

# The “Consequences” of School Desegregation: The Mismatch Between the Research and the Rationale

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The problem with any attempt to discuss the “consequences” of school desegregation is the lack of consensus among judges, lawyers, researchers, policy makers, and advocates about the social goals and purposes of this policy. Indeed, one of the central paradoxes of the history of school desegregation is the mismatch between the original legal rationale for dismantling dual systems of education and most of the subsequent social science research intended to measure the effect of such efforts.

For instance, some of the early Supreme Court rulings on racial segregation in education – namely, the pre-*Brown* higher education cases<sup>1</sup> – focused on the negative consequences of African American students’ exclusion from white institutions. The Court’s rationale was that exclusion of black students from white universities was detrimental not simply because of the greater resources within these institutions, but also because of the higher status that they held in society as well as the valuable social networks of the faculty and students within them.

Furthermore, the Supreme Court’s landmark *Brown*<sup>2</sup> decision focused on the psychological harm of segregation in a way that related to the status of all-white as opposed to all-black schools and not simply the “tangible” resources within each one. Thus, in the higher education rulings and the *Brown* decision itself, the Supreme

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1. *Sweatt v. Painter*, 339 U.S. 629 (1950); *McLaurin v. Okla. State Regents for Higher Educ.*, 339 U.S. 637 (1950).

2. *Brown v. Bd. of Educ.*, 347 U.S. 483 (1954).

Court emphasized the importance of affiliation, association and access to high-status educational institutions.<sup>3</sup>

Subsequent Supreme Court rulings in school desegregation cases focused less on the original purpose of school desegregation and more on how and when desegregation should be ordered.<sup>4</sup> More recently, the Court has ruled on how and when to dismantle school desegregation decrees.<sup>5</sup> Thus it was primarily the 1950s Supreme Court rulings that explained *why* desegregation was an appropriate remedy for educational segregation.

Meanwhile, despite the Supreme Court's early emphasis on the more institutional and associational effects of school desegregation on the life chances and "hearts and minds"<sup>6</sup> of African American students, the bulk of social science research designed to measure the effects of school desegregation has focused on standardized test scores. Another relatively large body of school desegregation research examined racial attitudes of black and white students in desegregated schools and/or the self-esteem of black students.<sup>7</sup> This research manages to miss the larger sociological point related to black students' access to and association with higher status educational institutions and the potential long-term effects of that access and association. It also misses some of the extremely important contextual issues related to the process of desegregation – namely, how desegregation was experienced at the school and community level. This contextual information tells us the extent to which African American and/or Latino students have had access to higher status institutions and the benefits they confer.

In this article I argue that one of the many reasons why we, as a society, have given up on school desegregation as a solution to racial inequality is that we put too much emphasis on the wrong set of "consequences." In other words, we have greatly ignored the small but growing body of literature that addresses both the long-term and institutional effects of school desegregation on the life chances of African Americans not only in terms of their educational attainment but also their economic mobility and social networks. Thus, we have

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3. *Brown*, 347 U.S. at 492-94; *Sweatt*, 339 U.S. at 634; *McLaurin*, 339 U.S. at 640-42.

4. *See Green v. County Sch. Bd.*, 391 U.S. 430 (1968); *Swann v. Charlotte-Mecklenburg Bd. of Educ.*, 402 U.S. 1 (1971).

5. *See Bd. of Educ. of Okla. City v. Dowell*, 498 U.S. 237 (1991); *Freeman v. Pitts*, 503 U.S. 467 (1992).

6. *Brown*, 347 U.S. at 494.

7. *See infra* notes 61-67.

ignored the very arguments that undermined the doctrine upon which "separate but equal" was founded. Furthermore, we have ignored some of the more contextual studies that help explain the conflicting data on student achievement and racial attitudes. While these inconsistencies between the lived<sup>8</sup> experiences of students and the rhetoric of the failure of school desegregation may allow desegregation opponents to feel justified in their current efforts to dismantle court orders, such a lack of understanding will inhibit any future policy attempts to address the on-going racial inequality in our society.

### I. The Legal Justification of Desegregation

In 1950, the United States Supreme Court Justices appeared to understand the more significant sociological rationale for why racially separate education could never be equal education. These powerful reasons were thoughtfully articulated in many of the pre-*Brown* rulings on African Americans' access to higher education. For instance, they ruled that segregation was not unconstitutional simply because the physical resources were unequal but also because the opportunities to achieve equal status were unequal in those contexts.<sup>9</sup>

In *Sweatt v. Painter*,<sup>10</sup> the NAACP lawyers argued that an African American named Herman Sweatt should be admitted to the University of Texas' Law School even though Texas had established a separate law school for black students. The all-black law school consisted of five professors, 23 students, a library of 16,500 books, a full-time staff, a practice court, and a legal aid association.<sup>11</sup> The NAACP lawyers argued that this separate law school was inherently unequal both in terms of tangible factors – namely resources – and the intangible factors related to students' association with the state's most prestigious law school.<sup>12</sup>

The Supreme Court agreed, ruling in Sweatt's favor, that the University of Texas Law School and the black law school did not

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8. The term "lived" is used in describing qualitative data when interviewees have been asked to interpret the meaning they have made of certain life experiences.

9. *Sweatt*, 339 U.S. at 634; *McLaurin*, 339 U.S. at 641-42; see also Caroline Hendrie, *In Black and White*, EDUC. WK., Mar. 24, 1999, available at <http://www.edweek.org/ew/1999/28deseg.h18>.

10. *Sweatt*, 339 U.S. at 631-32.

11. *Id.* at 633.

12. *Id.* at 633-34; see RICHARD KLUGER, *SIMPLE JUSTICE* 261-66 (1975).

provide substantially equal educational opportunities.<sup>13</sup> The Court ruled that the University of Texas possessed “to a far greater degree those qualities which are incapable of objective measurement but which make for greatness in a law school.”<sup>14</sup> Such qualities, according to the Court, include the reputation of the faculty, position and influence of the alumni, standing in the community, and the traditions and prestige of the law school.<sup>15</sup> Because Justices are attorneys, the Court understood the significance of these intangible “qualities” and benefits black law students would acquire from their association with the prestigious predominantly white law school. According to the Court:

... the law school, the proving ground for legal learning and practice, cannot be effective in isolation from the individuals and institutions with which the law interacts. Few students and no one who has practiced law would choose to study in an academic vacuum, removed from the interplay of ideas and the exchange of views with which the law is concerned. The all-black law school to which Texas is willing to admit petitioner excludes from its student body members of the racial groups which number 85% of the population of the State and include most of the lawyers, witnesses, jurors, judges and other officials with whom petitioner will inevitably be dealing when he becomes a member of the Texas Bar.<sup>16</sup>

Indeed, these associational advantages were important not only while the black students were in law school but also long after law school when a degree and the contacts from a prestigious program would continue to make a difference in their professional success. Simultaneously ruling in *McLaurin v. Oklahoma State Regents for Higher Education*,<sup>17</sup> the Supreme Court stated that this association principle applies to other graduate programs as well.<sup>18</sup> The Court ruled that the University of Oklahoma could not force George McLaurin, a black doctoral student, to sit in a separate room outside of the regular classroom.<sup>19</sup> They also decided that the university could neither assign him to a segregated desk in the mezzanine of the library nor could it force him to eat alone in the cafeteria.<sup>20</sup> The

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13. *Sweatt*, 339 U.S. at 635-36.

