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The Social Context of De Facto School Segregation

Sidney M. Peck

David K. Cohen

THE SEGREGATION OF Negro children in Northern metropolitan public schools has occurred in fact. Furthermore, there is sound evidence that this pattern is accelerating and that current educational practices serve to harden and compound the problem.¹ This discussion will emphasize the national magnitude of the problem and illuminate the specific socio-historical context in which it functions. This approach will allow the development of an appropriate concept of remedial action.

I. ASSESSMENT OF SOCIOLOGICAL TRANSFORMATIONS

In order to grasp the immense scope of *de facto* school segregation, certain basic sociological

transformations which have given rise to Negro slums, segregated schools, and a total system of educational deprivation for urban children must be assessed. Therefore, consideration will be given to the changing character of agricultural practice, the great rural-

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urban population shift, the growth of residential segregation, the rapid introduction of new industrial cybernation, the rise of a new class of color, and the related social-psychological consequences of an apartheid ecology for generations of Negro students.

A. Background of the Problem

In 1960, the United States census recorded that less than 6 per cent of the population reside in farm areas.² In comparison, nearly

1. NATIONAL ASS'N OF INTERGROUP RELATIONS, COMM'N ON SCHOOL INTEGRATION, PUBLIC SCHOOL SEGREGATION AND INTEGRATION IN THE NORTH, J. OF INTERGROUP RELATIONS 21 (1963) [hereinafter cited as N.A.I.R.O.]; ROSE, DE FACTO SCHOOL SEGREGATION 11 (1964); UNITED STATES COMMISSION ON CIVIL RIGHTS, *Education*, 2 REPORTS 2-3 (1961).

2. U.S. DEP'T OF COMMERCE, BUREAU OF THE CENSUS, STATISTICAL ABSTRACT

two-thirds of the American people live in standard metropolitan areas. During the past decade metropolitan growth has accounted for 84 per cent of the nation's population growth. The population projection for 1980 is that 190 million Americans will be living in standard metropolitan areas.³

(1) *Changing Agricultural Practice.*—At the root of this massive population shift is a changing agricultural practice.⁴ In 1960, only 6.3 per cent of the population, or 4.4 million persons, were employed as farmers or farm laborers, whereas in 1900 over 37 per cent of the population were farm employed.⁵ It has been predicted that within the next decade and one half, agriculture will be on a relatively stable plateau of 1.3 million farms producing 41 billion dollars worth of food for more than 200 million persons.⁶ Today only one out of ten teenagers growing up in rural America will be able to enter farming. As will be stressed later, this very same process of labor displacement on the countryside resulting from the industrialization of agriculture is now taking place in the cities with the cybernation of industry.

Nowhere has the agricultural revolution had a greater impact than in the Southern farming states. Southern agricultural employment has dropped a full 50 per cent. Southern decline in operating farms between 1940 and 1959 was 45 per cent. During that same period Negro farm ownership dropped 60 per cent.⁷ The most dramatic change in the occupational and residential situation of

OF THE UNITED STATES 17 (85th ed. 1964); U.S. DEP'T OF COMMERCE, BUREAU OF THE CENSUS, U.S. CENSUS OF POPULATION: 1960, VOL. 1, *Characteristics of the Population, Part I, United States Summary* 1-166 (1964).

3. WEISSBOURD, SEGREGATION, SUBSIDIES AND MEGALOPOLIS, OCCASIONAL PAPER NO. 1 ON THE CITY, CENTER FOR THE STUDY OF DEMOCRATIC INSTITUTIONS 17 (1964); see generally SOCIOLOGICAL ALMANAC FOR THE UNITED STATES 93 (Gendell & Zetterberg 2d ed. 1964); Zeidler, *Some Social and Cultural Consequences of Urbanism* 1-2, Aug. 1962 (unpublished paper).

4. Pinches, *Revolution in Agriculture*, in *POWER TO PRODUCE* 1 (1960).

5. For 1900, see U.S. DEP'T OF COMMERCE, BUREAU OF THE CENSUS, HISTORICAL STATISTICS OF THE UNITED STATES COLONIAL TIMES TO 1957, at 74 (1960); for 1960, see U.S. DEP'T OF COMMERCE, BUREAU OF THE CENSUS, CENSUS OF POPULATION: 1960, VOL. 1, *Characteristics of the Population, Part I, United States Summary* 1-522 to 1-527 (1964); HIGBEE, *FARMS AND FARMERS IN AN URBAN AGE* 45-75 (1963).

6. Munk, *Revolution on the Farm*, 14 *MONTHLY REV.* 538 (1963). HIGBEE, *op. cit. supra* note 5, at 3, notes that "as poorer farmers drop out of the race for survival their lands are consolidated by a smaller, abler group of operators who spend more money to buy more machinery to raise bigger crops Today the top 3 percent of all farms produce more than the bottom 78%."

7. Munk, *supra* note 6, at 547.

the Negro people has been "the disappearance of the Southern Negro farmer."⁸

Following Emancipation, the great majority of the Negro people turned to the land as small-crop farmers; but the image of a Southern populist countryside economically based on "forty acres and a mule" did not long prevail. With the restoration of Southern plantocracy to power after a decade of black Reconstructionism, Negro farm ownership came under the immediate domination of the planter class.⁹ Under this system of farm tenancy and sharecropping, Negroes became rural peons subordinated to the landed power of Southern segregation. On the countryside of the South, Negro laborers were the backbone of the cotton belt economy as sharecroppers, tenants, or marginal farmers. While the Southern Negro has been close to the soil for most of his history in the United States, he has rarely been able to make a go of it. Lacking capital, credit, and machinery, Negro farmers in the South were easily displaced. Between 1920 and 1960 nearly 700,000 Negro farm operators disappeared from Southern land. And, in the thirty years since the great depression, nearly one-half million Negro sharecroppers were eliminated.¹⁰

(2) *The Rural-Urban Population Shift*.—European immigration to the United States at its height does not compare with the rapid in-migration of the rural Negro to the Northern metropolis. A half century ago, nearly 90 per cent of the Negro population resided in the eleven states of the Southern Confederacy. Beginning in 1910, and extending through the post-World War I years, a great exodus of Southern Negro farmers to Northern cities took place. Although many Negroes migrated back to the South during the great depression, the decade between 1940 and 1950 marked the second great in-migration to the North. During the past two decades nearly three million Negroes have moved out of the Confederacy states. In New York City, the Negro population has increased to 1.3 million people. There are approximately 900,000 Negroes in the central part of Chicago. In Philadelphia and Detroit, over one-half million Negro people reside in each city; in Washington and Newark, more than half of the total population is Negro; and in Detroit, Baltimore, Cleveland and St. Louis, Negroes constitute over one-third of the population. In the past

8. Williams, *Social Change and Social Conflict: Race Relations in the United States, 1944-64*, Dec. 1964, p. 4 (unpublished paper in Cornell Univ. Library).

9. Cf. WOODWARD, *THE STRANGE CAREER OF JIM CROW* (1957).

10. Munk, *supra* note 6; Williams, *supra* note 8.

two decades there has been a 600 per cent increase in the number of Negroes in Los Angeles.¹¹ The general estimate is that within the next two decades, Negroes will constitute 25 to 50 per cent of the total population in at least ten of the fourteen largest metropolitan centers.¹² One authority has estimated that at the end of this century the Negro population will be dispersed as follows: 25 per cent in the Midwest, 21 per cent in the Northeast, 26 per cent in the West, and 28 per cent in the Confederate South.¹³

At the same time there has been a steady exodus of white families to the satellite suburbs. During the past decade there has been a drop of more than 7 per cent in the white population of twenty-four metropolitan cities.¹⁴ The projection is that in the next two decades the population growth in suburbia will equal the population growth of the metropolitan area. This movement, coupled with the slow pace of Negro suburbanization — a one per cent increase in the past two decades — accounts for the rising wall of separation between the black central city and the surrounding white satellites. In short, the white flight to the suburbs both contributes to and at the same time arises from the expansion of the black ghetto in the inner city.

(3) *Growth of Residential Segregation.*—The result of this dynamic movement is an apartheid ecology which separates black and white. Nearly two-thirds of the Negro population of the North live in the great slums of the twelve largest cities. As a consequence of metropolitan residential segregation, the social isolation of urban Negroes is far more complete than it ever was for the rural Southern Negro. Grodzins has remarked: "With a Negro

11. SILBERMAN, *CRISIS IN BLACK AND WHITE* 30-31 (1964).

12. Grodzins, *Metropolitan Segregation*, *Scientific American*, Oct. 1957, p. 33; see also Schnore & Sharp, *The Changing Color of Our Big Cities*, *Trans-Action* 12 (Issue 2, 1964): "It is no exaggeration to call the growth of non-white populations in our major cities one of the truly outstanding social trends of the twentieth century." *Ibid.* A new generation of Negroes has already grown up under the new urban conditions in the North. The Negro population boom outside the South has increased 250% since 1940. Silberman has stated that, in 1960, "44% of Negro residents of Chicago were born in Illinois." SILBERMAN, *op. cit. supra* note 11, at 45.

13. See generally Hamilton, *The Negro Leaves the South* (unpublished paper presented at the Annual Meeting of the American Association for the Advancement of Science, Cleveland, Ohio, 1963 and reported in the *N.Y. Times*, Dec. 28, 1963, p. 26, col. 1).

14. SILBERMAN, *op. cit. supra* note 11, at 31; Taeuber & Taeuber have concluded that: "The lowering of educational and occupational levels of central city populations must be attributed . . . to the heavy out-migration of high-status whites, and not to any significant in-migration of low-status whites or Negroes." Taeuber & Taeuber, *White Migration and Socio-Economic Differences Between Cities and Suburbs*, 29 *AM. SOCIOLOGICAL REV.* 718, 729 (1964).

population numbering in the hundreds of thousands, and with this population densely concentrated one can live, eat, shop, work, play and die in a completely Negro community."¹⁵ Thus there exists a growing residential color schism in metropolitan areas; large Negro population concentrates in the principal central cities and large white majorities with segregated Negro enclaves in the surrounding suburbs. These are the residential expressions of those who are excluded by color and impoverished by class. The visibility of the Negro people as a minority group prevents them from melting into residential areas outside the central districts.

