Richard Kluger, author of *Simple Justice* (1975), is correct in stating that *Brown* deserves “a high place in the literature of liberty” (Kluger 1975, x). Historian John Hope Franklin has written that “Perhaps no public question in the United States in the twentieth century aroused more interest at home and abroad than the debate about the constitutionality of segregated public schools” (Franklin 1974, 421).

*Brown*, indeed, became both an exhilarating and a troubling experience for citizens of a nation-state whose government is guided by a Constitution. The Declaration of Independence, adopted unanimously July 4, 1776 by the Second Continental Congress, declared that “all . . . are created equal.” And the Preamble to the Constitution of the United States, ratified in 1789, indicated that this nation was founded “to create a more perfect union,” “to establish justice . . . [and] to promote the general welfare . . .” (Harvard Classics 1938, 150–55). And the Fourteenth Amendment proscribes all state-imposed discrimination against any citizen of the United States. *Brown* was exhilarating to citizens of this nation who recognized it as a way of achieving these goals mentioned above. *Brown* was troubling to citizens who classified it as judicial activism that ignored the authority of the legislative and executive branches of govern-
ment. They pointed out that the Constitution empowered three separate but interdependent units of government to serve as checks and balances on each unit (Harvard Classics 1938, 180–98).

Actually, the Brown v. Board of Education decision of the U.S. Supreme Court descended upon this nation as a way of checking the pervasive injustice rendered by public educational institutions on people of color, particularly African Americans. The injustices resulted from laws, regulations, and other public policies promulgated or facilitated by actions of legislative and executive branches of government. Thus, Brown was a legitimate limitation on discriminatory activities facilitated by policies of government that violated the Constitution.

In 1896, the Supreme Court in its Plessy v. Ferguson decision permitted public agencies to separate people of different races, if the separate accommodations were equal. In the Brown decision, the Court rejected the Plessy opinion because the segregated public accommodations for black people and white people were unequal. The National Association for the Advancement of Colored People (NAACP) fashioned a litigation strategy beginning in 1938 designed to demonstrate in courts of law that separate educational facilities and policies in local communities for black and white populations were never equal. The Brown decision in 1954 was the outcome of several court cases argued by NAACP lawyers.

I, personally, experienced the inequality of secondary schools in Dallas, Texas, the city of my birth where I grew up. Before 1940, all blacks in this big city attended one high school, Booker T. Washington High School located in North Dallas. From East Dallas, West Dallas, and South Dallas came black students to matriculate in this single high school reserved exclusively for them. Parenthetically, may I say, the black students used public transportation to go to and from Booker T. Washington High School; and the price for this transportation to maintain segregation was assumed by black students and their parents. In effect, we were forced to cooperate in our own oppression. There is a limit to the capacity of any school, including a segregated school for black people, to accommodate one more student. Booker T. Washington High School was so crowded that it had to operate in double sessions, half of the student body attending school in the morning and half attending in the afternoon.

Thus, the Dallas Independent School District decided to erect a new high school in South Dallas for black students. Students like me who lived in Oak Cliff in the western sector of Dallas were reassigned to the new school in South Dallas. We still had to travel to school by bus or trolley car and personally pay for the cost of transportation.
There were two high schools—Sunset and Addison—in Oak Cliff where I and my family resided. But the little Willie boys and girl in the 1930s, 1940s, and 1950s could not enroll in these nearby schools in this western sector of Dallas because all high schools in Oak Cliff were reserved for whites. Although these schools were nearer to my home than was Lincoln High School in South Dallas, to which I was assigned in the 1940s, I was prevented from attending Sunset or Addison because school segregation was an official policy of the Dallas Board of Education.

What was unique about the new Lincoln High School for blacks is that it was erected for blacks. In the past, when practicable, new schools were erected for whites, old abandoned white schools were reassigned for blacks. The new Lincoln High School for blacks in South Dallas was a new development in Dallas school construction policy.

White citizens in Dallas were so enraged over the fact that a new building near one of their neighborhoods would be occupied first by blacks rather than whites that they went to court and obtained an injunction in the late 1930s that prevented Lincoln High School from opening at the beginning of the school year. Whites in Dallas also threatened to blow up the new Lincoln High School building if it was not reassigned to them but did not follow through on this threat.

Eventually, blacks obtained a just decision. The court injunction against occupancy was lifted and black students and their teachers marched into Lincoln High School the second semester of the school year singing “God Bless America” (Willie 1978, 84). It is interesting and ironic that blacks chose to sing this song during their victory march into the new high school that was built to perpetuate racial segregation. My big brother was in that group, singing this song. Eventually, I attended Lincoln High School too, from 1940 to 1944.