14. *Id.* at 634.

15. *Id.*

16. *Id.*

17. 399 U.S. 637 (1950).

18. *Id.* at 641-42.

19. *Id.*

20. *Id.*

Court ruled that such restrictions "impair and inhibit his ability to study, to engage in discussions and exchange views with other students, and in general, to learn his profession."<sup>21</sup>

The *Sweatt* and *McLaurin* decisions rested on the negative effect of black students' exclusion from white institutions not simply because of the resources or facilities in these institutions, but also because of their status in society as well as the social networks of faculty and students within them.<sup>22</sup> The status of educational institutions has been, and continues to be, exceedingly important in American society in terms of graduates' access to other high status institutions and positions of power. As I discuss below, social science research has proven this theory.<sup>23</sup>

As the NAACP lawyers moved forward with their efforts to dismantle de jure segregation in elementary and secondary schools, their legal arguments came to rely more on the psychological effects of segregation on black children. Still, the so-called "intangible" factors of an educational institution – those qualities which are "incapable of objective measure but which make for greatness in a law school"<sup>24</sup> – were still very important in *Brown*. In fact, the Court cited both its *Sweatt* and *McLaurin* rulings, noting that such considerations "apply with added force to children in grade and high schools."<sup>25</sup> Also, the Supreme Court Justices noted in the *Brown* ruling that because many of the "tangible" factors – e.g. the buildings, curricula, and the qualifications and salaries of the teachers – had been, or were being, equalized across the "Negro" and white schools, that their decision must "look instead to the effect of segregation itself on public education."<sup>26</sup>

Yet in writing about this effect of segregation on public education, the Supreme Court shifted slightly from a more sociological focus on institutional status and prestige in the prior higher education cases to examine more intently the psychological impact on African American students of being excluded from the higher-status, white elementary and secondary schools. Indeed, the most often quoted section of the *Brown* decision illustrates this point:

To separate [African American children] from others of similar

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21. *Id.* at 641; *see also* KLUGER, *supra* note 12, at 268.

22. *Sweatt*, 339 U.S. at 634; *McLaurin*, 339 U.S. at 640-42.

23. *See infra* notes 68-73.

24. *Sweatt*, 339 U.S. at 634.

25. *Brown*, 347 U.S. at 494.

26. *Id.* at 492.

age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely to ever be undone.<sup>27</sup>

While maintaining that schools are important social institutions comprised of more than just “tangible” factors, the Supreme Court, in accepting the NAACP’s argument, also developed the rationale for desegregating students based on psychological arguments about feelings of inferiority.<sup>28</sup>

The important point here is that in neither the most important pre-*Brown* cases or in the *Brown* ruling itself did the Supreme Court claim that the purpose of school desegregation or dismantling the dual system of education was to raise the standardized test scores of African American students. Indeed, in *Brown* the Court spelled out the important long-term role that education plays in preparing children for such aspects of adulthood as service in the armed forces, good citizenship, awakened cultural values, later professional training, and help in adjusting normally to their environment.<sup>29</sup> The Court argued that educational opportunities must be equal across racial groups because education plays such an important role in the long-term lives of its students.<sup>30</sup> The Justices did not argue that educational opportunities must be equalized in order to improve standardized test scores. In this way, the rationale for school desegregation was much grander than most of the research that tried to measure its impact.

Interestingly enough, after the *Brown* decision, most of the landmark Supreme Court rulings on school desegregation focused on when school desegregation remedies could be imposed and the scope of these remedies.<sup>31</sup> Indeed, as Feldman, et al., point out, in the

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27. *Id.*

28. M. ROSENBERG, *Self-Esteem Research: A Phenomenological Corrective*, SCHOOL DESEGREGATION RESEARCH: NEW DIRECTIONS IN SITUATIONAL ANALYSIS, 175 (Jeffrey Prager et al. eds., 1986).

29. *Brown*, 347 U.S. at 493.

30. *Id.*

31. See Joseph Feldman et al., *STILL SEPARATE, STILL UNEQUAL: THE LIMITS OF MILLIKEN II'S EDUCATIONAL COMPENSATION REMEDIES* (1994).† There were some exceptions to this rule, particularly in lower court rulings. See DAVID ARMOR, *FORCED JUSTICE: SCHOOL DESEGREGATION AND THE LAW* 68 (1995). Also, after the Supreme Court had blocked an inter-district school desegregation remedy in *Milliken v. Bradley*, in its second *Milliken* decision a unanimous Court authorized lower courts to order state governments to pay for curing the “educational harms” of racial segregation. *Milliken v. Bradley*, 418 U.S. 717 (1974); *Milliken v. Bradley*, 433 U.S. 267 (1997); see also FELDMAN, *supra* note 31. Yet as Orfield points out in his forward of Feldman these so-called

landmark school desegregation cases, especially *Green v. County School Board of New Kent County*,<sup>32</sup> the Supreme Court has mainly specified the standards or indicators to measure a school system's success at meeting *Brown's* mandate to create a desegregated school system.<sup>33</sup> These standards became the focal point of subsequent cases creating desegregation remedies. Later, these standards also provided the necessary benchmarks for when and how to dismantle school desegregation orders.<sup>34</sup> According to school desegregation scholar Gary Orfield, in the last decade, as the Supreme Court has defined when and how a school district may be declared "unitary" and released from a desegregation order, educational gains for black students has not been a criterion.<sup>35</sup> Indeed, the Supreme Court rarely readdressed the rationale for desegregation after *Brown*.<sup>36</sup> Meanwhile, much of the social science research focused on issues and indicators that were not part of the original rationale for either establishing or dismantling school desegregation.<sup>37</sup>

## II. Why So Much of the Research on School Desegregation Fails to be Helpful

In part because of how social science research methodology evolved during that era and in part because of the demand for short-

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*Milliken II* orders were presented as "remedies for the harms of segregation" but they typically "did not identify those harms and did not measure whether they were cured." *Id.* at 2. Furthermore, as Feldman, et al., argue the remedial programs established by *Milliken II* cases "are often designed without a corresponding, clear educational rationale or specific goal for helping students." *Id.* at 13. Indeed, the Supreme Court, ruling in the Kansas City case of *Missouri v. Jenkins*, 515 U.S. 70, 98-101 (1995), decided that *Milliken II* type remedies did not need to continue until the achievement of African American students improved. In other words, the Court ruled that the state of Missouri could not be required to continue providing funding for programs and schools simply "because minority student achievement scores remained below the national average." See Jeanne Weiler, *Recent Changes in School Desegregation*, ERIC/CUE Digest No. 133 (1998).† In a backwards sort of way, the Supreme Court's ruling in *Jenkins* distinguished the goals and purposes of school desegregation remedies – even *Milliken II* compensatory remedies – from test scores. Thus, for the most part the Supreme Court rarely returned to the issue of why schools should be desegregated and focused more on *when* it should occur and *what* was required before it could end.