Whether a city is in the North, South, or West; whether it is a large metropolitan center or suburb; whether it is a coastal resort town; whether non-whites constitute forty per cent of the population or less than one per cent; in every case, white and Negro residences are highly segregated from each other. There is no need for cities to vie with each other for the title of most segregated city — there is room at the top for all.¹⁶

The consequence has often been the continued expansion of Negro slums, the growing deterioration of central areas, and the movement of urban whites to outlying suburbs. Left unchecked, this residential segregation will continue to increase for at least the next three decades.¹⁷

(4) *Effect of Industrial Cybernation.*—The vast majority of ghettoized Northern Negroes are wage workers. They constitute the core of what Danzig has called the new working class.¹⁸ They are essentially a class of factory operatives and service workers, fast becoming obsolete. The very same technological processes which

15. Grodzins, *The Metropolitan Area as a Racial Problem*, in AMERICA RACE RELATIONS TODAY 85, 98 (Raab ed. 1962); see also CLARK, DARK GHETTO (1965).

16. Taeuber, *Negro Residential Segregation: Trends and Measurements*, 12 SOCIAL PROBLEMS 42, 48 (1964); see also Schnore & Sharp, *Racial Changes in Metropolitan Areas, 1950-60*, 41 SOCIAL FORCES 247-53 (1963).

17. Taeuber & Taeuber, *The Negro as An Immigrant Group: Recent Trends in Racial and Ethnic Segregation in Chicago*, 69 AM. J. OF SOCIOLOGY 374, 377. As Silberman has noted:

Traditionally, migrants have settled initially in ethnic ghettos in the slums of the central city and worked at the worst-paid and most menial occupations; but as they and their descendants move up the occupational ladder, they also move away from the ghetto to less and less segregated neighborhoods. Not so with the Negroes; the contrast between Negro experience and that of other immigrant groups is all the more striking in view of the fact that ethnic organizations generally have tried to *maintain* their ethnic colonies intact, whereas most major Negro organizations have been fighting for residential dispersal. And there seems to be little doubt that residential segregation in turn helps bar the Negro's assimilation into the economy and society at large.

SILBERMAN, *op. cit. supra* note 11, at 43-44.

18. Danzig, *The Meaning of Negro Strategy*, Commentary, Feb. 1964, p. 46.

have either emptied our farmlands of people or impoverished the bulk of small rural landholders¹⁹ now wreak havoc on the ghettoized workers in Northern industrial centers. Because of the rapid introduction of labor-displacing equipment in mass production industries, a large segment of Negro workers now constitutes a class of minimal labor value. The economic marks of unemployment, underemployment, and unemployability characterize them as unwanted workers in the great urban centers.

These developments in cybernation and automation have led to the continuing displacement of industrial labor as an important instrument of production. The late Professor Norbert Wiener wrote: "In all important respects, the man who has nothing but his physical power to sell has nothing to sell which is worth anyone's money to buy . . . and we can expect an abrupt and final cessation of the demand for . . . [routine factory labor]." ²⁰ The full consequences of the cybernation revolution are just now being debated. An economist, Theobald, has argued that automation is creating a permanent poverty stricken class in the United States and that the effect is only beginning to be felt.²¹ Since 1960, productivity per man hour rose at a rate well above the historic post-war average. As a consequence, nearly two million jobs are being eliminated each year; and new jobs do not automatically come into being. If our economy does not add at least one half million jobs annually, then total unemployment by 1970 will rise above the 15 million mark.²²

19. For an economic portrait of the 350,000 destitute farm families see HIGBEE, *op. cit. supra* note 5, at 47.

20. WIENER, THE HUMAN USE OF HUMAN BEINGS 154, 161 (1954). For a provocative statement calling for new economic policies to meet the revolution in technology see Ad Hoc Committee, *The Triple Revolution*, Advertising Age Magazine, April 6, 1964.

21. THEOBALD, FREE MEN AND FREE MARKETS 20 (1963).

22. The following sources have been helpful in compiling statistical data on the unemployment picture: U.S. DEPT OF HEALTH, EDUCATION & WELFARE, WELFARE ADM., DIV. OF RESEARCH, CONVERGING SOCIAL TRENDS AND EMERGING SOCIAL PROBLEMS, 6 (1964); Kassalow, *Labor Relations and Employment Aspects After Ten Years in AUTOMATION* 316 (1962); Kessler, *Economic Status of Nonwhite Workers, 1955-62*, 68 MONTHLY LABOR REV. 780 (1963); SILBERMAN, *op. cit. supra* note 11, at 236-37; MICHAEL, CYBERNATION: THE SILENT CONQUEST, A REPORT TO THE CENTER FOR THE STUDY OF DEMOCRATIC INSTITUTIONS (1962); HELSTEIN, PIEL & THEOBALD, JOBS, MACHINES AND PEOPLE, A REPORT TO THE CENTER FOR THE STUDY OF DEMOCRATIC INSTITUTIONS (1963); Hill, *The Economic Status of the Negro in the United States*, 3 FREEDOMWAYS 156 (1963); Editors, *Review of the Month: Economic Fluctuations and Trends*, 15 MONTHLY REV. 353, 360-61 (1963); Lyford, *Proposal for a Revolution*, Saturday Review, Oct. 19 & 26, 1963; Theobald, *Abundance: Threat or Promise*, THE NATION 387 (1963); Baron, *Negro Unemployment: A Case Study*, New University Thought, Sept.-Oct. 1963, pp. 41, 43, 44; MEN WITHOUT WORK (Lebergott ed. 1964); FRANCOIS, AUTOMATION 76-96 (1964); THE BATTLE AGAINST UNEMPLOYMENT 1-42 (Okun ed. 1965).

Unemployment rates are highest among unskilled and semi-skilled operatives, youth, and Negro workers. In some cities today, 70 per cent of the Negro youths between the ages of 16 and 21 who are out of school are also out of work. Michael has written that "without adequate occupational outlet for these youths, cybernation may contribute substantially to further social disruption."²³

The rate of job formation in 1962 was less than half that of the 1947-1957 period; and furthermore, more than two-thirds of the new jobs added since 1957 have been in state and local government services and of these most have been in teaching. A reasonable estimate indicates that over eight million people who would like to have jobs are not working. It is also important to note that many people no longer look for work; they have come to accept the fact that they will never hold jobs again. Secretary of Labor Wirtz has warned:

The confluence of surging labor population and driving technology is splitting the American labor force into tens of millions of "haves" and millions of "have-nots." In our economy of 69,000,000 jobs, those with wanted skills enjoy opportunity and earning power. But the others face a new and stark problem — exclusion on a permanent basis, both as producers and consumers, from economic life. This division of people threatens to create a human slag heap. We cannot tolerate the development of a separate nation of the poor, the unskilled, the jobless, living within another nation of the well-off, the trained and the employed.²⁴

But as Miller has emphasized, we may be moving into this dual economy, like it or not. The sixties have witnessed the emergence of a new working class, largely "colored," economically exploited and outside of the union movement and the main economy of America.²⁵ While Negroes constitute 11 per cent of the labor force, they compose 22 per cent of the unemployed. Negro unemployment rates are habitually twice that of whites whatever the occupation, educational level, age or sex. In the 25 to 44 age categories, the rates run more than three times as high. Unemployment of Negro teenagers is about 30 per cent; the unemployment rates of young Negroes in the metropolitan ghettos, however, is higher than 50 per cent. And for that matter, unemployment rates as a whole in such depressed areas often exceed 50 per cent. One out of every nine Negro male workers is unemployed.²⁶ Wil-

23. MICHAEL, *op. cit. supra* note 22, at 23.

24. See Ad Hoc Committee, *supra* note 20, at 9.

25. Miller, *The Politics of Poverty*, 11 DISSENT 210, 218 (1964).

26. In Chicago the figure is one of every six men in the Negro community. Baron, *op. cit. supra* note 22, at 45.

helm and Powell have captured the essence of this predicament in their recent article where it is stated:

With the onset of automation the Negro is moving out of his historical state of oppression into uselessness. Increasingly, he is not so much economically exploited as he is irrelevant. And the Negro's economic anxiety is an anxiety that will spread to others in our society as automation proceeds.

The tremendous historical change for the Negro is taking place in these terms: he is not needed. He is not so much oppressed as unwanted; not so much unwanted as unnecessary; not so much abused as ignored. The dominant whites no longer need to exploit him. If he disappears tomorrow he would hardly be missed. As automation proceeds it is easier and easier to disregard him

The historical transition for the Negro . . . is a movement out of the southern cotton fields, into the northern factories and then to the automated urbanity of "nobodiness."²⁷

All of this is immediate and automatic; to paraphrase Harrington, it is done without the intervention of a single racist, yet it is a profound part of racism in the United States.²⁸

B. *Social and Psychological Concomitants of an Apartheid Ecology*

(1) *Institutionalization of Negro Poverty.*—The most dramatic expression of this displacement of human labor from land and factory is the massive institutionalization of Negro poverty. It is by now a well-known fact that more than 60 per cent of Negro families and individuals are living on levels of income impoverish-

27. Willhelm & Powell, *Who Needs the Negro?* Trans-Action 3 (Issue 6, 1964). Since 1954, Negroes constitute between 20 and 30 per cent of all long-term unemployment covering 15 and 17 weeks or more. In short, the cybernation revolution has resulted in "structural" unemployment for the American work force; that is, the permanent destruction of jobs rather than cyclical layoffs. When this happens, the blow falls disproportionately upon the Negro. As the last significant ethnic group to enter the factory, Negroes have low seniority (in a union shop) and they will be laid off first. As one of the least skilled groups in the work force, they will have the hardest time getting another job. The "older" Negro (over forty) may well be condemned to unemployability for the rest of his life. The young Negro worker has twice as difficult a time becoming employed as his white counterpart.

In an exhaustive review of the literature, Gurslin and Roach have examined the extent to which federal programs of job retraining fail to reach into this large category of unwanted Negro labor. In addition to the central fact that there are more job seekers than jobs, they have cited several social-psychological factors related to ghettoized living which inhibit the process of retraining for the demands of an automated economy. Finally, they have concluded that it would be quite unlikely for "any appreciable number of lower-status persons [to] reach the point of working in automation-type jobs." Gurslin & Roach, *Some Issues in Training the Unemployed*, 12 SOCIAL PROBLEMS 86, 95 (1964).