Let me share with you one more story about the atrocious desegregation-resistance by whites and their attempt to continue segregation after the Brown decision. In her book entitled The Long Shadow of Little Rock (1962), Daisy Bates tells about the courageous behavior of Elizabeth Eckford, one of the black students who integrated Little Rock’s Central High School in 1957. On what was to be the first day of class, Elizabeth boarded a city bus alone en route to school. She got off the bus a block away from the school building, saw a large crowd, but proceeded to walk toward the front entrance of the school. The crowd shouted and moved in closer; some spat at her. Someone yelled, “Lynch her, lynch her!” Elizabeth said afterwards, “I wasn’t too scared because all the time I kept thinking they [the soldiers in the National Guard surrounding the
school] would protect me.” When she finally reached the front entrance to the school, Elizabeth discovered that soldiers in the National Guard were there with guns and bayonets—not to protect her but to keep her out of Central High School in Little Rock, Arkansas. Then, she became nearly hysterical and ran toward a bench at the bus stop. There, she was befriended by only one white man and one white woman as the angry crowd of white people surged closer shouting in a hostile way. Eventually a city bus came; she boarded the bus and narrowly escaped.

Historian James Patterson reports that Elizabeth Eckford as well as eight other black children who had been assigned to desegregate Central High School were prevented from entering the school by the Arkansas National Guard. The Little Rock Nine, as they were called, who had been admitted to the school by the Little Rock School Board as a token experience in desegregation, had to wait several days before action was taken to uphold *Brown* as the law of the land.

After a federal court judge enjoined the governor of Arkansas from preventing the Little Rock Nine from enrolling in Central High School, the President of the United States, Dwight Eisenhower, federalized the Arkansas National Guard and withdrew its members from Central High School and sent in army troops to protect the nine black children assigned to that school nearly two weeks after the opening day of school (Patterson 2001, 110–11).

What many people did not realize is that resistance to the court order of *Brown v. Board of Education* placed the continued existence of the United States as a democratic nation in jeopardy. Racial discrimination has no place in a just society. It is prohibited by the Fourteenth Amendment of the Constitution and the Civil Rights Act of 1964. Philosopher John Rawls tells us that it is “the idea of society as a fair system of social cooperation between [free and equal] citizens” that has a prominent place in a democratic nation-state (Rawls 2001, 97). “The principle of justice,” according to Rawls, “protects the rights and liberties of . . . [all] members by the constraints to which all . . . are subject” (Rawls 2001, 164). I believe that *Brown* saved this nation from splitting apart because it represented an overlapping consensus regarding excellence, commonly found among dominant people of power, with an overlapping consensus of equity, frequently advocated by subdominant people of power in this nation. The truth is that the adaptations emphasized by both groups are appropriate since equity and excellence complement each other. One without the other is incomplete. The search for excellence relies upon the social process of exclusion, while the search for equity relies upon
the social process of inclusion. Inclusion and exclusion complement each other. Social contracts in public education as well as in other institutional systems in a well-ordered society require both kinds of action—equity and excellence occurring simultaneously. This is why it is fine and beautiful when white people and people of color attend schools together; one group has the possibility of being redeemed from a false sense of inferiority while the other group has the possibility of being redeemed from a false sense of superiority. Also, individuals may discover in the integrated common school that one can do for another what the other cannot do for oneself.

For these reasons, the fiftieth anniversary of the presence of the spirit of Brown among us is celebrated all over this nation and elsewhere in the world because Brown saved the United States from the false choice of attempting to achieve excellence without equity. The purpose of Brown was to restore equity to public education. And as stated earlier, equity and excellence are complementary and always ought to be kept together. Brown clearly stated that segregation “has no place” in public education because segregation often leads to discrimination. And discrimination has no place in a free, open and democratic society. It is contrary to the social contract among citizens in a well-ordered society.

Slowly, some universities are beginning to realize that they have a better chance of surviving when their faculty and student body are diversified. For example, Harvard University, which was founded as a school for white, Anglo-Saxon, New England gentlemen, has learned a lesson about diversity and learned it well. For the school year 2004–2005, a majority of students admitted to the first-year class were women and 40 percent of all students were people of color. Moreover, the proportion of admitted students in the first-year class from the middle Atlantic States was greater than the proportion accepted from New England. Things do change. The population geneticists tell us that a diversified collectivity has a better chance of adapting to a changing environment than one that is homogeneous.