32. 391 U.S. 430 (1968).

33. See *supra* note 31.

34. See *Dowell*, 498 U.S. at 250-51; *Pitts*, 503 U.S. at 496-97.

35. Gary Orfield, *Turning Back to Segregation*, in *DISMANTLING DESEGREGATION* 20 (Gary Orfield & Susan Eaton eds., 1996).

36. See generally, *Milliken*, 418 U.S. at 737-38; *Milliken*, 433 U.S. at 280-85.

37. See *infra* notes 37-40 and accompanying text.

term information and data on the impact of school desegregation the vast majority of early studies of school desegregation focused on “student achievement” – particularly black student achievement – as the most important consequence. Moreover, this early research, which appeared mostly in the late 1960s and early 1970s, measured “student achievement” quite narrowly by standardized test scores alone.

Most of this research was based on the assumption that the main, if not the sole, purpose of school desegregation was to increase black students’ achievement levels as measured by test scores.<sup>38</sup> These studies generally employed quantitative methods and were designed to examine the relationship between inputs (racial balance) and outputs (test scores). Furthermore, some of the earliest studies looked at student test score data after just one or two years of desegregation.<sup>39</sup> Thus, as the “dependent” variable in these mostly quantitative studies, student achievement was generally measured by standardized tests shortly after school desegregation plans had been implemented.

Indeed, in their rush to gather the most readily available and easily quantifiable data on the impact of school desegregation, many social scientists lost sight of the important school desegregation goals discussed in *Sweatt*, *McLaurin*, and *Brown*.<sup>40</sup> According to Orfield, when researchers asked whether school desegregation “worked,” they turned to their most familiar instruments – standardized achievement tests.<sup>41</sup> These test scores set a standard for desegregation success or failure – often *after only one year* of desegregation – as researchers generally ignored important contextual factors related to implementation such as school climate or curriculum.

Thus, in the early years of desegregation, few policy makers or researchers asked *how* these policies were implemented but rather they generally wanted to know whether black students in racially mixed schools – any racially mixed schools – had higher test scores and whether white students’ scores were lower. Most failed to distinguish how different student outcomes were related to the

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38. Robert L. Crain, *Why Academic Research Fails To Be Useful*, 84 SCH. REV. 337, 337-51 (1976).

39. Gary Orfield, *Research, Politics and the Antibusing Debate*, 42 LAW AND CONTEMP. PROBS. 141, 141-73 (Summer, 1978).

40. *Brown*, 347 U.S. at 493-95; *Sweatt*, 339 U.S. at 633-35; *McLaurin*, 339 U.S. at 641-42.

41. Orfield, *supra* note 39.



various ways in which students experienced desegregation in their schools and communities.<sup>42</sup>

As the success of school desegregation became attached to narrow and incomplete measures of its implementation and effects, political support for desegregation among whites also came to rest upon the belief that these programs would help black students score higher on standardized tests. Levin argued in 1975 that, "despite the very contradictory literature on school desegregation, the case for desegregation was seen as hinging *primarily* on whether it improves the achievement test scores of minority students."<sup>43</sup> Although this concern was less clearly articulated, white parents and policymakers were also concerned about whether or not desegregation would negatively impact white students' test scores. Thus, despite a well-established legal rationale for school desegregation that had little or nothing to do with one-shot standardized test-scores, the findings from this research set the tone for the early political debates on desegregation.<sup>44</sup>

In this way, school desegregation came to be perceived as more an act of charity to black students than a legal remedy for what whites had done wrong for so long. This benevolent rationale for school desegregation policy is politically palatable, but greatly misguided. First, while greater educational achievement for blacks is a significant goal, the argument that black students need to sit next to white students to achieve it is weak. Although African American students may well be more likely to have access to a rigorous curriculum and more plentiful educational resources in a predominantly white versus all-black school, their educational outcomes do not necessarily hinge on the racial make-up of their schools.

Yet, educational achievement alone does not solve inequality across different racial groups. School desegregation must do more than raise black students' test scores and close the black-white achievement gap; it must also break the cycle of racial segregation

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42. Gary Orfield, *How to Make Desegregation Work: The Adaptation of Schools to their Newly Integrated Student Bodies*, 39 LAW & CONTEMP. PROBS. 314, 314-40 (Spring, 1975); Robert L. Crain & Rita Mahard, *Research on School Desegregation and Achievement: How to Combine Scholarship and Policy Relevance*, 1 EDUC. EVALUATION & POL'Y ANALYSIS 5, 5-15 (1979); Amy Stuart Wells, *Re-Examining Social Science Research on School Desegregation: Long- Versus Short-Term Effects*, 96 TCHRS. C. REC. 691, 691-706 (1996).

43. Henry M. Levin, *Education, Life Chances, and the Courts: The Role of Social Science Evidence*, 39 LAW & CONTEMP. PROBS. 217, 238 (Spring, 1975).

44. *Brown*, 347 U.S. at 494; Wells, *supra* note 42.

that leaves blacks and whites worlds apart in other important areas. As the NAACP lawyers in the *Sweatt* and *McLaurin* cases argued, *who* you know and associate with is as important (or even more important) as *what* you know.<sup>45</sup> Clearly, the Supreme Court Justices of the early 1950s understood that the status and the prestige of an educational institution and access to the institution's faculty and student social networks are far more important than one or two percentile points on a standardized test. Frequently, African American students in segregated urban schools lack social networks and personal contacts with people in universities, businesses, law firms, or art museums – the types of contacts who could help them get summer jobs, teach them about career paths, and open their eyes to new possibilities for life after high school. Cut off from more powerful people and viable economic institutions, African Americans in highly segregated schools receive an important societal message that they are inferior. This was the “hearts and minds” message of the *Brown* ruling.<sup>46</sup>

In addition, as I noted above, the different types of desegregation plans and the reactions to them in local communities were not included in the research on student achievement and school desegregation. In fact, most of this early research failed to include information on whether protests or school boycotts occurred, whether black students lived in fear, whether they dodged bottles and rocks on their way to school or whether the National Guard was brought in to keep order. In addition, data was not collected on how the local context of desegregation shaped and was shaped by the actions and attitudes of educators in desegregated schools. Thus, the degree to which white teachers in racially mixed schools welcomed African American students or believed that they were as smart as white students is generally not discussed in these studies or related to discussions of high or low student test scores.<sup>47</sup> Furthermore, this early literature failed to calculate the prevalence of segregation *within*

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45. *Sweatt*, 339 U.S. at 633-34; *McLaurin*, 339 U.S. at 641-42.

