, DC: Government Printing Office.

Weis, Lois and Eleanor Farrar and Hugh G. Petrie (1989). Dropouts From School: Issues, Dilemmas, and Solutions. New York, State University of New York.

West, Cornell (1993). Race Matters. Boston, Beacon Press.

Wienk, Ron and Cliff Reid and John Simonson and Fred Eggers (1979). Measuring Racial Discrimination in American Housing Markets: The Housing Market Practices Survey. Washington DC: U.S. Department of Housing and Urban Development.

Willie, Charles V. (1991). "Controlled Choice: An Alternative Desegregation Plan For Minorities Who Feel Betrayed." Education and Urban Society 23(2): 200-207.

Wilson, William J. (1987). The Truly Disadvantaged: The Inner City, the Underclass, and Public Policy. Chicago, University of Chicago Press.

Wolters, Raymond (1984). The Burden of Brown: Thirty Years of School Desegregation. Knoxville, University of Tennessee Press.

Woods, Peter and Elizabeth Grugeon (1990). "Pupils and "Race": Integration and Disintegration in Primary Schools." British Journal of Sociology of Education 11(3): 309-326.

Yinger, John (1986). "Measuring Racial Discrimination with Fair Housing Audits: Caught in the Act." American Economics Review 76: 81-93.

Yudof, Mark G. (1980). Nondiscrimination and Beyond: The Search for Principle in Supreme Court Cases. School Desegregation: Past, Present, and Future. New York, Plenum Press.

References

Legal and Legislative Citations (in chronological order):

Plessy v. Ferguson, 163 U.S. 537, 1896.

Missouri ex rel Gaines v. Canada, 305 U.S. 337, 1938.

Sipuel v. Board of Regents, 332 U.S. 631, 1948.

Sweatt v. Painter, 339 U.S. 629, 1950.

McLaurin v. Oklahoma State Regents, 339 U.S. 637, 1950.

Brown v. Board of Education, (I), 347 U.S. 483, 1954.

Brown v. Board of Education, (II), 349 U.S. 294, 1955.

The Southern Manifesto: Declaration of Constitutional Principles.

Congressional Record. 84th Congress, 2nd Session, March 12, 1956..

Watson v. Memphis, 373 U.S. 526, 1963.

McNeese v. Board of Education, 373 U.S. 668, 1963.

Goss v. Board of Education, 373 U.S. 683, 1963.

Griffin v. Prince Edward School Board, 377 U.S. 218, 1964.

Calhoun v. Latimer, 377 U.S. 263, 1964.

The Civil Rights Act (1964). Small, Jayso, and Corwin, eds. *The Constitution of the United States of America.* Washington, D.C.; U.S. Government Printing Office, 1964.

Green v. County School Board, 391 U.S. 430, 1968.

Swann v. Charlotte-Mecklenburg Board of Education, 402 U.S. 1, 1971.

Keyes v. School District #1, Denver, 413 U.S. 189, 1973.

Milliken v. Bradley, 418 U.S. 717, 1974

Dayton Board of Education v. Brinkman, 443 U.S. 406, 1977

Columbus Board of Education v. Penick, 443 U.S. 449, 1979

References

Interviews, Personal Communications, and Lectures:

(see Appendix for biographical information)

Brittain, John. November 1, 1993: Speaking at University of Maine Law School.

Ibid. January 10, 1994: Personal Interview.

Eager, Sue. January 12, 1994: Personal Interview.

Fisher, Geoffrey. September 20, 1993: Personal Communication.

Ibid. January 10, 1994: Personal Interview.

Forman, Jeff. January 11, 1994: Personal Interview.

Frahm, Robert. January 10, 1994: Personal Interview.

Green, Clifford. January 13, 1994: Personal Interview.

Johnston, Audrey. January 12, 1994: Personal Interview.

Meehan, Avice. January 11, 1994: Personal Communication.

Tegeler, Philip. January 13, 1994: Personal Interview.

Watts, Martha. October 1, 1993: Personal Communication.

Ibid. January 12, 1994: Personal Interview.

Willie, Charles. November 17, 1993: Personal Interview.

Wogman, Nancy. January 12, 1994: Personal Interview.

And thirteen anonymous interviews in addition to those above.