My study a few years ago of the Charleston County public school system in South Carolina (Willie, Edwards and Alves 2002, 99–115) revealed why white people and people of color have different feelings about segregation and diversity in public schools. White people, many of whom have a strong belief in excellence, see nothing wrong with segregated education because white segregated schools in Charleston County and elsewhere in the nation tend to be schools also with a heavy concentration of students connected with affluent families. In Charleston County,
these white racially segregated, affluent concentrated schools tended to have the highest achievement test scores in the district. Black people, many of whom have a strong belief in equity, see segregation in public education as something that is wrong, because black segregated schools with a heavy concentration of low-income families in Charleston County tended to have the lowest achievement test scores in the district.

In Charleston, South Carolina, 91 percent of the white students enrolled in white racially segregated, affluent concentrated schools had achievement test scores above the national norm. I should add, however, that these elite schools accommodated only 10 percent of all white students in Charleston County. And in the same school district, only 22 percent of the black students enrolled in black racially segregated, poverty concentrated schools had achievement test scores above the national norm. However, these schools enrolled 52 percent of the black students in this school district. Thus, the schools that were both racially and socioeconomically segregated helped only 10 percent of the white students but harmed a majority of black students in Charleston County, South Carolina.

In these two different kinds of segregated schools, the proportion of high-scoring black students was 69 percentage points less than the proportion of high-scoring whites. My conclusion is that the composition of a school’s student body is an important contextual factor significantly related to achievement test scores of students. For example, in racially and socioeconomically mixed schools, black children have better achievement test scores than blacks in racially segregated, low-income concentrated schools. But white children perform less well on achievement tests in racially and socioeconomically mixed schools than whites in racially segregated, affluent concentrated schools. When children who score above the national norm in racially and socioeconomically mixed schools are compared by race, 64 percent of whites and 31 percent of blacks have such scores. Only 33 percentage points separate white students from black students in these fully integrated schools, while 69 percentage points separate black students from white students in fully segregated schools in Charleston County. The message derived from this analysis is simple and clear: If we want to narrow the achievement gap between white children and children of color, one effective method is to create more racially and socioeconomically diverse schools, which is a requirement of Brown.

If blacks are to be lifted up and redeemed from a false sense of inferiority because of low achievement test scores in black segregated, poverty...
concentrated schools, whites must be willing to sacrifice their highest performance in white segregated, affluent concentrated schools by making all schools racially and socioeconomically mixed schools. Sacrifice, of course, is an important component in the building of community and in redeeming those who have missed opportunities in the past. John Rawls has concluded that since none of us deserves our starting place in life, we are obligated to give compensating advantages to those who missed out. This, we will be inclined to do, in a fair and just society. The sacrifice is not great for whites, as a population, since 86 percent in Charleston County now attend schools that are socioeconomically or racially mixed because of court-ordered desegregation. Blacks must be willing to suffer the redemption of whites from a false sense of superiority by trusting that their new participation in racially and socioeconomically mixed schools is real, and not for the purpose of ridicule and betrayal. Such a change would enhance the education of blacks substantially, since only 46 percent attended schools that are socioeconomically or racially integrated when this study was conducted.

Knowledge of the necessity of sacrifice and suffering in schools and elsewhere should be shared with children, parents, and educators as they face the crisis of desegregation, integration, and school reform. Beyond helping others educationally, diverse schools help individuals and their groups make a better adaptation to the world in which they live. All students in schools with diversified student bodies are more inclined to cease their self-centered ways and to develop empathetic relationships with new friends whose way of life may differ from their own. Empathy is an essential concept in community building.

The big questions the *Brown* decision has created for us are these. Should we strive for equity and justice or should we strive for excellence and perfection? There is nothing wrong with perfection and there is something right about justice. So there is no benefit derived from choosing excellence over equity or choosing equity over excellence. My answer, which I hope will become your answer, is that we must strive for both. Excellence without equity could result in arrogant, self-centered, and egocentric attitudes and behavior. And equity without excellence could result in group-centered and ethnocentric attitudes and behavior. Either one or the other alone is harmful; both together are helpful because they jointly enhance reciprocal and complementary relationships between individuals, between groups, and between individuals and groups.

It is the assessment of some analysts of public affairs that *Brown* has failed. I disagree with this assessment because of the empathetic relation-
ships to which implementation of this court order has contributed and because of increased educational attainment for all since announcement of this court order.