46. *Brown*, 347 U.S. at 494; AMY STUART WELLS & ROBERT L. CRAIN, STEPPING OVER THE COLOR LINE: AFRICAN AMERICAN STUDENTS IN WHITE SUBURBAN SCHOOLS 83-84 (1997).

47. Orfield, *supra* note 42; Janet Ward Schofield, *Review of Research on School Desegregation's Impact on Elementary and Secondary School Students*, Commissioned by the Connecticut State Dept. of Educ. (1989)†; Janet Ward Schofield, *School Desegregation and Intergroup Relations: A Review of the Literature*, 17 Rev. Res. Educ. 335, 335-409 (G. Grant ed., 1991); NANCY ST. JOHN, SCHOOL DESEGREGATION: OUTCOMES FOR CHILDREN (1975).

individual schools via tracking or the extent to which black and white students were exposed to the same curriculum.<sup>48</sup>

The lack of information regarding these very important contextual elements significantly softens the impact of these student achievement studies. Clearly, other research and our own life experiences tell us that these contextual variables matter a great deal and that caring educators who believe in students and help build their confidence are critical to academic success.<sup>49</sup> We also know that tracking black and white students into separate and unequal classrooms too often leads to a self-fulfilling prophecy of low achievement and high drop out rates for students of color.<sup>50</sup>

Since early school desegregation research failed to take into account these contextual variables of desegregation across different states, towns, and schools, it is not surprising at all that the results of these studies were inconclusive. For instance, in her review of the early literature, St. John did not report any definitive positive findings regarding the causal relationship between school desegregation and student achievement.<sup>51</sup> Other reviews of early school desegregation literature also found mixed, but slightly more positive results. For instance, Crain and Mahard reviewed 73 studies, and found that 40 of these studies showed a positive effect on black student achievement, 21 studies showed little or no effect, and 12 studies showed a negative effect.<sup>52</sup>

A 1984 review of research conducted by a diverse team of researchers under the auspices of the National Institute of Education found that on average, school desegregation did not cause an increase in black students' achievement in mathematics, but that it did increase black students' mean reading levels.<sup>53</sup> Similarly, in a comprehensive review of literature on school desegregation and academic achievement, Schofield concluded that school desegregation does not appear to have any consistent negative effect

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48. See *supra* note 32; St. John, *supra* note 47.

49. See, e.g., LISA DELPIT, *OTHER PEOPLE'S CHILDREN: CULTURAL CONFLICT IN THE CLASSROOM* (1995); MICHELE FOSTER, *BLACK TEACHERS ON TEACHING* (1997).

50. Jeannie Oakes, *MULTIPLYING INEQUALITIES: THE EFFECTS OF RACE, SOCIAL CLASS, AND ABILITY GROUPING ON OPPORTUNITIES TO LEARN MATHEMATICS AND SCIENCE*, (1990).†

51. See *supra* note 42.

52. Robert L. Crain & Rita E. Mahard, *Desegregation and Black Achievement: A Review of the Research*, 42 *LAW & CONTEMP. PROBS.* 17, 17-56 (Summer, 1978).

53. Thomas Cook et al., U.S. DEP'T OF EDUC., *SCHOOL DESEGREGATION AND BLACK ACHIEVEMENT* (1984).†

on the achievement of African American, Latino or white students.<sup>54</sup> Furthermore, she argues that the research does show some consistently positive effects of desegregation on African American students' reading skills.<sup>55</sup>

In more recent years, various researchers have tried to link the general decline in the black-white test score gap to equity-minded reforms such as school desegregation. For instance, research on trends in student achievement and educational attainment rates by race show that the gap between white and black student test scores declined significantly between the late 1960s and early 1990s.<sup>56</sup> These are the same years that African American students were least likely to be in schools with 90 to 100 percent minority student enrollment.<sup>57</sup> Other researchers have argued that the closing black-white test score gap was due to other factors such as the improved socio-economic conditions of African Americans during this time period.<sup>58</sup>

In reality, we may never know the exact relationship between standardized test scores and school desegregation policy. As Crain and Mahard point out in their review of research on school desegregation and student achievement:

[Academics] have been too fascinated by what is intellectually the most interesting question: All else being equal, will the mixing of races alone result in higher black achievement? That question cannot be answered because in the real world, desegregation is never an 'all else being equal' situation.<sup>59</sup>

The short-term academic achievement data generally tell us very little about what goes on inside desegregated schools to shape students' experiences and achievement. Nor does it help us understand the effect that school desegregation had on the life chances of African

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54. See *supra* note 32; Schofield, *Review of Research on School Desegregation's Impact on Elementary and Secondary School Students*, *supra* note 47.

55. *Id.*

56. See DAVID W. GRISSMER ET AL., *STUDENT ACHIEVEMENT AND THE CHANGING AMERICAN FAMILY* (1994); David W. Grissmer, *Perceptions and Misperceptions about Families, Schools and Social/Educational Investment and Programs*, Address Before the Annual Meeting of the Education Writers' Association (1996); L. S. MILLER, *AN AMERICAN IMPERATIVE: ACCELERATING MINORITY EDUCATIONAL ADVANCEMENT* (1995); Orfield, *supra* note 42.

57. See *supra* note 41; Grissmer, *Perceptions and Misperceptions*, *supra* note 56; Gary Orfield, *THE GROWTH OF SEGREGATION IN AMERICA SCHOOLS: CHANGING PATTERNS OF SEPARATIONS AND POVERTY SINCE 1968*, (1993).

58. See David Armor, *The End of School Desegregation and the Achievement Gap*, 28 HASTINGS CONST. L.J. 629, 632, 647-48 (2001).

59. Crain & Mahard, *supra* note 52.

American students who, in many instances, were gaining access to high-status educational institutions – and all their “intangible” qualities – for the first time.

Indeed, there is evidence that school desegregation, when implemented under certain conditions, may have done more to improve African Americans’ life-long chances of success than their short-term standardized test scores. In fact, it could be that the narrowing of the black-white test score gap between the late 1960s and early 1990s was both directly and indirectly related to school desegregation. In this way, Armor and others who argue that much of the narrowing of the black-white test score gap over the last 40 years is due primarily to the improved socioeconomic status of African Americans, may be making an inadvertent argument for school desegregation.<sup>60</sup>

### III. Context Matters – Looking at Inter-Group Relations and Institutional Effects

By the late 1970s and early 1980s, more researchers were going inside of schools to try and understand the “*how* and “*why*” aspects of student experiences in desegregated schools. Most of this work focused on what is commonly called “inter-group” relations. Although researchers had attempted to document inter-group relations within desegregated schools in earlier studies, the later work, starting in the mid-1970s, was methodologically distinct – namely qualitative in-depth case studies that focused on the *process* of school desegregation and the context in which it unfolded.<sup>61</sup>

These studies, including the work of Grant, Metz, Patchen, Rist, Schofield, and, more recently, Wells and Crain,<sup>62</sup> raise important issues about which types of school desegregation policies and practices are most effective in creating successful desegregated schools. They also helped to illustrate many of the problems associated with implementing school desegregation including within-

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60. Levin, *supra* note 43, at 248.