28. HARRINGTON, *THE OTHER AMERICA* 71, 79 (1963).

ment.²⁹ It has been reported that in 1960 one out of every three Negro families received an annual cash income of less than \$2,000 per year. The income gap between Negro and white is readily apparent when compared with the fact that only one out of eight families in the United States as a whole falls below the \$2,000 income level. This gap has been steadily increasing in the recent past. In 1954, for instance, the average male Negro worker earned \$1,623 less than the average white worker. By 1960 this difference increased to \$2,062. In that same year, 75 per cent of all Negroes earned less than the white average of \$5,981. One writer has commented that "in the midst of continuous reminders of rising affluence, Negroes have not increased their income levels relative to whites for over a decade."³⁰ Thus, the income pattern for Negro families in the United States has hardly changed since the early fifties. The consequences of this condition for income distribution

29. The basic sources for income distribution include: Brand, *Poverty in the United States*, 7 DISSENT 334 (1960); HARRINGTON, *op. cit. supra* note 28; KOLKO, WEALTH AND POWER IN AMERICA (1962); Kahn, *The Economics of Irregularity*, in LEAGUE FOR INDUSTRIAL DEMOCRACY (1964); Keyserling, *Progress or Poverty*, in CONFERENCE ON ECONOMIC PROGRESS (1964); Lampman, *The Low Income Population and Economic Growth*, Study Paper No. 12, Joint Economic Comm., 86th Cong., 1st Sess. (1959); MacDonald, *Our Invisible Poor* (1963) (Reprint in Sociology Library, Western Reserve Univ.); MORGAN, INCOME AND WELFARE IN THE UNITED STATES (1963); CONFERENCE ON ECONOMIC PROGRESS, POVERTY AND DEPRIVATION IN THE U.S., (1962); Peck, *Poverty in the United States: Implications for Social Welfare, 1964* (unpublished paper in Sociological Res. Bldg., Western Reserve Univ.); Hoestetler, Kelso, Long, Oates, & Editors, *Poverty and Profits*, Harv. Bus. Rev., Sept.-Oct. 1964, p. 6.

30. Williams, *supra* note 8, at 19. In Professor Williams' words, "the color of one's skin influences what share of the nation's wealth one receives." Danzig has recorded that "between 1952 and 1962, the average Negro income dropped from 57 per cent to 53 per cent of the average white income, and the future looks even darker than the present." Danzig, *supra* note 18, at 45. A recent survey conducted by the Labor Department showed that the annual income differential between Negro and white for the year 1960-1961 amounted to \$2,320. Siegel's intensive statistical analysis of the color-income differential concluded that "net of regional, educational, and occupation effects, the cost of being a Negro is roughly a thousand dollars." And further, "about two-fifths of the difference in average earnings of whites and nonwhites is what it costs to be black." His research demonstrated that irrespective of regional, occupational, and educational similarities of Negroes and whites, the income differences between black and white are clearly revealed as a thousand dollar billing for blackness. Siegel, *On the Cost of Being a Negro*, Dec. 1964, pp. 15-17 (unpublished paper in Nat'l Opinion Res. Center, Univ. of Chicago). When it is recalled that two out of three Negro households earn less than \$4,000 a year, then the financial expense of being Negro is indeed tragic. Residential segregation, long-term unemployment, low incomes, all these add to costs which defy translation into mere dollar and cents terms. The great mass of impoverished Negroes in the Northern ghettos have become human beings unwanted at any cost. As Willhelm and Powell have emphasized:

Basically, 20,000,000 Negroes are unwanted . . . so we discard them by establishing new forms of "Indian reservations" called "Negro ghettos." We even make them somewhat economically self-sufficient through an "Indian hand-

are all too evident. As one authority has aptly stated: "In this kind of colonial situation of a successful 'white economy' and a meager 'bush economy' there are wide disparities . . . [for] the gains in the main economy do not rapidly trickle down to those in . . . the 'other America' This segmentation within the economy accentuates inequality."³¹

The significant feature, therefore, of the ghettoized Northern working class is that it is by and large an impoverished class of Negro workers. For reasons of historical circumstances, some of which have been noted above, the members of this class share a common cultural heritage of oppression, exploitation, discrimination, and unwantedness. In the United States, denial of privilege and exclusion from participation have come to be categorically ascribed to individuals on the basis of dark skin pigment. Color differences in American society are perceived in terms of racial stereotypes and myths of racial superiority and inferiority. Therefore, darkness of skin has become an all-embracing symbol of oppression. It has provided the visible means for categorical discrimination.³²

(2) *Internalization of Racist Values.*—Children of whatever color who grow up in American society come to an early appreciation of how the adult world evaluates color differences. In the pre-school period, children at the age of two and one-half years already begin to show an awareness of color differences in humans; and at the age of four, they have usually internalized the positive and negative valuations of color differences which the adult society has transmitted to them.³³ Studies of the development of racial awareness, racial identification, and racial preference in both Negro and white children present a consistent pattern. Learning about race and racial differences, learning one's own racial identity, and learning which race is to be preferred and which rejected are all internalized by the child as part of the total pattern of beliefs he

out." One out of every four Negroes in Chicago . . . receives some form of public welfare assistance. . . .

Is it an exaggeration to suggest that the deteriorated city has now become the junk heap upon which the economically worthless are thrown?

Willhelm & Powell, *supra* note 27, at 3.

31. Miller, *Poverty, Race, and Politics*, in *THE NEW SOCIOLOGY* 290, 298-99 (Horowitz ed. 1964).

32. YINGER, *A MINORITY GROUP IN AMERICAN SOCIETY* (1965).

33. GOODMAN, *RACE AWARENESS IN YOUNG CHILDREN* 252-53 (1964); see also Spock, *Children and Discrimination*, 9 *INTEGRATED EDUCATION* 8 (1964).

acquires about himself and the society in which he lives.³⁴ The development of racist thinking in children is enhanced by the symbols of racism so prevalent in the segregated scenery of their social life, *i.e.*, their peer groups, neighborhoods, schools, and churches. Silberman described this process well when he wrote:

For the youngster growing up in Harlem or any other Negro slum the gates of life clang shut at a terrifyingly early age. For one thing, the children become aware, almost from infancy, of the approbation Americans attach to color. They feel it in their parents' voices when they are warned to behave when they stray beyond the ghetto's walls . . . They learn to feel ashamed of their color as they learn to talk, and thereby about the invidiousness our very language attaches to color. White represents purity and goodness, black represents evil.³⁵

The Negro child learns of ascribed color values in much the same manner as the white child through the instruments of early socialization. Growing up in a society given to cultural traditions of white supremacy and preference, our children come to understand that darkness of skin is a symbol of inferiority, ugliness, and unwantedness. In a recent study of 260 first and third grade white children in seven all-white elementary schools, research showed that the children were aware of color differences; that they rigidly preferred white to Negro children; that they categorically excluded Negro youngsters from private fun clubs; and that they were markedly influenced by their peers in the acceptance or rejection of colored children.³⁶

In the classic studies which Clark and others have done, some central facts emerged: (1) Negro children tend to reject themselves as others reject them; (2) this pattern of rejection introduces a fundamental conflict for the child in the growing up process; and (3) at an early age these children usually develop techniques

34. TRAGER & YARROW, *THEY LEARN WHAT THEY LIVE* 345 (1952). For a concise presentation of these patterns of beliefs see, CLARK, G., *THE GHETTO GAME* 53-82 (1962).

35. SILBERMAN, *op. cit. supra* note 11, at 49. Self-hatred is expressed in a variety of ways among pre-adolescent school-age children. It may appear as open self-rejection accompanied by positive identification with "whiteness" and "white" things in both real and autistic experiences. On the other hand, self-hatred is frequently projected onto others in the context of hostile, aggressive and competitive interaction at home, in school, and in play. The hostility which accompanies self-hatred is not as frequently projected onto the white world during this early school age period. Pettigrew, *Negro American Personality: Why Isn't More Known?* J. of Social Issues, April 1964, pp. 4, 5.

36. Peck & Rosen, *The Influence of the Peer Group on the Attitudes of Girls Toward Color Differences* (unpublished paper in Sociological Res. Bldg., Western Reserve Univ.). A companion piece on the attitude of boys is being readied for publication.

of self-protection in their efforts to cope with threats to their personal integrity and well-being.³⁷ Clark has stated:

Self-rejection begins to occur at an early age and becomes embedded in the personality. This self-rejection is a part of the total pattern of ideas and attitudes that American Negro children learn from the larger society. It demonstrates the power of prevailing attitudes, and their influence on the individual even when these attitudes run counter to his need for self-esteem. Self-hatred is found among individuals who belong to any group that is rejected or relegated to an inferior status by the larger society.³⁸

(3) *Fertilization of Social Failure.*—As children of color grow up in a society learning of their “inferiority,” they soon come to understand the meaning of black segregation in the ghetto. Usually they respond with deep feelings of humiliation, worthlessness, and self-hatred. As they begin to hate themselves, so they will also begin to hate those who regard them as “nobodies.”³⁹ Perhaps it is this very sense of entrapment by color and poverty that compels many Negro youth to find some base around which to build or rebuild a sense of self-esteem. The nucleus around which the ghetto adolescent may “jell” his identity and self-image is frequently the “gang culture.” These involvements in street-corner society may well provide the “oasis” in the midst of a hostile, drab desert of poverty and discrimination. The gang operates as a tremendous power over these early adolescents — if they are fortunate enough to be part of a gang. The bravado and camaraderie, expressive of intense loyalty and support, appears to be in response to a need for rebuilding the self-image in order to better cope with an alien, adult world.⁴⁰ The streets offer the kind of education which will enable the youngster to acquire the techniques and confidence to struggle in the adult world. The gang experience also provides an opportunity for the hostility which accompanies self-hatred to be channeled and redirected. The in-group feeling of the gang is intensified and solidified as the external enemy assumes a clearer shape.⁴¹

37. CLARK, PREJUDICE AND YOUR CHILD 37-65 (1963).

38. *Id.* at 50.

