



An **American** Metaphor:

Brown and the Struggle for a Moral
Racial Doctrine

ELRIDGE W. McMILLAN

BIOGRAPHICAL STATEMENT

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From 1978 through 2001, Elridge W. McMillan served as Executive Director/President of the Southern Education Foundation, a public charity located in Atlanta, Georgia, whose mission is the promotion of equity and excellence in education. Mr. McMillan is the recipient of a B.A. in English from Clark College (now Clark Atlanta University) and an M.A. in Guidance and Student Personnel from Columbia University. He was the first African American chair of the Georgia Board of Regents and still serves as a member of that body, having been reappointed by both Republican and Democratic Governors. Before joining SEF, Mr. McMillan was Chief of the Education Branch of the Office for Civil Rights, Region IV, U.S. Department of Health, Education and Welfare, and Program Operations Supervisor for the U.S. Office of Economic Opportunity, Southeastern Region.

Mr. McMillan has served *inter alia* as a member of the Board of Directors of the Council on Foundations, Association of Black Foundation Executives, and the Literacy Commission of the Southern Growth Policies Board. A Trustee of Clark Atlanta University, Mr. McMillan is recipient of many awards from a variety of organizations such as the Atlanta NAACP, Atlanta Urban League, NAFEO and the Association of Governing Boards. He holds honorary degrees from Clark College, Claflin College, Tuskegee University and Xavier University.

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Author's note: *Race still matters. In fact, one could argue that race is the authentic barometer of our nation's moral standard. This very morning as I listened to the debates over the Supreme Court's consideration of race-based admissions at the University of Michigan, I remained troubled about our national political posture. The current national policy-making context is dangerously shallow. It attempts to conceal its "backlash ideology" in sound bites that disguise exclusionary perspectives. As I listen to President George W. Bush misuse the words of Dr. Martin Luther King Jr. to defend his opposition to affirmative action, I remember my Shakespeare: "The devil can cite Scripture for his purpose. An evil soul, producing holy witness, Is like a villain with a smiling cheek, A goodly apple rotten at the heart: O what a goodly outside falsehood hath!" (Merchant of Venice, Act I, sc. 3, 1.99)*
-February 2003

Brown v. Board of Education of Topeka, Kansas (1954)¹ marks a pivotal moment in American history. It is perhaps the most significant American judicial decision of the 20th century. While the *Plessy v. Ferguson* decision of 1896 morally sanc-

tioned and legally protected racial segregation, *Brown* ushered in a new national race ideology. Ashamed of a past filled with unapologetic racial hatred, *Brown* is a metaphor for a more virtuous America. Schools, our most visible public institutions, became the stage on which the world could witness our national transformation. Chief Justice Warren's famous words, "We conclude that, in the field of public education, the doctrine of 'separate but equal' has no place," allowed Americans to reinvent their nation as righteous and color-blind. It absolved the collective American consciousness of its racist lineage by paving the road to redemption with the *Brown* decision. Embedded in the *Brown* ruling was the hope that the end of *de jure* segregation would transform the hearts and minds of recalcitrant segregationists. Unfortunately, the insidious nature of White supremacy viciously guarded its terrain. Jim Crow ideology and practice would prove to be an indefatigable foe.

Brown mandated that America's history of educational apartheid be remedied through the integration of public schools. Busing quickly became the national strategy to erase the adjectives of color that for so long had described our public schools. The dual educational system America made and *Plessy* protected was under attack. Publicly, the traveling distance between single-race schools became the superficial target of defiant White parents. Opponents of integration targeted the mechanics of *Brown* as unfair and extreme. They insisted that the implementation strategies, namely busing and the "deliberate speed" called for in *Brown* (1955), were unreasonable. If left alone, these "concerned parents" and their segregationist leaders argued, each state would equalize and over time integrate its

schools. This gradualist approach was an old strategy that was familiar to opponents of integration. It was a familiar tactic that protected racist habits, customs, and laws while portraying White segregationists as well intentioned and reasonable.

Privately, their inability to view African Americans as citizens protected by the Constitution, rather than subject to a particular interpretation of the Constitution, was the real source of their intense anger. During its investigation of the implementation of integration in the South, the NAACP Legal Defense Fund documented abrasive comments made by hostile White parents. One parent's remark poignantly and succinctly revealed that "it's not the distance, it's the niggers!"² that many found objectionable. This crude sentiment captures what the *Brown* decision was unable to do: eliminate the xenophobia that is an intrinsic part of America's history. Consequently, the ideology of White supremacy, unnamed and unchallenged, from which Jim Crow emerged, was left alone to fester and swell.