61. See Green, 391 U.S. at 440-42; Schofield, *School Desegregation and Intergroup Relations*, *supra* note 47.

62. Linda Grant, *Black Females’ “Place” in Desegregated Classrooms*, 57 SOC. OF EDUC. 98, 98-111 (1984); MARY HAYWARD METZ, *CLASSROOMS AND CORRIDORS: THE CRISIS OF AUTHORITY IN DESEGREGATED SECONDARY SCHOOLS* (1978); M. PATCHEN, *BLACK-WHITE CONTACT IN SCHOOLS: ITS SOCIAL AND ACADEMIC EFFECTS* (1982); RAY RIST, *THE INVISIBLE CHILDREN: SCHOOL INTEGRATION IN AMERICAN SOCIETY* (1978); JANET WARD SCHOFIELD, *BLACK AND WHITE IN SCHOOL* NEW YORK (1989); WELLS & CRAIN, *supra* note 46.

school "resegregation" or the process of placing African American students in low-level classes separated from their white peers.

In addition, some of this work highlighted very complex issues related to teachers' attitudes and beliefs about the ability of black students to succeed as well as their willingness to talk about race as a salient issue within their schools and classrooms. For instance, in *Classrooms and Corridors*,<sup>63</sup> Metz demonstrates that teachers had inconsistent views about African American students' potential to learn and conform to the dominant school culture. In *Black and White in School*, Schofield writes about a desegregated middle school where it is taboo for faculty or students to talk about race, as if it did not shape the daily experiences of students.<sup>64</sup>

This more recent inter-group relations literature illustrates the complexity of desegregation and the lived experiences of students in racially mixed schools. Therefore, it helps explain why many of the early studies on school desegregation and student achievement were inconclusive.<sup>65</sup> Also, many of these inter-group relations studies offer ideas and examples about *how* to make desegregation more successful. Some even discussed ways in which school desegregation has been used as a lever to promote broad educational reform that benefits all students within racially mixed schools.<sup>66</sup>

Other inter-group relations studies focus more on the psychological impact of school desegregation on students, particularly African American students. These studies also tend to be inconclusive because they imply a relationship between the particular conditions established within racially mixed schools and the ways in which children come to see themselves vis á vis students of other racial groups.<sup>67</sup> Thus, like the research on student achievement discussed in the prior section, a lot of the research on students' self-esteem and/or racial attitudes suffered from the same central problem. That is, like the achievement research, the self-esteem and racial attitudes studies generally lacked contextual data to help

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63. METZ, *supra* note 62.

64. SCHOFIELD, *supra* note 62.

65. *Id.*

66. *Id.*; see also WELLS & CRAIN, *supra* note 62; Amy Stuart Wells et al., *When School Desegregation Fuels Educational Reform: Lessons from Suburban St. Louis*, 8 EDUC. POL'Y 68, 68-88 (1994).

67. See, e.g., James A. Banks, *Black Youths in Predominantly White Suburbs: An Expectancy Study of Their Attitudes and Self-Concepts*, 53 J. OF NEGRO EDUC. 1, 3-17 (1984); Dyan H. Taylor and Annette U. Rickel, *An Analysis Factor Affecting School Social Integration*, 50 J. OF NEGRO EDUC. 2, 122-132 (1981).

explain how different students were experiencing school desegregation and how that influenced the way in which they understood themselves and others.

Still, none of the literature we have discussed thus far explores the specific sociological issues related to racial segregation and desegregation in education that were articulated in the Supreme Court's rulings in *Sweatt* and *McLaurin*.

#### IV. Institutional Effects: Understanding "Tangible" and "Intangible" Factors

A handful of studies have tried to explain larger, institutional effects of school desegregation on the life experiences of African American students. In other words, researchers attempted to understand the benefits that African Americans accrue via association – that is, attending higher status schools that serve mostly white and wealthy students. Findings from research such as this help explain exactly why separate can never be equal.

Research on employers, for instance, demonstrates that African American graduates of a white suburban high school are more likely to be hired by a white-owned business than similar graduates of all-black, inner-city schools. "Knowledge that a job candidate graduated from a suburban school with a good reputation rather than an inner-city school is likely to signal to employers that the quality of education is better in the suburban school."<sup>68</sup> Similarly, Zweigenhaft and Domhoff found that most African American students from low-income neighborhoods who attended prestigious private prep schools through a program called "A Better Chance" (ABC) used their prep school credential to gain access to higher status universities and successful careers.<sup>69</sup>

Greater access to high status, more prestigious schools was also an important component of the St. Louis inter-district desegregation plan, which allowed African American students from the City of St. Louis to transfer to predominantly white and, in many instances, wealthy suburban public schools.<sup>70</sup> Although, opponents of the St.

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68. Jomills H. Braddock, II et al., *Applicant Race and Job Placement Decisions: A National Survey Experiment*, 6 INT'L J. SOC. & SOC. POL'Y 3, 13 (1986).

69. RICHARD L. ZWEIGENHAFT & G. WILLIAM DOMHOFF, *BLACKS IN THE WHITE ESTABLISHMENT?: A STUDY OF RACE AND CLASS IN AMERICA* 27-67 (1991).

70. Note in 1999 this inter-district program changed substantially from a court-ordered desegregation plan to a legislated inter-district school choice program. Still, many key elements of the program remain.

Louis plan claim that money spent busing black students to suburban schools would be better spent “fixing up” the all-black schools in the City - the students who ride the buses every day to the suburbs understand what Herman Sweatt and George McLaurin were fighting for nearly 60 years ago - access to institutions with the best reputations and most influence in a predominantly white society.<sup>71</sup>

The study that Robert L. Crain and I conducted of the St. Louis inter-district plan explored these issues.<sup>72</sup> Through our research we came to realize the complexity of the experiences of the students who transfer to white suburban schools and the types of trade-offs they face. Yet, in the end, we realized that their stories better explained why separate poor and all-black schools in highly segregated inner cities could never be equal to predominantly white and wealthy suburban schools.