49. KARDINER & OVERSEY, THE MARK OF OPPRESSION (1951); KARON, THE NEGRO PERSONALITY (1958).

40. HARLEM YOUTH OPPORTUNITIES UNLIMITED, YOUTH IN THE GHETTO 143 (1964) [hereinafter cited as HARYOU]; ROBINSON, JUVENILE DELINQUENCY, ITS NATURE AND CONTROL 124-29 (1961).

41. YABLONSKY, THE VIOLENT GANG (1962); see also the perceptive comments of GOODMAN, GROWING UP ABSURD 191-215 (1960). The counterpoint of the acting-out mechanism is the self-destructing expression of hatred for one's being. During the ten year period 1950-52 to 1960-62 suicide rates for Negro males, ages 15-19, in-

The hostility which is acted out in the streets is often the result of blocked communication at home, for much of the household communication is non-verbal. The poor verbal and emotional communication in these households often enhances patterns of delinquency, suspicion, and rigidity. Expressed in the style of life of ghettoized Negro teenagers, these patterns take on the pose of defiance, negativism, resistance, and indifference. In the school setting such behavior calls forth the rejecting responses of middle class teachers.⁴²

Disadvantaged with respect to acceptable communications skills, the Negro slum child is destined to fail in school at an early age when he most needs to achieve repeated success. Silberman has remarked that the homes of these youngsters do not prepare them "to produce what the school demands, and by and large the school makes no attempt to adjust its curriculum to the realities of what these children actually know, as opposed to what . . . [they are] *assumed* to know."⁴³ In other words, the desire to achieve educationally, ascend economically, and aspire socially is blocked at a very early age. Thus, the whole motivational structure is geared to a sense of personal rejection and social failure. How can black children in the slums develop a sense of worth when they are defined as worthless? How can one hope to achieve when the very tools for achievement are absent from the household? How can one aspire to success when the failures in the adult world are all about the growing child? Deutsch is explicit on this point:

In the affluent society whose goal is success and whose measurement is consumption, the lower class child starts the race to the goal with an assortment of disadvantages. Economic uncertainty, slum living, crowded homes, and small value given to intellectual activity are not an adequate foundation for achievement . . .

Both the segregated nature of their lives and encapsulation of the school in a [ghetto area] are serious handicaps . . . as the broad experiences reflected in the modern curricula are not shared by these children.⁴⁴

From this he concludes that "the lower-class child, and especially

creased 84% from 1.9 to 3.5 per one hundred thousand. METROPOLITAN LIFE INSURANCE COMPANY STATISTICAL BULLETIN (July 1964).

42. Becker, *Education and the Lower Class Child*, in MODERN SOCIOLOGY 244-51 (Gouldner & Gouldner ed. 1964); RIESSMAN, THE CULTURALLY DEPRIVED CHILD, 16-24 (1962).

43. SILBERMAN, *op. cit. supra* note 11, at 273.

44. DEUTSCH, MINORITY GROUP AND CLASS STATUS AS RELATED TO SOCIAL AND PERSONALITY FACTORS IN SCHOLASTIC ACHIEVEMENT 26 (Society for Applied Anthropology, Monograph No. 2, 1960).

the lower-class minority group child, lives in a milieu which fosters self-doubt and social confusion, which in turn serves substantially to lower motivation and makes it difficult to structure experience into cognitively meaningful activity and aspirations.⁴⁵

In sum, an unwanted class of workers and their children, all disadvantaged further by the color of their skin, are trapped in a condition of life which appears to be without hope. The tired apathy and feigned indifference which these dwellers of the Negro ghetto appear to express are symptomatic of their exclusion from a system of life that opens the door just a crack before slamming it shut. To be impoverished in an affluent society, to be unwanted as black in a white man's world, to be powerless in a society based on might, is to be an alien in one's own native land.

II. POLICIES AND PRACTICES OF NORTHERN SCHOOL SYSTEMS

These patterns of segregation and stratification have become closely wedded to the policies and practices of Northern public school systems. Before discussing the character of *de facto* segregation, it should be noted that the term has often been narrowly construed. In ordinary parlance it has come to mean school segregation resulting from residential accident, not intent or design on the part of school officials. However, in recent literature the term has also been used to include segregation arising from deliberate administrative action.⁴⁶ This usage is somewhat confusing; from a legal point of view, administrative action is defined as equivalent to *de jure* segregation.⁴⁷ There is a further ambiguity which arises from the fact that Northern school segregation is the consequence of multiple intent.⁴⁸ Furthermore, it is also characteristic that school segregation in the North is rarely total. Aside from those past cases in which it was enforced or permitted by statute, the phenomenon has been one of varying degrees of racial imbalance.

45. *Id.* at 29.

46. See, e.g., ROSE, *op. cit. supra* note 1, at 8.

47. This was the finding in the *New Rochelle* case. *Taylor v. Board of Educ.*, 191 F. Supp. 181 (S.D.N.Y. 1961). For a brief summary of the legal situation consult AMERICAN JEWISH CONGRESS, COMMISSION ON LAW AND SOCIAL ACTION, THE COURTS AND DE FACTO SEGREGATION; American Jewish Congress, Commission on Law and Social Action Reports, Feb.-Mar. 1964; see generally BLAUSTEIN & FERGUSON, DESEGREGATION AND THE LAW (2d ed. 1962).

48. Multiple intent in the sense that school officials and other public agencies, as well as private individuals, have been in varying degrees active in causing or continuing school and residential segregation.

Thus, the question arises as to what degree of imbalance accurately defines "segregation."⁴⁹

Playing with numbers in this matter, however, is not only distracting, but leads to a purely mechanical conception of the problem. While color is a major clue to the segregated learning situation, it is far from a total description. *De facto* segregation must be understood in terms of the total educational system in which students are compelled by law to function. From this perspective, *de facto* segregation encompasses all facets of a given school system.

A. *Administrative Supports for Apartheid Education*

As the major facet of this system, educational policy and administrative practice appear at salient points to reflect and intensify the racism of the larger community. The first of these points relates to the matter of *where* children attend school. The "neighborhood" policy of school attendance, expressing as it does the color and class characteristics of urban populations, has resulted in increasingly massive concentrations of schools wholly or predominantly Negro in pupil composition. In every large metropolitan area, and in most smaller cities, most Negro students are schooled apart from whites.⁵⁰ In Chicago, for example, it has been found that 90 per cent of all Negro elementary school students attend schools that are 90 per cent or more Negro in composition, and 90 per cent of all white students attend schools that are 90 per cent or more white in composition. Taking all grades through high school, the proportion varies little: 84 per cent of all Negro students attend segregated Negro schools; and 86 per cent of all white students attend the white equivalent.⁵¹ In Cleveland, the same general configuration obtains: 89 per cent of all Negro elementary students attend schools 90 per cent or more Negro in composition.⁵² The identical pattern tends

49. This question has been widely discussed, and, as far as we can see, not resolved. The most widely used definition of a segregated or racially imbalanced school seems to be one in which 90% or more of the students are of one "racial" grouping. See notes below for citations. Obviously racial imbalance varies from community to community. In addition, as Dodson has pointed out, schools which are more than half Negro in composition are usually in the process of becoming all-Negro. DODSON & STEARNS, *ENGLWOOD, ITS PEOPLE AND ITS SCHOOLS* 101 (1962). In view of this it seems more adequate to regard segregation as a *process* which involves distortions of the educational system on many levels, including but not limited to varying degrees of racial imbalance.

50. N.A.I.R.O., *op. cit. supra* note 1, at 14-21.

51. Advisory Panel on Integration of the Public Schools, Report to the Board of Education, City of Chicago, March 31, 1964, pp. 14-15 [hereinafter cited as Chicago Report].

52. This figure was derived from racial census records made public in a federal district court hearing on the Cleveland School Segregation Case. Brief for Plaintiff-

to hold true in smaller cities as well. One authority reports that in Gary, Indiana, schooling is virtually 100 per cent segregated,⁵³ while in Plainfield, New Jersey, nearly 70 per cent of all Negro elementary pupils attend predominantly Negro schools.⁵⁴ A recent nationwide survey has concluded that "the general picture which emerges is that of public education structured very largely along racial lines. . . . This is especially true in the big cities, . . . but it is also true in scores of smaller cities and towns. . . . Thus, the problem of public school segregation in the North . . . is widespread and substantial"⁵⁵ Educational policy which is geared rigidly to the so-called neighborhood school typically reflects an exaggerated racial portrait of the structure of residential segregation.

Of course, those who shape administrative practice are not and have not been merely the hapless victims of external circumstance. The practice of neighborhood school attendance is a policy determined by given school boards and not the result of historical inevitability. The more intense and expansive residential segregation has become, the more insistent have grown the voices seeking to maintain the neighborhood school as the sacred touchstone of American education.⁵⁶ Various administrative devices have been traditionally employed either to segregate students along racial lines or to allow students the option of so segregating themselves. Although it is difficult to determine precisely how widely these methods have been used, in those cases where data are available there are sound indications that several administrative techniques have been employed over the years.

(1) *Manipulation of School Attendance Boundaries.*—The most common method employed is the manipulation of school attendance boundaries. One type of manipulated zoning is the estab-

Appellants, vol. 2, Appendiix, pp. 1aa-143aa, *Craggett v. Board of Educ.*, 234 F. Supp. 381 (N.D. Ohio 1964).

53. Wolff, *Segregation in the Schools of Gary, Indiana*, 36 J. EDUC. SOCIOLOGY 251, 257-61 (1963).

54. Wolff, *Racial Imbalance in the Plainfield Public Schools*, 36 J. EDUC. SOCIOLOGY 275 (1963).

55. NATIONAL ASS'N OF INTERGROUP RELATIONS, COMM'N ON SCHOOL SEGREGATION IN THE NORTH, J. OF INTERGROUP RELATIONS 21 (1963) [hereinafter cited as N.A.I.R.O.]. The whole matter of private and parochial school enrollment in relation to Northern school segregation will not be treated in this discussion, as it deserves separate consideration. As Conant and others have noted, the non-public school structure serves to enhance color segregation among school children.

