



## Review: Segregation's Legacy

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*The Burden of Brown: Thirty Years of School Desegregation.* by Raymond Wolters  
David J. Garrow

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## SEGREGATION'S LEGACY

David J. Garrow

**Raymond Wolters.** *The Burden of Brown: Thirty Years of School Desegregation.* Knoxville: University of Tennessee Press, 1984. 346 pp. Tables, notes, bibliographical note, and index. \$24.95.

Raymond Wolters, a history professor at the University of Delaware, asserts in the introduction to this volume that his aim was to examine and describe "how things have worked out in the school districts where desegregation began" (p. 3). He thus focuses his attentions on the five locales – Washington, D.C., Prince Edward County, Virginia, Clarendon County, South Carolina, New Castle County, Delaware, and Topeka, Kansas – whose racially segregated school systems were challenged constitutionally in the group of cases collectively decided by the United States Supreme Court in 1954 as *Brown v. Board of Education of Topeka*.<sup>1</sup>

Though Wolters professes to be more interested in the educational effects of *Brown* and its legal progeny than in constitutional doctrines and analysis concerning questions of race, he forthrightly offers, in the book's opening pages, his own legal critique of *Brown*. Picking up on Circuit Judge John J. Parker's insistence that desegregation and integration are constitutionally distinct concepts, an assertion widely known as the *Briggs* dictum,<sup>2</sup> Wolters contends that the *Brown* court confused and comingled its justifiable equal protection ban on racial segregation with a muddle-headed acceptance of social psychological arguments that racial isolation damaged the self-esteem and educational prospects of black children. That confusion, Wolters alleges, resulted in an unnecessary and unfortunate judicial crusade aimed not at eliminating racial categorizations from American education, but at insuring the maximum amount of integration – "racial mingling" or "racial mixing" in Wolters's repeated usages – among school children (pp. 4–5).

Wolters devotes the balance of the book to arguing that such policies were not only constitutionally unnecessary but also educationally disastrous for the United States in general and the *Brown* districts in particular. In Washington, D.C., for instance, Wolters identifies the chief villain as U.S. Circuit Court Judge J. Skelly Wright, whose susceptibility to "the conventional wisdom of integrationists" repeatedly led him to intervene in educa-

tional policy matters that judges should avoid (p. 35). "Instead of assisting school administrators in their efforts to upgrade public education in Washington," Wolters says, in words that typify the book's stance and tone, Judge Wright "identified them with the evil he was contending against, destroyed them, and in the name of the Constitution delivered the school system to excesses of disorder and academic experimentation. One cannot know that things might have been different if wiser people had made better choices. But if that possibility is admitted, then the story of public education in Washington since 1954 is an object lesson illustrating the perils of sentimental pedagogy and judicial arrogance" (p. 63).

Wolters goes on to offer similarly-styled portraits of the recent educational histories of the other four *Brown* school districts. Like this reviewer, some readers may be surprised by the type of language Wolters uses in what he insists is a scholarly book. In his conclusion, while observing that "integration has been a failure in four of the five *Brown* school districts," Wolters declares that "My primary goal has been to write an interesting account of desegregation in these districts, not to prove a point or offer solutions to legal or educational problems" (p. 273). Wolters, however, frequently belies that claim. As in his characterization of Judge Wright, Wolters repeatedly blames "judges who were looking for an opportunity to impose social reform" for what he sees as the decline of American public education. Decrying "government by judges," Wolters sees little valid constitutional doctrine in the recent history of American school desegregation; instead, "social policy with regard to balanced racial mixing depends on the personal philosophies of the judges who hear the cases" (pp. 210, 271). Indeed, in his conclusion Wolters advocates passage of "a constitutional amendment prohibiting government agencies from making distinctions on account of race, color, or national origin," and approvingly quotes U.S. Senators Orrin G. Hatch, Jesse Helms, and Charles E. Grassley with regard to possible national policy changes concerning race and education (pp. 277, 287).

Along with federal judges, Wolters often lays heavy blame for undesirable educational developments on black Americans and particularly on black school children, sometimes in startling language. His frequent usage of the phrases "racial mingling," "racial mixing," and "proportional mixing" is quite striking, but at other times Wolters employs characterizations which are even more heavily loaded: an assertion that black leaders "thought the problem was white racism, not the ignorance and uncivilized behavior of many blacks" (p. 206); a claim that in Summerton, S.C., "There had been a great deal of friendly interracial contact in the days before white supremacy was challenged" (p. 173); and habitual references to the personal circumstances of black plaintiffs – that one "left his wife . . . seeing first one white woman

and then another" (p. 30), that another "was separated from her husband and the mother of eight children" (p. 208), and that Linda Brown Smith, the original Topeka plaintiff, whom Wolters twice refers to as "Linda," was "now a divorced mother of two" (pp. 269-70).

In his conclusion, Wolters becomes even more outspoken:

[W]idespread illegitimacy is only one of a tangle of problems that have militated against the effective education of many blacks: there are also near-epidemic rates of alcoholism, drug addiction, venereal disease, vandalism, violence, and crime. Blacks have admittedly faced special obstacles, but blaming racism for the disproportionate incidence of destructive behavior obscures the fact that there has been a breakdown in morality at a time of decreasing white prejudice and increasing economic opportunities for blacks. (p. 286)

In a revealing footnote to that same concluding segment, Wolters states that "even middle-class black children are not doing as well as one would hope," that "black and white differences persist even when students of similar socioeconomic levels are compared," and then offers the following observation: "Given the present uncertainty concerning the relative importance of heredity and environment, the racist explanation for persistent black retardation is inconclusive" (pp. 326-27).