We concluded, based on our review of other research and our own extensive data collection, that while not all African American students who transferred to the St. Louis suburbs thrived, the vast majority accomplished more in the suburbs than they would have in their racially and socio-economically segregated urban schools. For instance, these transfer students were nearly twice as likely as their peers in urban schools to complete high school. And, those who graduated from suburban schools were much more likely to go on to two-year or four-year colleges than St. Louis Public School graduates.<sup>73</sup>

We learned through our interviews and observations the “institutional” explanations for these statistics. First of all, the successful transfer students in our study told us about new worlds that had opened up to them within the high-status suburban schools. They talked about their knowledge of scholarship programs, internships, and jobs they said they never would have heard of in their urban schools. They said they were exposed to significantly more challenging curricula, learned how to get along in a “white world,” and befriended white students and teachers who were often connected to important institutions and opportunities. They also talked about dispelling stereotypes that whites have of blacks so that they and those who come behind them might be more easily accepted.<sup>74</sup>

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71. WELLS & CRAIN, *supra* note 62, at 336.

72. *Id.*

73. *Id.*; MO. ST. DEP'T OF EDUC., DISTRICT PROFILES (1995).†

74. Grissmer, *supra* note 56.



Of course, our book does not paint a completely rosy picture of the inter-district transfer plan. Indeed, many of these African American transfer students had to endure the racial and cultural insensitivity of whites in the suburbs in order to succeed there. Many of the white teachers, administrators and students of suburbia regularly made the transfer students feel unwanted and unwelcome. These educators often failed to consider the perspective of black students who traveled many miles each day in search of a better education. Furthermore, as in many other desegregated schools, students in the suburban St. Louis schools were re-segregated within the schools via the tracking system. Although the degree of racial insensitivity appeared to be diminishing over time, the prejudice found in the white suburbs forced many transfer students to make difficult choices. Basically, they could either suppress their anger and frustration, re-create their own racial attitudes and distance themselves from people of their own color, or search for a difficult balance between their critique of white racism and their need to survive in a predominantly white society.<sup>75</sup>

Meanwhile, the teachers in the City's neighborhood schools complained of a "brain drain" of their highest achieving black students to the suburbs and the City magnet schools. The test score study conducted by Lissitz showed that pre-transfer test score data on African American students who went to suburban, magnet and "regular" neighborhood City schools mildly supported this assertion, although the differences are not great.<sup>76</sup> African American students who attend City magnet schools had the highest pre-transfer test scores. Transfer students who attended suburban schools generally had lower pre-transfer test scores than magnet students but higher test scores than those of African American students in neighborhood City schools.<sup>77</sup>

But perhaps the most interesting aspect of the Lissitz study of test score data was that the transfer students who went to the suburbs consistently out-performed African American students in magnet and neighborhood City schools in the 8th to 10th grade growth in test scores.<sup>78</sup> Furthermore, our in-depth interviews with three sets of black students – those who had remained in non-integrated

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75. *Id.*

76. R. W. Lissitz, *Assessment of Student Performance and Attitude Year IV - 1994: St. Louis Metropolitan Area Court Ordered Desegregation Effort*, (1994).†

77. *Id.*

78. *Id.*

neighborhood City schools, those who had transferred to suburban schools, and those who had transferred to the suburbs and then returned to City schools - showed that by the time they were in 10th or 11th grade, half of the students who had remained or returned to City schools were at least one year behind in school. Only one of the suburban transfer students was behind.<sup>79</sup>

The data on 8th to 10th grade test score gains in the suburbs coupled with our interview data and information on what was offered in the neighborhood City schools - no vocational education and very little college prep - led us to believe that attending a suburban school positively impacted African American transfer students' aspirations and expectations especially in those critical years between 8th and 10th grade.<sup>80</sup>

For instance, the Lissitz study showed that between the 8th and 10th grade the African American students who transferred to the suburbs also improved their attitudes and their feelings about themselves and their futures. A possible explanation for this attitudinal finding is located in the personal stories of the transfer students we studied. These students had learned that they could make it in a white world where students' futures are highlighted by real job opportunities and college preparation. They no longer feared leaving the predominately black north side of St. Louis and trying to compete with whites in educational institutions or the job market. They had been there, and they knew they could succeed. They were not afraid to integrate into a predominantly white society.<sup>81</sup>

We learned in our study that the black students who transferred out to suburban schools did so because they believed that, in one way or another, the suburban schools were better equipped to help them attain certain goals.<sup>82</sup>

Yet, in our research, we concluded that the extent to which the whiter and wealthier schools were objectively "better" than the darker and poorer City schools is truly immeasurable. Every variable used to assess school quality in this country - test scores, dropout rates, attendance, college-going rates, etc. - is contaminated by the fallout from racial and class discrimination and segregation in

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79. *See supra* note 59.

80. *Id.*; *see supra* note 61.

81. Jomills H. Braddock, II, *The Perpetuation of Segregation Across Levels of Education: A Behavioral Assessment of the Contact-Hypothesis*, 53 SOC. EDUC. 178, 178-86 (1980).

82. WELLS & CRAIN, *supra* note 62.

America. "School effects," as a distinct and separate variable from student background and race, does not exist. School quality, therefore, is strongly related to the educational needs of the students and the meaning that educators make of those needs, which will vary according to the students' and the educators' social class, race, gender and personal experiences.<sup>83</sup>

Thus, we should not be surprised to find that the transfer students said that the teachers and the curricula were far more challenging in the suburban than the City schools. It was also true that most of the whiter and wealthier suburban schools had greater resources, including newer buildings, more computers per student, and an abundance of textbooks. The suburban districts, even those with a lower per-pupil expenditure than the St. Louis Public Schools in the City, had more real income – adjusted for special education and maintenance costs – than the City to expend on rigorous educational programs.<sup>84</sup>

The research of Orfield and others shows that intensely segregated African American and Latino schools are 14 times more likely to be predominantly poor. Orfield notes that disadvantaged students in such schools score far worse on standardized tests than their counterparts in schools that are not predominantly poor. High-poverty schools, he writes, have more dropouts, less success in college preparation, fewer well-prepared teachers and less-advanced curriculums."<sup>85</sup> Furthermore, segregated, urban schools are not as effective in helping to raise even high-achieving African American students out of poverty because a diploma from an inner-city school will never get them as far in the college admissions process or job search as one from a wealthy suburban school.<sup>86</sup>

Educational institutions acquire their status from their students, and those that serve only high-status students are better connected to the high-status colleges and well-paying employers.<sup>87</sup> This reality contributes to a vicious cycle of poverty and despair for those in low-status urban schools. It leads to the anger and violence of teenagers who consciously and subconsciously know they have been

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83. See Martin Sanchez Jankowski, *The Rising Significance of Status in U.S. Race Relations*, in *THE BUBBLING CAULDRON* (1995).

84. WELLS & CRAIN, *supra* note 62.

85. GARY ORFIELD, *THE GROWTH OF SEGREGATION IN AMERICA SCHOOLS: CHANGING PATTERNS OF SEPARATIONS AND POVERTY SINCE 1968*, (1993).†

86. Braddock, *supra* note 68, at 3-24.

87. See *supra* note 67.

excommunicated from opportunity. It leads to the self-fulfilling prophecy of inner-city schools as a place where failure is virtually assured.