56. Dodson, *Preparing for Desegregation*, 36 J. EDUC. SOCIOLOGY 272 (1963). Dodson writes: "[The] nearer Negroes get to it (the neighborhood school) the more sacred it becomes." *Id.* at 273. For a discussion of the neighborhood school concept and bibliography, see N.A.I.R.O., *op. cit. supra* note 55, at 23-24.

lishment or change of district boundaries, either to meet existing racial divisions or to follow the process of racial change. In Chicago, for example, a staff report of the United States Commission on Civil Rights found it highly probable — based on affirmative statements from a former school superintendent — that the setting and changing of boundaries had been essential to maintaining a pattern of school segregation up to the late forties.⁵⁷ Similar practice was the basis for litigation in New Rochelle, New York. There, a federal district court found evidence of gerrymandering and thus ruled in favor of the Negro plaintiffs.⁵⁸ One expert has written that a systematic pattern of boundary manipulation marked the history of the Gary, Indiana, schools;⁵⁹ similar allegations of such practices have been prominently featured in many cases brought by the National Association for the Advancement of Colored People (NAACP), now pending before various courts.⁶⁰

(2) *Establishment of Optional Attendance Zones.*—Another common technique is the establishment of “optional” or “neutral” attendance zones. This approach has the effect of permitting enclaves of white students in school districts which are, or are in the process of becoming, predominantly black the choice of attending other predominantly white schools. In Buffalo, New York, the United States Commission on Civil Rights described a series of such zones, at least one of which resulted in the complete segregation of an elementary school.⁶¹ Similar practice was the basis for successful litigation in Highland Park, Michigan.⁶² In Chicago, neutral zones appear to have played a significant role in the segregation of Negro schools.⁶³

In cases where the white population in predominantly Negro school districts is not located in a coherent enclave, a system of discriminatory transfers has often been employed. This involves either the passive acceptance or active encouragement of white transfers from Negro districts to white schools. Such transfers appear to have played a prominent role in New York City, New

57. U.S. COMMISSION ON CIVIL RIGHTS, PUBLIC SCHOOLS NORTH AND WEST, 1962, 188-89 (1962). The superintendent involved was Dr. H. Hunt — he was not in charge of the schools during the period involved.

58. *Taylor v. Board of Educ.*, 191 F. Supp. 181 (S.D.N.Y. 1961); see generally, U.S. COMM'N, *op. cit. supra* note 57, at 46-73.

59. Wolff, *supra* note 53, at 255.

60. Personal communication from Robert Carter, NAACP General Counsel.

61. U.S. COMM'N, *op. cit. supra* note 57, at 23-27.

62. *Id.* at 3-26. For Detroit data, see N.A.I.R.O., *op. cit. supra* note 55, at 26.

63. U.S. COMM'N, *op. cit. supra* note 57, at 188, 194-96.

Rochelle, and Chicago. This system is also commonly alleged in NAACP suits.⁶⁴

(3) *Shifting School Feeder Patterns.*—Apparently less common has been the practice of shifting school feeder patterns in order to maintain color homogeneity. For example, if a cluster of six elementary schools, all white except one undergoing racial change, were ordinarily fed into a white junior high school, the changing school would be fed into a predominantly Negro junior high school. Such a practice seems to have been employed in Gary, Indiana.⁶⁵

Although it may be very difficult to assess the precise weight of such acts in the establishment or hardening of segregated patterns of school attendance, their basic significance is beyond serious question. Not only have such practices contributed to student segregation, but when employed they foster a climate of opinion which finds expression in other areas of administrative practice and official policy.

(4) *School Planning and Construction.*—The most compelling example of the way in which such a climate of opinion becomes interwoven with existing patterns of segregation may be seen in school planning and construction. Current programs of construction in segregated neighborhoods have represented a continued, large-scale capital investment in new segregated facilities. The largest block of new school construction since the twenties appears to have taken place in the past decade, and is still fully under way. In those cities where data on construction programs exist, it appears that only a small number of classrooms have been built to serve integrated school populations. Most construction has been planned for and built in segregated neighborhoods. In Chicago, the pattern of new school location has been almost entirely segregated,⁶⁶ as has also been the case in Gary, Indiana.⁶⁷ In New York City, which has perhaps the most enlightened policy on school desegregation of any major metropolitan area, segregation of schools will continue to grow by dramatic proportions solely as a result of the increase in new segregated facilities.⁶⁸ Moreover, it is occurring in a period

64. See note 60 *supra*; see also U.S. COMM'N, *op. cit. supra* note 57, at 191-94.

65. Wolff, *supra* note 53, at 255; see also N.A.I.R.O., *op. cit. supra* note 55, at 26.

66. Chicago Report, *op. cit. supra* note 51, at 16. For general survey, see N.A.I.R.O., *op. cit. supra* note 55, at 27-29.

67. Wolff, *supra* note 53.

68. State Education Commissioner's Advisory Commission on Human Relations and Community Tensions, State of New York, *Desegregating the Public Schools of New York City*, May 12, 1964, pp. 2-5 [hereinafter cited as Allen Report].

when the New York school system has been seeking to implement desegregation in other areas. Against this background, a study requested of the State Commissioner of Education by the New York City School Board concluded: "To date, desegregation has not been a main factor in the programming of construction and physical renovation *The school building program as presently set forth reinforces substantially the historic pattern of building on sites within the most segregated areas.* This is the case chiefly in Negro . . . areas" ⁶⁹ It is ironic and perhaps not without meaning that the pattern of constructing new Negro schools in the North since 1954 parallels a similar pattern in the South during the pre-1954 period.

In sum, the color line in Northern public schools is the consequence of past statutes and community traditions,⁷⁰ present policies and practices, and acceptance by school officials of the residential expressions of racism in the larger society. The sheer physical aspect of school segregation is not only the product of multiple intent, but it is becoming increasingly massive in dimensions and rigid in character. School officials have either passively reflected or actively intensified America's apartheid ecology in their policies and practices. It is this ecology which provides the structural foundations of the system of school segregation. However, it is not simply the *where* of education, but also the *how* which is in question, for the prevailing pattern of segregation pervades the educational process and presents itself on a variety of levels in the everyday operation of the schools.

B. *The Color-Class Milieu of Segregated Schooling*

(1) *Employment and Placement of Teachers.*—The pervasive character of segregation is perhaps most clearly illustrated in the patterns of hiring, placement, training, and classroom functioning of teachers. For many years it was against policy to recruit Negro teachers in the North. With the recent emphasis upon fair employment practices, school boards began to hire Negro teachers on a substantial scale; and this was generally applauded as a progressive step. However, most of the Negro teachers hired were consistently placed in predominantly Negro schools, with the result that the color composition of teaching staffs rigidly mirrored that of the schools themselves. Although this has been relaxed somewhat in the last few

69. *Id.* at 6.

70. On statutes in the North see N.A.I.R.O., *op. cit. supra* note 55, at 87 n.11.

years, a broad survey has revealed that it is still the general practice to assign Negro teachers mainly to Negro schools.⁷¹

A concomitant of this policy was to retain supervision of individual schools, as well as higher administrative positions, in the hands of whites. Thus, until very recently Negro teachers have usually taught in systems where supervisory and administrative posts were reserved only for whites. This too has been somewhat relaxed of late; nevertheless, in New York City as recently as last year there were only two or three Negro school principals out of more than eight hundred in the system.⁷² The explanation for this may be that there were no Negro teachers qualified to assume such posts. However, if this be the case, it raises further questions as to inferior staffing in Negro schools. If this is not the case, then the absence of Negroes in administrative positions points clearly to discriminatory personnel practices. The effects of such practices on these teachers are complicated and relatively unexplored. However, it would hardly be an exaggeration to suggest that being fixed in a rigidly ascribed teaching status would have detrimental consequences for a positive educational environment.⁷³ These hiring practices reveal that in the schools, as well as in the larger society, color is symbolic of an entire system of occupational-income-status discrimination. The existence of such parallelism is not lost on Negro and white students who enter school with well-developed thoughts about color and racial separation.

There is also the problem that most public school teachers, Negro and white, are usually prepared by teacher-training institutions to educate children of a white, middle-class, suburban character.⁷⁴ This fact combined with salary differentials, the mythology of the "blackboard jungle," and other factors encourage the initial placement or rapid transfer of many qualified teachers to suburban school systems. Some college and university departments actively encourage their graduates to follow this route, although it is hardly necessary for them to do so. Whether actively encouraged or not, such job-hopping is merely another reflection of the class-color

71. Unpublished section of N.A.I.R.O., *op. cit. supra* note 55, at 45-50, appendices F,G,H, dealing with personnel practices. On Philadelphia, for example, see U.S. COMM'N, *op. cit. supra* note 57, at 154-70.

72. Allen Report, *op. cit. supra* note 68, at 21; see also unpublished section N.A.I.R.O., *op. cit. supra* note 55.

73. HARYOU, *op. cit. supra* note 40, at 230-36.

74. SEXTON, INCOME AND EDUCATION 229-34 (1961); RIESSMAN, *op. cit. supra* note 42, at 16-24.

symbolism of the "ghetto school" and the status response it commonly evokes.⁷⁵ Thus, schools in Negro slum areas are generally characterized by a higher turnover rate in the staff, and a significantly higher proportion of teachers with little experience, temporary certification, or substitute status. In Chicago, for example, the following observation was made:

In high education areas, [those with a population over 25 with high median educational attainment] 5 per cent of teachers in white schools are temporarily certified, compared with 14 per cent in integrated schools and 16 per cent in Negro schools. . . . In low education areas, 8 per cent of the teachers in white schools, 45 per cent of the teachers in integrated schools, and 41 per cent of the teachers in Negro schools hold temporary certificates.⁷⁶

This reveals in common-sense terms what recent studies have documented more systematically — that few teachers are deliberately educated or inspired to either grasp the problems of people in depressed, color-confined neighborhoods, or to appreciate their aspirations and understand their culture. The consequence is that many teachers have great difficulty in coping with the children in their classrooms. Even sincere dedication cannot function most effectively in the absence of intelligent understanding. Nor is teacher training the sole factor involved. As one authority has remarked, teachers are prone to identify with upper-income groups, even when their own origin is working-class.⁷⁷ Classroom attitudes and techniques often reflect middle-class values or aspirations, and many teachers find it difficult to accept lower-class children unless they outwardly conform to such values.

