

American Sociological Association
San Francisco, California
Saturday, August 14, 2004
Panel from 2:30 – 4:10 p.m.

“Unfinished Business: Fifty Years after *Brown v Board of Education*”
Nancy Cantor, Chancellor and President, Syracuse University

In the aftermath of the Supreme Court’s decisions on the University of Michigan affirmative action cases, higher education has urgent unfinished business. We are reminded almost daily on our campuses how difficult it is to erase the racial stereotypes and resentments that permeate our larger, more segregated society and keep us from truly seeing, hearing, and knowing each other.

The latest surveys of the Harvard Civil Rights Project show that the school systems that send us our college freshmen are substantially segregated and differentially resourced by race, and that residential segregation is apparent all across the income spectrum¹ in spite of court cases and civil rights laws. Critical disparities in health care, employment, and criminal justice sentencing paint a stark portrait of life in this country if you are not white.²

As expert testimony in the Michigan affirmative action cases suggested:

“Most Michigan residents live in neighborhoods that are not diverse racially or ethnically... Blacks and whites seldom talk across the fence. They rarely meet casually

¹ Frankenberg, Erica; Lee, Chungmei; and Oldfield, Gary, “A Multiracial Society with Segregated Schools: Are We Losing the Dream?” The Civil Rights Project, Harvard University (January, 2003).

² *Racial Trends and Their Consequences, Vol 1., ed., Neil J. Smelser, William Julius Wilson and Faith Mitchell. Published by the National Research Council, Washington, D.C., 2001.*

on the streets....They do not attend each other's birthday parties or belong to the same social clubs and churches or attend town meetings together... As teenagers, they rarely hang out together in malls or go on camping trips together or date... Chance events or rituals, profound moments of bonding, or everyday social interactions – these are the fabric of everyday life, the basis of relationships, of community, of commonality. Whites and non-whites are usually not part of each other's daily routines or witness to each other's life-changing events.” 3

We don't know each other, and we often don't like each other. Governor Otto Kerner warned 36 years ago that “our nation is moving toward two societies, one black, one white—separate and unequal. Discrimination and segregation have long permeated much of American life; they now threaten the future of every American.”⁴ Unfortunately, the governor's fears would not be much assuaged by the stories I have heard from students at the University of Illinois at Urbana-Champaign, the flagship campus of his home state, and from some of its graduates.

Consider three examples, one from an Illinois student about her own experiences, one from a student describing her younger sister's experience in elementary school in Chicago, and one from an Illinois alumnus who called to complain about this year's commencement speaker, Professor Lani Guinier.

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A Latina student came to my office in tears not long after the Michigan decisions. She was a casualty of the long-running debate at Illinois over whether to keep a Native American mascot, Chief Illiniwek.

³ Expert report of Thomas J. Sugrue, *Gratz and Grutter*, in the U.S. District Court for the Eastern District of Michigan

⁴ Otto Kerner, Report of the National Advisory Commission on Civil Disorders, 1968, Bantam Books, p. 1.

After a particularly acrimonious public hearing, this student had returned home to an angry white roommate who told her she didn't like her clothes, her music, or her friends. "You don't belong here," the roommate snapped. "Why don't all you foreigners go back where you came from?"

The Latina was shocked and crushed. She was *Brown*, but she was also a U.S. citizen. She had roomed with the other student for three years and considered her a friend.

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Another Latina student who has been deeply concerned about diversity on campus has one Anglo parent and one parent of Latin American descent and looks white. Her little sister, the child of a second marriage, is *Brown*.

Earlier this year the little girl came home from elementary school and tried to rub off her skin. She told her family that people didn't like her color, so she wanted to get rid of it.

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An Illinois alum who called the Chancellor's Office to complain about a speech by Professor Guinier, who had spoken at commencement of the great disparities between the public school education given to the poor--white as well as black---and to the affluent.

"Poor and minority kids already have too many advantages," said the alum, who teaches in an inner city elementary school in Rock Island, Ill. "I watch those kids who qualify for school breakfasts talking on their cell phones."

This woman may see these children every day, but she appears to be blind to their real vulnerabilities. She might supervise them, but I was left wondering how much she can teach them if she is this far removed from their everyday lives.

Educating for a Multiracial Democracy

Racial and ethnic separation, and their correlates of ignorance, stereotyping, and fear, form the basis of most Americans' "preparation" for higher education. Though our nation may be becoming increasingly multiracial, we have not started to live and learn together in any significant way.

The prejudices and resentments of the white roommate in the first story are all too common among otherwise well-meaning majority students. The vulnerability to stereotyping on the part of her roommate of color foreshadows the fragility of integration on college campuses. And, both of these outcomes can be seen as derivative of the kinds of educational experiences in our public schools that foster the insecurities of the child of color in the second story, insecurities distressingly reminiscent of those that Kenneth Clark documented for the Court in *Brown*.

Fifty years later--and a year after *Grutter* and *Gratz*--we are left with the difficult truth that there are two things the law cannot do: create integration and change discriminatory practices on the ground. Institutions of higher learning must help this country address these issues. But how?