While the desire to escape the social ills of the inner city provided much of the impetus for black students in St. Louis to transfer to schools 20 and 30 miles from their homes, the students also knew that going to school with white and wealthy students had many added advantages. These African American students did not need to sit next to white students to learn, but if they did, they were more likely to be in social institutions that conferred status and prestige.<sup>88</sup> For instance, white suburban schools – unlike schools that serve poor and black students – are focused on preparing students for college and white-collar lives; they are intricately linked, through a complex network, to the admissions offices of the top universities.<sup>89</sup>

Such institutional differences must explain at least some of the high school graduation rate differences between the students in the City schools and those who transferred to the suburban schools. While some could argue that these differences are at least in part attributable to the self selection of the transfer students who chose to attend suburban schools despite the costs, self selection alone cannot explain the magnitude of the difference.

For instance, the graduation rate for students enrolled in the St. Louis Public Schools – black and white – was just shy of 30 percent for the class of 1991. The graduation rate for the class of 1994 was even lower – a mere 27 percent.<sup>90</sup> In comparison, about 75 percent of the students who attend school in the 16 predominately white county districts that accept transfer students graduated during this same time period.<sup>91</sup> Thus, despite their long commute and the hassle of going to school far away from their neighborhood, nearly twice as many of the transfer students are graduating from their suburban high schools in four years as compared to students who graduate from a City high school, many of whom take five or more years to graduate.

As if this were not bad enough, the St. Louis Public Schools had a 48 percent college-going rate for those students who do graduate. Only 31 percent of the graduates attend four-year colleges. In other words, for every 100 ninth graders in the St. Louis Public Schools,

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88. *Green*, 391 U.S. at 435-42.

89. *Id.*

90. Amy Stuart Wells, *Post-Graduation Activities of 1989 High School Graduates*, St. Louis Public Schools, Division of Evaluation and Research (1990).

91. WELLS & CRAIN, *supra* note 62, at 198.

about 74 fail to graduate four years later, and of the 26 students who do graduate, only about 13 go on to post secondary education. This means that approximately eight of these 100 freshmen will find themselves in a four-year university five years after they enter high school.

Given that these numbers are not broken down by race and given that the St. Louis Public Schools enrollment was about 21 percent white during the 1990s – even if the racial balance of college-going graduates was equally distributed across the two racial group (which it probably is not) – on average, out of every group of 100 ninth grade students in the City schools, only six black students will graduate in four years and go on to attend a four-year college.<sup>92</sup>

In contrast, the college-going rate for graduates of the 16 predominantly white suburban districts was about 75 percent on average. But this does not reflect the situation in the more affluent of these suburban districts where the college-going rates were more than 90 percent. The more affluent of these districts have college-going rates of more than 90 percent. Meanwhile, 68 percent of the African American transfer students who graduate from suburban schools are college bound. Forty-four percent of these graduates attend four-year colleges, including some very prestigious institutions such as Yale, Brown, University of Michigan, Washington University, and Purdue. Another 24 percent of these graduates enroll in two-year colleges. While these rates are not as high as those of their white counter-parts, this college-going rate is nearly three times the national average for black high school graduates. Thus, for every 100 African American transfer students who enroll in suburban schools by the ninth grade, about 60 graduate from the suburbs and 40 of these graduates go on to college. These are much better odds than those of the students who remain in the St. Louis Public schools.<sup>93</sup>

It is probably true, to some degree, that the black students who transfer to the suburbs are a self-selected group. On average, their parents are more involved and more self-confident about that involvement. Still, we know that their initial test scores are lower than those of African Americans who attend magnet schools in the City. Also, we know that the vast differences in graduation rates and college-going rates for these students versus their peers in City

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92. *Id.*

93. *Id.* at 198-99; Voluntary Interdistrict Coordinating Council, *Appendices to the Eleventh Report to the United States District Court, Eastern District of Missouri*, (Court filing G(1305)94) St. Louis, MO (1994).

schools cannot be explained by self-selection alone. The prestige and status of the schools also matter.

An African American 11th grader who commuted from the city to a suburban school every day explained the high school-college connection this way:

... if a City school person and a County school person, let's say they apply for some college. Let's say they both have the same grades, but more than likely the college is going to choose that county school person because everybody knows county schools give better education than City schools.<sup>94</sup>

Thus, the separate and unequal missions of the urban and suburban schools greatly contribute to the lack of opportunity for inner-city teenagers. Too often low-income African American students lack access to pre-college courses, in part because educators who see so few students go on to higher education do not emphasize college preparation. Also, parents who have not been to college themselves nor have few friends or relatives who have been to college generally have less information about what to demand. Furthermore, urban high schools serving mostly students from low-income families are generally less connected to college admissions offices and scholarship programs.<sup>95</sup>

When asked how her suburban high school was different from what she had expected, one of the transfer students in our study said, "they have a lot of different classes that I wouldn't expect in a high school – like law and accounting." She said that what she likes most about her high school is that it has a lot of classes to choose from and "a lot of classes that will help you as far as college goes."<sup>96</sup>

These findings in St. Louis are supported by a growing body of research on the long-term effects of desegregation on African American students.

## V. The Long-Term Effects Literature

Nearly a decade before there was much research on the relationship between attending a racially mixed school and the life chances and opportunities of African Americans, James S. Coleman and his colleagues wrote in the now-famous report, *Equality of Educational Opportunity*, that "Negroes" who had attended desegregated high schools had higher incomes and were more likely

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94. WELLS & CRAIN, *supra* note 62, at 199.

95. *Id.*

96. *Id.* at 199-200.

to hold white-collar jobs than their peers from segregated schools.<sup>97</sup> These findings did not hold for black college graduates, however.<sup>98</sup>

Coleman also found that for blacks and whites, racial isolation in schools tended to foster attitudes and behaviors that perpetuated isolation and alienation in other areas of life, including housing, jobs and friendships.<sup>99</sup> In this way, Coleman foreshadowed a later body of research literature, conducted mainly in the 1970s and 1980s, on the long-term effects of school desegregation. This literature, unlike much of the short-term effects literature, tends to be grounded in a sociological framework, highlighting the ways in which school desegregation assists, or fails to assist, the social mobility and life chances of African Americans in a predominantly white society.<sup>100</sup>

In analyzing the contribution of this literature, it is helpful to bear in mind two central premises guiding most of the work. First, because educational achievement alone does not explain economic and social inequality, school desegregation must do more than raise black students' test scores. Second, as I have mentioned, there is no evidence that black students need to sit next to white students to learn. Indeed, African Americans have learned to read and write in segregated schools for many years. But as Du Bois noted, there are reasons why desegregated schools are preferable.<sup>101</sup> For instance, he wrote that the racially mixed school "gives wider contacts, [] inspires greater self-confidence, and suppresses the inferiority complex that many African American youth experience in a society that discriminates against them and their communities."<sup>102</sup>

In our review of 21 studies on the long-term effects of school desegregation, Crain and I found that the literature supports Du Bois' contention.<sup>103</sup> The literature review was framed by Braddock's "perpetuation theory," which describes how segregation tends to perpetuate itself across stages of life and institutions when individuals have not had sustained experiences in desegregated settings early in

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97. James S. Coleman et al., *Equality of Educational Opportunity*, (1966).†

98. *Id.*

99. *Id.*

100. See Amy Stuart Wells & Robert L. Crain, *Perpetuation Theory and the Long-Term Effects of School Desegregation*, 64 REV. EDUC. RES. 531, 531-33 n.4 (1994).