But whatever the character of the individual teacher's response, whether it be apathy, fear, indifference, or resignation, the crucial matter is that children are less able to learn. It makes little difference whether teachers leave or remain as long as they are ill-equipped to function effectively as educators. The characteristic feature of a ghetto school staff is the resigned belief that slum children of dark color have an inferior ability to learn. As one study of the schools in Central Harlem has revealed:

When the teaching staff . . . conclude that pupils cannot learn, the essential function of the school disappears. . . . [T]he schools

75. Becker, *The Career of the School Teacher*, in *MAN, WORK AND SOCIETY*, 324-25 (Noscow and Form eds. 1962).

76. Chicago Report, *op. cit. supra* note 51, at 18-19.

77. SEXTON, *op. cit. supra* note 74, at 230-31.

have lost faith in the ability of their pupils to learn, and the community has lost faith in the ability of the schools to teach.

On the evidence available to date, it must be concluded that the major reason why an increasing number of Central Harlem pupils fall below their grade levels is that *substandard performance is expected of them.*⁷⁸

This study also indicates that the problem is more acute with supervisory and administrative personnel, and is perhaps more crucial there. Because supervisors set the tone for both teaching staff and the entire student population, their lack of confidence seriously impairs the learning process.⁷⁹ A recent study has revealed that teachers tend to reject underprivileged children — which the pupils perceive — without regard to the objective academic attainments of pupils. The pattern was identical for all deprived students, regardless of the quality of their academic work.⁸⁰

In short, Northern school segregation also involves an entire system of unrealistic teacher training, discriminatory placement, and color-class attitudes. The meaning of this system for Negro students is, quite simply, that less is expected of them by their teachers and their teachers' superiors. The result of obstructive attitudes and less-than-equal expectations is often less than equal teaching. The consequence of this in everyday practice is that Negro students are typically defined by school personnel as less-than-equal persons.

(2) *Inadequate Facilities.*—There are a variety of other manifestations of the same pattern. Negro schools have been traditionally older, less well-kept, more crowded, and less adequately staffed than schools in white areas. While new segregated construction has begun to alleviate some of these problems, the conditions are still widespread.⁸¹ As recently as last year in Chicago, for example, it was found that almost three times as many Negro schools had over 35 students per classroom as white schools.⁸² In the last decade, most major cities have placed Negro schools on "double-shift" or "relay" classes in order to handle severe overcrowding. This has occurred even in cities where it was apparent that there were

78. HARYOU, *op. cit. supra* note 40, at 229, 236-37; see also DEUTSCH, *op. cit. supra* note 44, at 25-26.

79. In Central Harlem Schools 45% of the principals and 62% of the assistant principals report that one-fourth of their students have college level potential. HARYOU, *op. cit. supra* note 40, at 228.

80. Davidson & Lang, *Children's Perception of Their Teachers' Feelings Toward Them Related to Self-Perception, School Achievement and Behavior*, J. EXPERIMENTAL EDUCATION 107-18 (1960).

81. N.A.I.R.O., *op. cit. supra* note 55, at 34-35.

82. Chicago Report, *op. cit. supra* note 51, at 17.

empty seats and classrooms available in predominantly white schools elsewhere. In Cleveland, as in Chicago, sustained protest on the part of parents and community groups was required before school officials would consent to consider means of coping with the question.⁸³ In Chicago, the solution was that out-transfers of students were permitted only if the school average was more than 40 pupils per room, and only to schools whose average was less than 30 students per room. Since the former schools were primarily Negro in composition and the latter primarily white, the effect was to admit and establish a large pupil-assignment differential between the two types of schools.⁸⁴ In other cities, such as St. Louis, transportation of Negro students to under-utilized white schools has often been undertaken; however, only under circumstances where rigid segregation of students is enforced in the receiving schools.⁸⁵ Finally, substantially lower per-pupil expenditures in cities such as New York, Pittsburgh, Chicago, and Plainfield, New Jersey, have reflected a set of interrelated factors: (1) higher pupil-teacher ratios; (2) less experienced staffs; (3) older physical plants, and sometimes even older teaching materials; (4) less of the "extras" sometimes provided by schools or parent groups; and (5) a high proportion of temporary or demountable structures.⁸⁶ One authority has concluded that this is "much more prevalent among the segregated minority-group schools of the North than among other schools in the same systems."⁸⁷

(3) *Inferior Educational Materials.*—A similar pattern marks the use of teaching materials and resources in the public schools of the North. Reading materials in particular have usually contained stereotyped references to Negroes; they tend to lack a meaningful appreciation of Negro history and the cultural traditions of the Negro people; they have offered little formal or substantive recognition of the positive character of lower-class life. One authority has noted that the exclusion of life-experience directly related to lower-class youth in teaching materials begins in the earliest readers and generally continues throughout the grades. "Seldom do any of these texts speak the language of lower-income students or com-

83. For Chicago, see U.S. COMM'N, *op. cit. supra* note 57, at 191-94, 196-204; for Cleveland see Brief for Plaintiff-Appellant, vol. 1, pp. 16a-205a, *Craggett v. Board of Educ.*, 234 F. Supp. 381 (N.D. Ohio 1964).

84. U.S. COMM'N, *op. cit. supra* note 57, at 191.

85. *Id.* at 270-74.

86. N.A.I.R.O., *op. cit. supra* note 55, at 34-35.

87. *Ibid.*

municate with them in any meaningful way."⁸⁸ While it is difficult to assess precisely the degree of negative effect such materials have, the scattered experiments with materials which seek to remedy this fault reveal marked and often dramatic reading improvement. Thus, whether it is the tradition of slum school "invisibility" — with the concomitant imbalance of expenditure — or the invisibility of Negro and lower-class life in the very materials of teaching, the identical pattern is evident. Educational attainment and occupational ascent are held out as supreme cultural values. At the same time, denial of equal educational opportunities impedes lower-class Negro children from the realization of those values.

C. *Routinization of Inequality in the School System*

This situation is perhaps best seen in the self-fulfilling prophecy which permeates policy and practice in testing and grouping students. Most school systems group their pupils more or less homogeneously according to a rating based on achievement, ability or intelligence, or some combination of the two. Such ratings are usually grounded on performance in group-administered tests of reading readiness, scholastic aptitude, intelligence, or achievement. Achievement tests, of course, are designed to measure a student's performance level in given subject areas. Intelligence, or scholastic aptitude tests, however, are generally interpreted as accurate indices of either native intelligence, or a prediction of a student's capacity for academic achievement. Yet, upon inspection it is found that both intelligence rating and achievement prediction incorporate unequal opportunities in and out of school.

(1) *Intelligence Tests.*—With respect to intelligence tests, it is increasingly recognized that they do not measure native ability; rather, they tend to reveal degrees of proficiency in manipulating the symbols and idioms of the dominant culture. Those students whose race, class, or ethnic background have resulted in exclusion from that culture quite naturally attain relatively poor scores.⁸⁹ Thus, the prediction of achievement potential is based upon tests which are not only culturally biased, but upon tests which presuppose proficiency in reading. It is obvious that students with serious reading problems, derived from prior experiences, score consistently low in these tests.⁹⁰

88. SEXTON, *op. cit. supra* note 74, at 36.

89. REISSMAN, *op. cit. supra* note 42, at 49-80 provides a cogent analysis with bibliography.

90. SEXTON, *op. cit. supra* note 74, at 23-38.

(2) *Institutionalization of Inequality by Grouping.*—The scores derived from such tests incorporate inequalities produced by both school and society. Nevertheless, the scores become a major factor in the determination of ability groups or tracks. The grouping or tracking system represents nothing less than the routinization of inequality within the school. As one moves downward through the grouping scale, less is expected of students. When less is expected, generally less is achieved; this confirms the students' location in the system and makes mobility increasingly difficult.⁹¹ The most revealing result of this structured inequity can be seen in the consistent pattern of lowered achievement the longer students remain in school. In Central Harlem, for example, Negro students were reading at grade level 2.5 at grade three, compared with the citywide median of 3.6 at the same grade. By the sixth grade the Harlem median was at grade level 4.1 compared with a citywide median of 6.1. By the eighth grade the Harlem median was at grade level 6.0, compared with the citywide median of 8.1. Similar statistics characterize the downward trend of reading comprehension and arithmetic score.⁹²

Thus, in school zoning and construction, teacher placement and training, allocation of resources and selection of teaching materials, the public school policymakers have both passively accepted and actively compounded the patterns of segregation and inequity which are thoroughly characteristic of urban society. *De facto* school segregation embraces both racial separation and a pervasive system of discriminatory practices. Negro children who bring to school the burdens of objective deprivation, distorted racial thinking, and negative self-imagery, are therefore confronted with institutions of public education which further deprive, distort, and damage. The consequences of this damage are becoming increasingly well known.⁹³ For generations of Negro youth, the schools have failed to provide the vehicles of academic or vocational mobility which they have offered to other groups. In fact, they have served to perpetuate the

91. *Ibid.*

92. HARLEM YOUTH OPPORTUNITIES UNLIMITED, *YOUTH IN THE GHETTO* 190 (1964) [hereinafter cited as HARYOU].

93. See generally DEUTSCH *op. cit. supra* note 44, at 26-29; HARYOU, *op. cit. supra* note 92, at 161-244; PETTIGREW, *A PROFILE OF THE AMERICAN NEGRO* 100-135 (1964); SILBERMAN, *CRISIS IN BLACK AND WHITE* 249-307 (1964); Deutsch & Brown, *Social Influences in Negro-White Intelligence Differences*, 20 *J. SOCIAL ISSUES* 24 (1964); Katz, *Review of Evidence Relating to Effects of Desegregation on the Intellectual Performance of Negroes*, 19 *AM. PSYCHOLOGIST* 381, 386-88 (1964). For a perceptive observation of this damage, see Larner, *The New York School Crisis*, *DISSENT*, Spring 1964, p. 248; see also CLARK, *DARK GHETTO* 111-53 (1965).

vicious circle of Negro life in America. As one noted authority on the subject has written:

Segregated conditions play a particularly invidious role in the child's growing up. They create an incorrect picture of what kinds and types and forms of human relations are possible. But, in a more specific psychological sense, they do not give the Negro, Puerto Rican, or most other minority group children the tools for handling daily intergroup, interpersonal relationships . . . [needed] to achieve individual success in our society.⁹⁴

For whites who are educated largely in racially distinct compartments, segregation serves only to harden stereotypes of the Negro and intensify myths of racial superiority.⁹⁵ While the schools are only one part of American society, it is clear that they have been a crucial instrument in perpetrating segregation and inequality for Negroes.