We can begin by recognizing that, although the experiences of the majority and minority students who make it to college may be vastly different, their fears and their hopes are similar. Each group fears the other will keep them out. And each recognizes the extraordinary returns to a seat at selective higher education's table in a knowledge economy.

For the plaintiffs in *Grutter* and *Gratz*, and many like them, there was a strong expectation of obtaining a seat at the college of their choice. For the interveners, there was the haunting history of exclusion from that path to economic and social mobility. Making matters worse, the white plaintiffs blamed their dashed hopes on students of color, even though the pool of majority applicants admitted “instead of them” vastly outnumbered the pool of minority students admitted to Michigan.

The minority students “rightly” blamed their exclusion on historical “preferences” of white Americans in access to educational opportunity, though perhaps “wrongly” pointed a finger at these working and middle class plaintiffs, when the vast majority of white students attending selective higher education come instead from very affluent families and attend well-resourced mostly suburban schools.

However misplaced in their particulars, the resentments on both sides add another layer of difficulty to the task before higher education. We must convince those who view a conflict between individual and societal rights that they have something to gain from diversity.

We can and should begin by creating coalitions of those interested in societal health, a perspective that has the potential to create some common ground. Justice Sandra Day O’Connor, writing for the majority in *Grutter*, took this perspective as she blended social science and law to shift the ground of the argument from individual rights to the health—in fact, the very survival—of our society.

In doing this, she drew upon the voices of stakeholders such as the corporations, labor unions, and military leaders that filed “friend of the court” briefs in the case. She emphasized the compelling interest of diversity for the legitimacy of our democratic institutions, the training of our leaders, the productivity of our economy, the security of our armed forces, and the harmony of our society ⁵

⁵ Sandra Day O’Connor, writing for the majority in *Grutter v. Bollinger, et.al.*, No. 02-241, Supreme Court of the United States, June 23, 2003, pp 3-4

As the lawyers for the AFL-CIO asserted, and I quote: “higher education represents a unique opportunity and, from the vantage point of the workplace, the last opportunity, to foster interaction between diverse individuals.”⁶ Nor does the military want to lose ground. They realized at the end of the Vietnam war that their very survival was at stake because of racial discord between largely white officers and predominantly minority enlisted men. They do not want to give back the ground they have gained. Other stakeholders in *Grutter* included former President Gerald Ford, who reminded us that the very legitimacy of our democratic institutions was at stake because selective higher education produces the lion’s share of our nation’s leaders.

In her opinion, Justice O’Connor did not deny the pain of those who fear being displaced, or of those who want the scale, for once, to tip in their direction. Instead she asserted, and so can we, that race-conscious policies can achieve a critical mass of students of color from all walks of life without placing an undue burden on the chances of white students because of their race. She crafted a narrow path that merges social science and the law, and that considers individual rights on both sides.

She painted a picture in which diversity in higher education has the potential to make everybody better. White students with the skills and inclinations to work comfortably in a multiracial, global workplace will be more marketable. Students of color who take their place at the table of selective higher education will also begin, finally, to move up the economic and social ladder of opportunity and into our otherwise segregated neighborhoods and schools.

Integration on the ground in colleges and universities will, slowly but surely, eat away at our ignorance and stereotypes, even our dislikes of each other. As those

⁶ *Amicus* brief filed by the AFL-CIO in *Grutter* and *Gratz*, p.17.

prejudices devolve, discriminatory practices in daily life will lessen. And when this social change begins to take form, then our democratic institutions will gain legitimacy sorely lacking in the years since *Brown*.

It is this full cycle of societal change on which the “diversity rationale” pins its hopes for social justice. No one thinks that it will be easy or come quickly, but it is difficult to imagine a redistribution of opportunity until and unless this collective effort occurs. We all have to see it in our interests to get together. We all have to take responsibility for our separation from and ignorance of each other. We cannot hide behind good intentions and leave bad impacts intact.

The context for, and the basic message of, *Brown*, *Bakke*, and *Grutter*, can be simply stated -- for race to stop mattering in destructive ways and start mattering in productive ways in this nation of many races and ethnicities, we have to include more of our talent, training leaders who can carry their education “out into the land.”

For this country to move together peacefully, it will not suffice to integrate the boot camps and not the military academies, the juror boxes and not the judiciary, the emergency room and not the operating theater, the factory and not the boardroom, the classroom and not the faculty, the voting booth and not the Congress. Real integration cannot happen until Americans of all colors learn with and from each other in the best classrooms of this land and thereby position themselves for leadership.

Turning Diversity’s Dream into Integration’s Reality

So how can we achieve real integration?

First, we can’t take lightly how far across the schoolyard the sides are and how much work – both *cognitive* and *social* work – is required to move toward any common ground. (In fact, it is on this point that the social scientists and educational researchers involved in the Michigan cases most parted company with the legal scholars, who like

O'Connor, looked to a day *soon* when the procedural justice of affirmative action would no longer be needed.)