101. W.E. Burghardt Du Bois, *Does the Negro Need Separate Schools?*, 4 J. NEGRO EDUC. 328, 328-35 n.3 (1935).

102. *Id.* at 335.

103. Wells & Crain, *supra* note 101, at 552.

life.<sup>104</sup> Braddock discussed how blacks that lack experiences in desegregated institutions tend to underestimate their ability to compete and succeed in such institutions.<sup>105</sup> The Wells and Crain review also incorporated social network theory, which helped explain the way in which life chances and opportunities flow through personal connections. This framework captures what Du Bois described more than 60 years ago and the lessons learned from the 21 studies.<sup>106</sup>

For instance, we found that black graduates of racially integrated schools were more likely to have higher occupational aspirations and expectations and to be aware of the steps they needed to take to obtain their goals.<sup>107</sup> This finding speaks to the “suppression of the inferiority complex” that both Du Bois and Braddock wrote about; once black students have the opportunity to compete and interact with white students, they are less afraid that they cannot be successful in mixed race situations and will often be less likely to avoid integrated situations in the future. This finding also suggests that information about attaining certain goals flow through institutions and social networks, which are often racially segregated. African American students in racially mixed schools therefore, are more likely to tap into predominantly white and powerful networks.<sup>108</sup> As Du Bois explained, the racially mixed schools generally have “wider contacts.”<sup>109</sup>

The second set of findings from the review of the long-term effects of school desegregation literature concentrates on college choices and educational attainment.<sup>110</sup> This literature shows that African American graduates of desegregated high schools were more likely to attend predominantly white universities. Also, with one exception, the studies found that these graduates end up completing more years of education and earning higher degrees than do graduates of all-black schools. In addition, one study found that black graduates of majority white high schools are five times as likely to major in “non-traditional” occupations, including computer and information sciences, as are black graduates of segregated high

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104. *Id.* at 533.

105. *Id.*

106. *Id.*

107. *Id.* at 540.

108. *Id.* at 552; Mark Granovetter, *The Strength of Weak Ties*, 78 AM. J. SOC. 1360, 1360-80 (1973).

109. *Du Bois*, *supra* note 102, at 335.

110. Orfield, *supra* note 85; Wells & Crain, *supra* note 101, at 541-47.



schools.<sup>111</sup>

The final set of findings from the long-term effects literature speaks to the occupational attainment and adult social networks of African American graduates of desegregated schools. Here, the literature demonstrates that black graduates of desegregated schools are more likely to be working in white collar and professional jobs in integrated corporations and institutions. These graduates are also more likely to have integrated social and professional networks through which they learn about personal and professional opportunities.<sup>112</sup>

In analyzing this final set of findings, we are drawn once again to Du Bois' comment that the racially mixed school is "the broader, more natural basis for the education of *all* youth."<sup>113</sup> This set of findings suggests that desegregation also has an impact on whites, that it increases their openness to hiring, working with, and being friends with people of different races, although thoughtful research on the long-term impact of desegregation on white adults does not exist.

## VI. Conclusion and Future Research

The central point of this article was to reframe the discussion of the "consequences" of school desegregation in a way that more fully embodies the original legal rationale for dismantling dual systems of education. Clearly, short-term gains in standardized test scores were far less than what the Supreme Court or the civil rights attorneys expected in terms of "consequences." Unfortunately, too much of the debate about the value of school desegregation as a public policy has been framed around this inconclusive and incomplete information.

More research on the contextual, institutional and long-term effects of school desegregation policies and how those factors shaped the life experiences of the students who were the targets of these policies is needed now. Clearly, the existing, if limited, research in these areas is illuminating and far more informative than the recent work-for-hire research conducted by "experts" whose job it is to prove that school desegregation did little or nothing to improve the standardized test scores of African Americans so that their clients can

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111. Wells & Crain, *supra* note 101, at 542; see also Jomills H. Braddock, II & James McPartland, *How Minorities Continue to be Excluded from Equal Employment Opportunities: Research on Labor Market and Institutional Barriers*, 43 J. SOC. ISSUES 5, 8-12 (1987).

112. Wells & Crain, *supra* note 101, at 547-48.

113. Du Bois, *supra* note 102, at 335.

legally dismantle school desegregation plans. In addition to all of the cultural issues associated with the standardized tests – an issue I have not explored in this article – the original legal rationale for desegregation and our own understanding of how opportunities flow through privileged institutions tell us that the short-term test score gains or losses should not be the primary focus here.

A study of the long-term effects of school desegregation on adults of various racial/ethnic backgrounds that we are currently conducting at UCLA and Columbia University should help to shed further light on what the plaintiffs in the *Sweatt*, *McLaurin* and *Brown* cases were trying to accomplish. What we have learned so far, as we have begun interviewing graduates from six racially diverse high schools across the country, is that the context of their experiences matter a lot and that desegregation occurred much more smoothly and fairly in some settings than in others. But also, for students of color, access to higher status high schools was far more important to them in later life than were their 10th grade test scores.

A team of researchers and I are conducting this study because we think that it is important to hear from the generation of people who experienced the school desegregation first hand. Their life stories, as opposed to the decontextualized test scores after one or two years of school desegregation, speak to the hopes and the challenges of this policy and of racial inequality in the U.S.

We believe that the answers to many of the most vexing questions related to racial inequality lie in the hearts and minds of adults who lived through the race-specific policies that are currently being dismantled. Who could better explain the significance of race and education in America? Their stories will offer valuable insights for policy makers, researchers, educators, and the general public. They will help point the way toward the future, toward the next set of policies related to race and inequality that must carry our society and its schools well into the new century.

I close with a quote from Melba Pattillo Beals' book *Warriors Don't Cry* in which she chronicles her struggle and survival as one of the "Little Rock Nine" – the first nine African American students to desegregate Little Rock's Central High School.<sup>114</sup> Clearly, Ms. Beals' journey was not easy, but it was a life-changing experience:

So we headed down the path from which there was no turning back, because when we thought of alternatives, the only option was living our lives behind the fences of segregation and passing

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114. MELBA PATTILLO BEALS, *WARRIORS DON'T CRY* 310-12 (1994).

on that legacy to our children . . . I look back on my Little Rock integration experience as ultimately a positive force that shaped the course of my life . . . .<sup>115</sup>

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115. *Id.*