III. THE NATURE OF REMEDIAL ACTION

A. *The Strategic Role of the Public School*

Education is a process of transmitting skills and values to those who have not acquired them. Previously, in a predominantly rural America the functions of education were largely performed by the family within an extended kinship system. Presently, however, the task of education has increasingly become a public business, carried on under a state school system. Education today serves the broad function of socializing the young, while at the same time transmitting the bodies of knowledge which will prepare new generations to meet the requirements of effective participation in an age of rapidly changing industrial technology.⁹⁶ A high degree of consensus has emerged concerning the changed and expanded role of public education. It is now generally agreed that the goals of public education are to secure social, civic, and educational competence through the development of critical thinking, effective communication, and creative skills.⁹⁷ The public schools, therefore, are confronted with an immense and ever-increasing job. Their func-

94. Deusch, *Dimensions of the School's Role in the Problems of Integration*, in *INTEGRATING THE URBAN SCHOOL* 30-31 (Klopf & Lester ed. 1963); see also Ausable, *Ego Development Among Segregated Negro Children*, in *MENTAL HEALTH AND SEGREGATION* 36-39 (Grossback ed. 1963).

95. CLARK, K., *PREJUDICE AND YOUR CHILD* 66-81 (2d ed. 1963); see also Podhoretz, *My Negro Problem — and Ours*, 35 *COMMENTARY* 93 (1963).

96. See generally *Forward* to HAVIGHURST & NEUGARTEN, *SOCIETY AND EDUCATION* iv (1957).

97. LIEBERMAN, *THE FUTURE OF PUBLIC EDUCATION* 17 (1960).

tions have now developed to a point where it is largely the effectiveness of their work that determines the life chances of those who grow up in the United States. The United States Supreme Court recognized the enormity of the educational role in its historic 1954 decision in *Brown v. Board of Educ.*⁹⁸ The Court insisted that public schools must insure equality of opportunity to the young so that each individual might share in the decisions and benefits of the system according to demonstrated achievement of skills and talents. The Court stated that it could not turn back the clock of history a half-century or more in order to judge the matter before it; it had to "consider public education in the light of its full development and its present place in American life throughout the Nation. Only in this way can it be determined if segregation in public schools deprives these plaintiffs of the equal protection of the laws."⁹⁹ The decision continued in part:

Today, education is perhaps the most important function of state and local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the armed forces. It is the very foundation of good citizenship. Today it is the principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms.

We come then to the question presented: Does segregation of children in public schools solely on the basis of race, even though physical facilities and other "tangible" factors may be equal, deprive the children of the minority group of equal educational opportunities? We believe that it does.¹⁰⁰

The notion of equal opportunity for all is inherent in the democratic ideal of the free and open society.¹⁰¹ Public education today must prepare the young for mature and productive roles in the democratic system of social life. Yet it is inconceivable that public

98. *Brown v. Board of Educ.*, 347 U.S. 483 (1954).

99. *Id.* at 492-93.

100. *Id.* at 493.

101. "Ultimately, education serves all of our purposes — liberty, justice and all our other aims — but the one it serves most directly is equality of opportunity . . . the fulfillment of the individual must not be dependent on his color, religion, economic status or place of residence." Gardner, *National Goals in Education*, in GOALS FOR AMERICANS, REPORT OF THE PRESIDENT'S COMMISSION ON NATIONAL GOALS 81 (1960).

school systems permeated with racist practices, dominated by class attitudes, and segregated according to color will be able to transmit the democratic ideal. Likewise, it is unreasonable to maintain that such school systems can guarantee equality of opportunity and promote creative talent.

The current role of the public school in the urban complex may be likened to that of the yardmaster's office in a metro railway switchyard. Students are sorted out according to intelligence and achievement tests for routing onto ability tracks. Some are highballed onto the mainline of college education and upward social mobility, while others are sidetracked to the "manufactories" or service establishments in need of low-scale labor. Public education in the metropolis is class-based, and is now characterized by all of the inequalities and invidiousness associated with a hardened class system.¹⁰² In a study of inequalities in urban schools, one authority documented in detail the way in which the great "yardmaster" system works to inhibit the upward movement of central city children coming from impoverished and segregated areas.¹⁰³ As Clark has noted: the evidence is that "our public school system has rejected its role of facilitating social mobility and has become in fact, an instrument of social and economic class distinctions in American society."¹⁰⁴ As a result, the big city school systems which educate most of the country's forty-two million children, currently replicate the prevailing class-color structure of the metropolis, and function to preserve that structure intact by controlling the lines of social ascent. *De facto* school segregation is the social expression of this crucial role which urban schools play in "tracking" the young into favored and unfavored slots in the *organized society*. Slum children of color who do not make the grade not only drop out of school; but are in effect dropped out of the *organized system*, since for them there is nowhere to go but down and out.¹⁰⁵

While it is true that a major function of education has been to conserve the traditional values of society and transmit them to the young, education also has had an innovating function to perform. This is especially true in the development of critical thinking and

102. Sexton, *City Schools*, 352 THE ANNALS 95 (1964); see also the alarmed response of CONANT, SLUMS AND SUBURBS 7-32 (1961); Kerchoff, *The Problem of the City School*, 26 J. MARRIAGE & FAMILY 435-39 (1964).

103. SEXTON, *op. cit. supra* note 74, at 149-223.

104. *Id.* at ix.

105. See generally GOODMAN, RACE AWARENESS IN YOUNG CHILDREN 192 (rev. ed. 1964).

creative skills. As innovators of new ideas and techniques, the schools contribute to the improvement of society by keeping abreast of new and changing conditions.¹⁰⁶ There is nothing inherent in education which compels the educator to continue to serve as switch engineer for an occupational network geared to stratified color-class tracks. In the current urban setting, public schools are a pivotal issue in a profound social struggle between the haves and the have-nots; between those accepted and those denied by color. The struggle for equal educational opportunity has already resulted in important modifications of educational practice that had previously been considered fixed. One authority has argued, for example, that educators cannot ignore the conflicts of the day because, *as educators, they are directly involved in the perpetuation of color-class barriers which significantly alter the lives of urban school children:*

As long as institutionalized forms of discrimination are maintained, as long as Negro and white children do not have a chance to touch the future in the present through integrated experiences that are meaningful, neither group is being adequately prepared for the future

[T]he school must be a vital institution in the whole process of social change. The struggles around questions of strategies and goals of integration could lead to a real revitalization of education. The problems surrounding the integration question go to the core of the guiding philosophies of American education and place the educator in the *role of an engineer of social change.*¹⁰⁷

It is common knowledge that the orbiting of Sputnik dramatically compelled public education to pierce through traditional educational techniques in order to prepare students for the challenges of the space age. The so-called gifted child became the focus of special education via an accelerated and enriched curriculum involving new classes, teacher training, and travel to out-of-neighborhood schools. The new mathematics being taught in elementary schools is another obvious expression of the hurried efforts to educate for an age of computer analysis. But there was no comparable hurry in Northern educational circles to grasp the meaning of the historic *Brown* decision. New approaches suggested by civil rights and intergroup relations leadership in order to secure equal educational opportunity were resisted in the name of traditional practices. But the significant fact is that the role of the public school in the urban

106. Clark, B., *Education*, in *SOCIOLOGY* 452 (Broom & Selznick ed. 1963).

107. Deutsch, *op. cit. supra* note 94, at 30-31. (Emphasis added.)

complex is such that it has already served, and could further serve, as a strategic agent for social change.

B. Current Approaches to School Desegregation

That there is a growing awareness and agreement in principle of the need for substantial changes to meet the challenges of urban education is evidenced by the steady stream of statements from Northern school boards and administrators. More significant, perhaps, is the increasing flow of studies, surveys, reports, recommendations, investigating committees and plans for action published by boards of education, professional associations, university educators, and foundations.¹⁰⁸ Despite many differences in approach and method, certain areas of common concern and possible action can be identified. They must be carefully inspected and evaluated in any effort to deal with the problem of remedial action.

(1). *Pupil Desegregation.*—With respect to pupil desegregation, certain basic techniques have been suggested, and are presently either in use or in the planning stage. One such technique suggests that a high priority be assigned to the location of new school buildings; this would allow schools to draw from already integrated pupil populations. Another involves the re-zoning of existing school boundaries between schools which are contiguous but racially distinct in order to achieve better balance. Another somewhat more extensive approach requires the re-organization of "pairs" of elementary schools which are fairly close to each other, but distinct in racial composition. In the well-known Princeton Plan, one school in the pair houses all students from both districts for half of the grade levels, and the other houses all students in the remaining grade levels. A third device to implement desegregation rests upon shifting feeder patterns from elementary to junior, or junior to senior high schools. Another widely used technique is a system of weighted transfer, or "open enrollment," whereby certain schools are designated as sending schools and others as receiving schools; students from the former type are allowed to transfer — within certain

108. See, e.g., NATIONAL ASS'N OF INTERGROUP RELATIONS, COMM'N ON SCHOOL INTEGRATION, PUBLIC SCHOOL SEGREGATION AND INTEGRATION IN THE NORTH, J. OF INTERGROUP RELATIONS (1963) [hereinafter cited as N.A.I.R.O.]; Advisory Panel on Integration of the Public Schools, Report to the Board of Education, City of Chicago, March 31, 1964 [hereinafter cited as Chicago Report]; State Education Commissioner's Advisory Commission on Human Relations and Community Tensions, State of New York, Desegregating the Public Schools of New York City, May 12, 1964 [hereinafter cited as Allen Report].

capacity limits — to the latter type.¹⁰⁹ It should be pointed out that each of these devices has distinct limitations, especially when employed in large metropolitan areas. The various re-zoning devices are effective only around the periphery of ghetto areas. Transfer plans, due to considerations of space and motivation, are also limited; and feeder pattern shifts must be employed in contiguous areas unless bussing is contemplated.