1. Before Brown (in 1950), the median school year of educational attainment for whites was 40 percent greater than that for people of color; in the year 2000, after Brown, the median for whites was less than 1 percent greater than the median for people of color.
2. Before Brown (in 1950), about one-third of the adult population twenty-five years of age and older had received a high school education or more; the year 2000, after Brown, this proportion had soared to 84 percent.
3. Before Brown (in 1950), only 6 percent of the adult population twenty-five years of age and older had completed four or more years of college. In the year 2000, after Brown, this proportion had increased to 26 percent.

These facts clearly indicate that Brown has not harmed us. Actually, one may hypothesize that based on these findings Brown has helped all of us.

It is interesting to analyze variations in the proportion of educational attainment by race and the rate of improvements for white people compared with black people before and after Brown.

1. Between 1950 and 2000, the proportion of white adults completing high school represented more than a twofold increase during this fifty-year period.
2. Between 1950 and 2000, the proportion of black adults completing high school represented nearly a sixfold increase during this fifty-year period.
3. Between 1950 and 2000, the proportion of white adults with four or more years of college represented a fourfold increase during this fifty-year period.
4. Between 1950 and today (2000), the proportion of black adults with four or more years of college represented an eight-fold increase during this fifty-year period (U.S. Census Bureau 2001: 131–78).

Blacks continued to lag behind the educational attainment of whites from 1950 to the present time, but their rate of improvement during the years since Brown has been greater than the rate of improvement in
educational attainment by whites. While the educational attainment gap between all racial groups has not been eliminated, that between black people and white people is narrower today than it was a half century ago. Students in both racial groups have made remarkable progress over the years.

Thus, it is appropriate to declare that the Brown court decision restored equity to our national system of public education that tended to focus on excellence and perfection only. And this is good. For those among us who are cynical about the emerging diversity of student bodies, faculty, and staff in learning environments or who are impatient with the rate of change over the years, may I refer you to the wisdom of Harold Kushner. He said that “love is not the admiration of perfection, but the acceptance of an imperfect person with all of his [or her] imperfections . . .” (Kushner 1981, 146–47). In other words, we must develop the capacity “of forgiving and accepting in love a world which has disappointed [us] by not being perfect . . . because it is the only world we have . . .” (Kushner 1981, 147–48). If we do this, we will be “better and stronger” and “live fully, bravely and meaningfully,” according to Kushner (Kushner 1981, 147–48). So while we review the weaknesses of Brown, let us also be cognizant of the benefits it has conveyed upon all of us, and learn how to transform rather than curse this imperfect world in which we live.

Thus, Brown, as an innovation in public education, was not a failure. Brown has not failed us; but the law enforcement process in our democratic nation failed Brown. Mayors of cities and governors of states who pledge to obey the Constitution of the United States failed to implement Brown as the law of the land. They ignored the law, closed public schools, and even ordered the National Guard to prevent desegregation. For these illegal acts, no sanctions were levied against those local and state authorities. When leaders of the civil rights movement broke public laws prohibiting boycotts and conducted mass marches without a permit, they accepted imprisonment. But the leaders of our states and cities in major civil divisions in the United States did not experience punishment for failing to obey public laws. For this reason, I declare that Brown did not fail. But some public authorities in this nation failed Brown. It is not the privilege of elected executive officers to selectively enforce public laws.

I conclude that the spirit of Brown is alive and has spread beyond the boundaries of the United States. In 2004, I was invited by the Faculty of Education of the University of Pretoria to come to South Africa to give a keynote address in an international conference celebrating the tenth anniversary of South Africa as a democracy and the fiftieth anniversary of
the Brown U.S. Supreme Court decision. Such a conference is testimony that in word and spirit Brown continues to live at home and abroad. It is meet and right to honor the wisdom of this court order that has enhanced education for all, although some may not realize it. Brown, truly, was an equity case and should be remembered as such because excellence and equity ought always to be kept together. We need both because equity is a correction for the excesses of individualism and excellence is a correction for the excesses of collectivism in a society.

May I conclude with a quotation from my favorite philosopher, Martin Buber. He states that “The fundamental fact of human existence is neither the individual nor the aggregate. . . . Each considered by itself is a mighty abstraction. The individual is a fact of existence in so far as [one] steps into a living relation with the other individuals. The aggregate is a fact of existence in so far as it is built up of living units of relations” (Buber 1947/1955, 203).

Thanks be to the Brown court decision that recognized the need to simultaneously advance the interests of individuals as well as the interests of communities. To attempt to advance one without the other as we did in our disproportionate emphasis on excellence and perfection in the past is a way of harming both the community and the individual. This, we need not do; this we dare not do in the name of education.

References