In a press interview given at the time of his book's publication, Wolters explained further why school desegregation has evolved to its present position:

I think that the people in the NAACP are pushing hard for this assignment on the basis of race to achieve proportional mixing because they think that if you can assign people to schools on the basis of race, you can also assign them to jobs, and this is the way to get ahead economically. . . . In short the key here is if you can get people used to the idea of quotas in the schools, you're preparing the way for people to get used to quotas in the economic aspects of life.<sup>3</sup>

Some of Wolters's distinctive opinions range beyond matters of race. In his Topeka chapter he regretfully remarks upon how 1970s stories in the high school student newspaper "called attention to the availability of birth control devices and treatment for venereal disease, to the progressive educational theories of Charles E. Silberman, to Ralph Nader's criticisms of American business, and to the way the American system supposedly discouraged women" (p. 260). Wolters makes a similar political point about the 1960s and 1970s in his conclusion, contending that "As the nation emerges from the mood of collective guilt and self-denigration that characterized those decades, and as the disappointing results of integration become apparent, there may be a renewed appreciation of the importance of self-help and moral reform" (p. 287).

Wolters's striking assertions merit careful scholarly scrutiny. He has interviewed both whites and blacks who were involved in the different locales; he has examined press coverage of the districts in white papers but not in black ones. In his acknowledgements, Wolters says he "benefited from perceptive critical readings by several people who either participated in the events or observed them at first hand," and lists eighteen individuals, thirteen of whom can be identified from his text (p. 333). This all-white group includes the Prince Edward school superintendent, the president of a Delaware antibusing group, two attorneys for Clarendon County, S.C., the former superintendent of Washington's schools, a former Prince Edward superintendent, the headmaster of a Prince Edward segregation academy, the headmistress of a Clarendon County segregation academy, a Delaware lawyer, and the self-identified segregationist editor of the Prince Edward County newspaper – in short, a group whose "critical" perspective would come from only one side of the issue.

Finally, this reviewer selected from Wolters's chapter on Washington's schools three specific assertions that on their face appeared surprising: first, on page 48, that white students at one city school (which Wolters erroneously places in southeast rather than northwest Washington) "had had to pay protection money to gain safe passage to and from school"; second, on page 49, a Wolters statement that black psychologist Kenneth B. Clark had said "that ghetto families provided such a bad home environment that it was impossible to educate most of the children"; and, third, on page 62, a Wolters statement that black Washington attorney James M. Nabrit, one of the counsel in the *Brown* cases, twenty-five years later "acknowledged that despite a multi-million dollar budget, the Washington public schools had drowned the courtroom victory in a sea of failure."

Wolters's footnote for the segment of text including the "protection money" statement cites only "*Washington Post*, 6 July 1971." Upon examination of that source, this reviewer indeed found a story, on pages A1 and A6, concerning the school in question; that article, however, made absolutely no mention of "protection" payments or anything similar, and contained no allusion to anything of the sort.

Second, Wolters's cited source for his statement concerning Clark is Walter Goodman, "Kenneth Clark's Revolutionary Slogan: Teach Them to Read!" *New York Times Magazine*, 18 Mar. 1973, p. 14, which, though the title is rendered incorrectly, omitting "Just" before "Teach," did lead the reviewer to a lengthy transcript of an interview with Clark, covering pages 14, 15, and 59–65. But at no point in that printed text did Clark make any statement at all akin to the views Wolters attributed to him, and the reviewer found no Clark quotation that would even appear to lend itself to such an interpretation.

Third, Wolters's citation for his characterization of attorney Nabrit's views is the *Washington Post* of 17 May 1979, *Brown's* twenty-fifth anniversary. There, in a story on pages A1 and A4 entitled "Puzzling Legacy of 1954," reporter Juan Williams quotes Nabrit as follows, in a context specifying no particular reference to the Washington schools: "the fact that schools are not segregated does not mean that you are going to have good schools. We have learned that lesson. But if we all live in the same community and schools are not good then we are going to have bad schools together." In this reviewer's opinion, that statement is, to put it kindly, at some distance from any interpretation that Nabrit was characterizing the Washington school system as a "sea of failure."

In short, this book suffers fatally from a multiplicity of some of the most serious failings that a purported work of scholarship can offer. Wolters's political opinions and other biases are easily visible to the reader and they are offered with such self-righteous vigor that one suspects that the author will eagerly revel in the denunciations that he justifiably anticipates from political opponents. If forthright political differences were the only issue, this volume could be taken at face value as a biased ideological brief, its rhetorical excesses and shortcomings weighed, and its lack of scholarly status would never be at issue. When such biases and political agendas are clothed in the garb of careful scholarship, however, it is necessary to highlight those fatal shortcomings that completely vitiate any and all affirmative scholarly values that such a book might pretend to possess.

*David J. Garrow, Department of Political Science, City College of the City University of New York, is the author of Bearing the Cross: Martin Luther King, Jr., and the Southern Christian Leadership Conference, 1955-1968 (forthcoming from William Morrow & Co.).*

1. The constitutionally distinct Washington case, *Bolling v. Sharpe*, required a separate but similar opinion from the Court.

2. From *Briggs v. Elliott*, 132 F. Supp. 776 (1955).

3. *Washington Times*, 17 May 1984, pp. A1, A12.