(2) *Teacher Desegregation.*—The desegregation of teaching staffs and the institution of non-discriminatory hiring and promotion practices have been generally accepted, although implemented with varying degrees of intensity. Changes in curricula for teacher training to include course work and practical experience in urban problems have been widely proposed, yet few such programs are currently available. Similarly, the proposal for more intensive in-service training of teachers in urban education and inter-group relations does not yet seem to have been effectively implemented. Finally, a good deal of attention has been given to encouraging more qualified and dedicated teachers to take assignments in the so-called "problem" schools of the big cities.¹¹⁰

(3) *Compensatory Education.*—In the area of compensatory education, experimental programs and demonstration projects have mushroomed over the past few years. While many problems still remain unsolved, it has been shown that pre-school readiness programs, remedial reading and guidance, introduction of improved teaching materials, reduction of pupil-teacher ratios, after-school study centers, and tutorial programs can have a substantial and often dramatic effect in educationally deprived areas. What seems to emerge from the great variety of programs which have been undertaken is that a sympathetic, informed, and enthusiastic staff, working under somewhat improved conditions, can raise aspiration and achievement rapidly over a relatively short time. Indeed, one author has suggested that it is less the particular content of any given program than the enthusiasm and higher expectations of the staff that accounts for the success of many such projects.¹¹¹

109. See generally N.A.I.R.O., *op. cit. supra* note 108, at 53-66. For specific examples, see Chicago Report, *op. cit. supra* note 108, at 28-30; Allen Report, *op. cit. supra* note 108, at 13-20.

110. Unpublished sections N.A.I.R.O., *op. cit. supra* note 108. For examples see U.S. COMM'N, *op. cit. supra* note 57, at 154-70 (Philadelphia); Chicago Report, *op. cit. supra* note 108, at 31.

111. Reissman offers the best discussion of compensatory education. REISSMAN, *THE CULTURALLY DEPRIVED CHILD* 103-05 (1962). For a survey of programs, see N.A.I.

(4) *The Community School*.—Finally, there is a growing consensus that relations between schools and the community in depressed areas need to be either improved or fundamentally changed. Some attention has been given to the idea that the schools not only need to enlist community support for existing programs, but indeed should involve area residents in their conduct. What is required is not merely the success of given programs, but the stimulation of citizen participation in school affairs and the creation of local constituencies to support school reform and change. One suggestion made in this direction is that schools must become a focal point for a broad range of community activities, or perhaps the center of community life.¹¹² Another suggestion is that to facilitate closer relations between schools and community, administration and responsibility in metropolitan school systems must be substantially decentralized in order to offer greater local involvement and flexibility.¹¹³

C. *Need for More Enlightened Action*

These approaches to remedial action evidence increasing agreement on the need for structural and programmatic change. They represent the first serious effort in recent time to confront the problems of school segregation and urban education. However, with the dimensions of these problems in mind, it is necessary to ask if the current remedies can succeed within the existing organizational and fiscal limits of public education. To put the question bluntly: Given the present structure of public schooling, can such programs be undertaken, staffed, funded, and carried to successful completion on a scale commensurate with the problems outlined in previous portions of this discussion? There are several considerations which evoke a negative response.¹¹⁴

(1) *The National Scope of the Problem*.—As has been suggested, the problems associated with school segregation are increasingly intermeshed with more fundamental economic and social transformations of American society. The changes in agricultural practice, population shifts to the cities, expansion of residential segrega-

R.O., *op. cit. supra* note 108, at 73-84; see generally EDUCATION IN DEPRESSED AREAS Passow ed. 1963).

112. For a discussion of the community school, see HAVIGHURST & NEUGARTEN, *op. cit. supra* note 96, at 205-16.

113. See generally SEXTON, *op. cit. supra* note 74, at 227-37; Allen Report, *op. cit. supra* note 108, at 29; Chicago Report, *op. cit. supra* note 108, at 36-39.

114. See generally Decter, *The Negro and the New York Schools*, 38 COMMENTARY 25 (1964).

tion, and the rapid pace of industrial cybernation are upheavals fundamental to the entire society. *De facto* school segregation is a function of sweeping national changes. The crisis in urban education is a general phenomenon, not an isolated development. As such, it requires an appropriate response.

Local school districts and the one-teacher school were the educational forms appropriate to an agricultural society. While one-teacher schools are now being eliminated through rural school consolidation, the local district structure of urban school systems has remained largely unchanged. In a scathing attack upon localized control of education organized along archaic district lines, one writer has argued the need for a national educational system. Whether it is the diffusion of new educational techniques, maintenance of academic freedom, funding capital improvements, school desegregation, or equalizing existing educational inequalities, he insists that the problems of American education are national in scope and are most probably incapable of solution on a purely local level.¹¹⁵

Two recent developments are similarly suggestive. First, the Ford Foundation, which has assumed a leading role in funding and encouraging the development of demonstration projects, has apparently shifted its priorities; it is now allocating large grants to school systems which propose to mount frontal attacks on educational deprivation. This seems to be a clear recognition that "demonstration" projects have outlived their usefulness and that a direct and broad assault on the problem is in order. Second, the recent Presidential message on education called for the allocation of substantial federal funds to school systems to be used in broad programs which attack educational inequality. This lends itself to the interpretation that the administration has recognized that isolated demonstrations of what is possible must begin to be replaced with more substantial action. Indeed, the cost of demonstration projects alone has been well beyond the fiscal reach of urban school systems. It is likely that few of the compensatory programs reviewed above could have been undertaken and funded on a purely local basis. One authority has estimated that if we are to achieve our stated national goals in education, the total annual government expenditures should amount to thirty-three billion dollars by 1970.¹¹⁶ By comparison, in 1962 the total expenditure for public education was about 18.2 billion

115. LIBBERMAN, *op. cit. supra* note 97, at 34-55.

116. GARDNER, *supra* note 101, at 7.

dollars.¹¹⁷ Such an allocation clearly presumes a vastly increased program of federal aid to education.

It seems very likely that newly developing programs of educational change will falter unless they receive massive support consistent with the dimensions of the problem. This planning for educational change in the great urban centers must move to a new level, incorporating several important standards. Most clearly there is serious need for the allocation of vastly increased funds for education. While some portion of the additional funds may well come from increased state and local revenues, those sources will not be equal to the demands of the problem. Federal funding must play a larger part. But federal aid must move beyond the practice of matching funds to state governments; it must, as appears probable now, extend beyond the funding of demonstration projects. It is inherent in the recent Presidential message that such aid involves leadership and direction in the allocation of federal grants.

(2) *Metropolitan Design and Resource Allocation.*—Merely supplying funds which place priorities on certain problem areas is not, however, an adequate solution. The current crisis in urban education is rooted in national changes which defy purely local approaches. The shifting structure of American life from farm to metropolis should be given recognition in education planning, through increased metropolitan design and resource allocation.¹¹⁸ Current attacks on such metropolitan problems as transportation, utilities, sanitation, police, and the like proceed from a metropolitan base, or in rural areas on a regional base. There are already indications of such departures in education; metropolitan cooperation in certain specialized programs, such as vocational education, has been under study recently in many communities.

Metropolitan planning for education would allow more efficient allocation of new and existing resources. Archaic school districts and rigid ideas of neighborhood school planning serve to frustrate the most effective use of resources. When neighborhood and district lines are narrowly conceived, the typical result is the duplication of a wide variety of educational services and resources in individual schools. This has been the case even though the services and resources may remain under-utilized in their particular settings. As a consequence, facilities such as libraries, special education pro-

117. U.S. DEP'T OF COMMERCE, BUREAU OF THE CENSUS, STATISTICAL ABSTRACT OF THE UNITED STATES 120 (85th ed. 1964).

118. See generally Perloff, *Social Planning in the Metropolis*, in THE URBAN CONDITION 331 (Duhl ed. 1963).

grams, and programmed teaching are less efficiently utilized. The cost of installing such services in urban systems is often such that they are either not installed at all, or at least unequally distributed. But these problems are beginning to receive some attention. The proposal for the creation of educational complexes in New York City — which is presently being implemented — and current planning for the creation of an educational park¹¹⁹ or plaza in East Orange, New Jersey,¹²⁰ are both specifically designed to deal with the problem of more efficient utilization of educational resources.

At the same time, however, such approaches are designed to deal with another basic problem; namely, the desegregation and destratification of education. The development of Negro ghettos covering entire central cities or vast urban areas has made it increasingly difficult to provide equal educational opportunity when neighborhood or school district lines are used as the foundation of school planning. Desegregation and destratification will probably take place on a broad scale only when rational planning, aimed at equalization of educational opportunity *within the metropolis*, between the central city and satellite suburbs, is instituted.

(3) *The Changing Character of Education.*—Finally, it is becoming increasingly evident that the entire nature of education is on the verge of undergoing a fundamental revision. With the advance of industrial cybernation, public education will begin to lose its largely vocational or pre-professional character, and its almost exclusive identification with youth. Increasingly, it appears that schooling will become a recurrent aspect of life, at all ages, grades, and occupational stages.¹²¹ Up to the present, education in America has been viewed as a sort of "boot camp" on varying levels of sophistication which prepare youth to enter the world of reality. The primary value attached to schooling has been essentially vocational. However, in the cybernated society of tomorrow, education will not only be broadened in scope, but should emerge as a value in its own right. Larger numbers of people will be periodically returning to school, not only for re-training or improved basic education, but also as an exercise of the growing freedom from work. Schooling may no longer be seen merely as preparation for meeting the demands of material existence, but rather as a con-

119. Allen Report, *op. cit. supra* note 108, at 29.

120. Havighurst, *A New Plan for a Modern Community, The East Orange Education Plaza* (1964).

121. Miller, S., *The Search for an Educational Revolution* to be published in *URBAN EDUCATION AND CULTURAL DEPRIVATION* (Hunnicut ed. 1965).

sequence of the increased freedom resulting from technological innovation.

IV. CONCLUSION

There are presently tremendous human and social resources which lie untapped in America's vast urban centers. This is a result of both lack of planning and the absence of an adequate fiscal commitment to public education. This is particularly true for those children entrapped by class and color in the sprawling ghettos of the central cities. It is clear that the fundamental problems confronting urban education will not be met until much more of the nation's political and financial resources are brought to bear. There is a critical need for planning and commitment on a national scale, not simply because of the magnitude of the problem, but also because of the importance which education plays in contemporary America. This society is now entering an age when it has the technologic resources needed to do the job. In the absence of massive action, inequality and class-color separations will most likely continue to increase. And the entrapped children will continue to suffer the indignities of Negro ghettos and the inequalities of segregated public schools.