Second, we must look to every kind of institution, from HBCUs, Latina/o-serving institutions and tribal colleges to predominantly white public and private universities, to take up the call to action of moving forward together. Every institution and everyone within them has a role to play in changing how we live and learn on the ground.

Third, we must make race a national moral imperative, not an issue we pretend does not exist. It is true that disparities between children of rich and poor are very great in both education and opportunity. But our pernicious prejudices and discriminatory patterns appear in *every* income bracket because they are even more securely attached to race than to class. While we must try to equalize resources for the children of different socioeconomic groups, we must face the issue of race directly. Higher education has to be one place that works honestly and persistently on race.

Moving Forward

As we move forward, we must continue to pay attention to ensuring access. Minority access to graduate school and to the faculty, as well as to our undergraduate ranks, is extremely important, and the numbers show we are not yet there. We must continue to do what the Court said in both *Grutter* and in *Gratz* that we can do – use the narrowly tailored *Bakke* “plus factor approach.”

This is an approach that allows race to be taken into account as one factor among many in an individualized evaluation of all applicants – an evaluation in which race figures into decisions flexibly rather than in a pre-determined, mechanistic way. The Court in both cases told us to do what we always do in admissions (and, I would add, that the same applies to building a diverse faculty and staff) – to make choices between qualified applicants and to use scarce resources affirmatively with race and ethnicity in mind.

Of course, fulfilling this part of O'Connor's call to action is about more than structural diversity, that is, it is about more than numbers. For diversity to matter to educational outcomes, there has to be real engagement of diverse perspectives and experiences, inside the classrooms and, perhaps as importantly, in informal experiences on campus.

Increasing structural diversity makes actual experiences with diverse others more likely (eating together, dating, studying together, interacting), and increases the range of student viewpoints and life experiences in the mix and so fosters intellectual diversity in the environment. And, at the heart of the educational benefits of diversity is that synergy between social and intellectual diversity as a medium for fostering a vibrant exchange of people and ideas.

An atmosphere of inclusiveness is created when we build diversity into the very mainstream of our institutions, from our laboratories to our museums to our boards of trustees. We must ask diverse groups to work on the most challenging and important problems we are confronting, in our most demanding and exciting programs, and in every new venture in which we invest. Diversity cannot be kept at the margins. The full organization, from the leaders inside to the stakeholders outside, must see its value and centrality to their mission and must be willing to use scarce resources to support it.

Secondly, we have a fundamental responsibility to build what Claude Steele in his expert testimony in the Michigan cases calls "wise" learning environments, ⁷ where faculty and students learn not to make assumptions—based only on race, gender, or ethnic group—about the likelihood that other members of their classes or study groups will succeed or fail. And, as corporate and government leaders tell us everyday, this is as true in the sciences and engineering and agriculture as it is in the arts, humanities, and

⁷ Expert Report of Claude M. Steele, *Gratz and Grutter*, in the U. S. District Court for the Eastern District of Michigan.

social sciences in which the content of teaching and scholarship may seem more directly relevant to getting to know each other.

As Danielle Osler, an African-American graduate from the Illinois electrical engineering program told me, “Coming from the perspective of a woman and a minority, a million complex things are happening in the classroom. I’m not just thinking about the equation written on the board. I’m thinking about how I am going to be perceived.” The first question Danielle’s lab partner asked her was “Why are you here?” Others just assumed she couldn’t do the work.

Her experiences with other honors students who realized she was a very good student, were not much better. “If you present yourself as an intelligent African American,” she said, “white people say, ‘We’ve never heard you talk that ignorant talk. Why do all the other people talk that way?’”

Asian American students, on the other hand, feel the pressure of being unfairly branded the “model minority.” Jocelyn Yen, who recently graduated from Illinois in economics, used to call this assumption a “plague.” “There’s this assumption that, when it comes to issues of race, Asian Americans don’t care because they do well. It has bothered me when I see friends struggle with classes and feel uncomfortable asking for help because they feel they’re expected to understand everything.”

We must work deliberately on integration in the classroom and in informal settings, in residence halls and in inter-group exchanges. Structural diversity is not enough. We can establish learning and living communities, cultural houses, and other spaces in which exchange is likely to occur. We can take a lesson from the arts, to which each of us brings something, as a spectator or as a performer, and each takes something away. Expressive culture is a forum for giving equal standing to everyone; it cuts through the differences in power and status and personal history, to draw people together while still affirming uniqueness.

Sufficient numbers are important, however. If we can attain and maintain a “critical mass” of minority students, faculty members, and staff with a wide range of interests, they will not find themselves “the only” minority person in most situations. With ample diversity, everyone in the environment will be able to see as much within-group variability as between-group difference, and both stereotypes and stereotype threats will diminish. This will also reduce the risk that members of minority groups will be lost to us through isolation, overwork, or other difficulties of which many minority members, especially junior faculty members, complain.

As Professor Patricia Gurin’s research has shown, we should not ignore group differences—we should talk about them. And we should talk about the variations within groups. This can be done through discussing our differences, neither ignoring them nor privileging them. It is through these explorations that our universities will begin to realize, person by person, that we in this nation and on this planet share a common fate.