Fifty years later, we as a nation are still struggling with many of the same issues. Our public schools, the 20th-century site for our great racial experiment, have flourished and floundered. In the process, while celebrating our successes, we have continuously struggled to overcome our challenges. To be sure, the *Brown* decision remains an indisputable legal victory for America. Segregated schools were, to a great extent, unequal. The material condition of most Black schools was deplorable. Resources were inadequate, teacher pay was low, and facilities were in need of modernization and repair. *Brown* illuminated these stark differences and insisted that there was a better way to operate the most available

public institution: our schools. However, *Brown*, though a necessary legal decision, has in some ways been more symbol than substance. Our schools are once again described in racial terms. The term re-segregation has entered our lexicon as a means to explain how we returned and in some cases why we never abandoned our segregated institutions.

This essay is a result of my efforts to think deeply about the legacy of *Brown*. There is much angst associated with this task. It is impossible to detach *Brown* from its historical moment and objectively critique its legacy. *Brown* was and is highly personal. It gave all Americans a glimpse of a better society, but for African Americans it represented the manifestation of a dream deferred. Our vested interest and sincere hope in *Brown* is perhaps the reason for our disappointment. Despite accusations that African Americans romanticize segregation, I argue that as a nation, Americans romanticize *Brown*.

I believe our individual reflections on *Brown* have the potential to be personally and collectively cathartic. They expose our fears and our dreams. More important, they liberate us from the paralysis that often accompanies painful memories. My memories are not idealistic and fantastical versions of segregation. Instead they reflect a respect for the world we created for ourselves. This emotionally and psychologically safe place did not necessarily protect us from the cruelty of White supremacy, but it did provide the physical space necessary for us to assert our humanity in a society that routinely rejected it.

This essay draws upon three of my professional experiences as a strategy to explore *Brown* and America's

complex struggle to reinvent its moral identity as “color-blind.” These narratives provide a historical and contemporary framework to examine critically the legacy of the 1954 decision. I conclude with my vision for a new *Brown*, one that attends to the unfinished business of infusing our nation with a moral racial doctrine that will disintegrate the current iteration of separate and unequal.

ENFORCING *PLESSY*: THE SCHOOLING VERSION OF SEPARATE AND EQUAL

The *Plessy* decision of 1896 provided constitutional justification for national apartheid. In the majority opinion, Justice Henry B. Brown cited established legal precedents to justify and reinforce the fictive “separate but equal” doctrine that permeated Southern culture and custom. In his defense of the court’s decision, his knowledge of the rules of legal argument and the mechanics of legal writing to defend the court’s decision was evident. However, for his most memorable statement, “If one race be inferior to the other socially, the constitution of the United States cannot put them upon the same plane,” he relied upon unadorned language to synthesize the court’s basic premise. The Constitution could not transcend the people’s ideological will: Race, and specifically racism, trumps the Constitution.

In his lone dissent, Justice Harlan named *Plessy* as the child of the *Dred Scott* (1857) decision. *Dred Scott* insisted that the Constitution did not extend nor did it intend to extend the rights of American citizenship to free or enslaved Negroes. The racist language of *Dred Scott* was bold and resolute—the Negro “is so far inferior that they have no

rights which the white man is bound to respect.” The legal fate of the Negro seemed fixed. As Justice Harlan predicted, the ideological underpinnings and the legal precedent established by *Dred Scott* and validated by *Plessy* would burden the struggle for racial justice for decades.

My entry into the professional realm of education came in the fall of 1954. I graduated from Clark College the month the *Brown* decision was rendered. Yet there was no movement toward dismantling the dual public school system in Atlanta.³ My first assignment was as an Atlanta public school teacher at Nathan Bedford Forrest Elementary School. The irony of the school’s namesake, a highly decorated confederate hero and slave owner, was likely lost on most that entered. Yet it was testament to the South’s determination to remain proud of a shameful past.

The material inequities of segregated schools in Atlanta were stark. Black schools were notoriously overcrowded with many offering double sessions. The difference in expenditures even better illuminate the district’s discriminatory funding practices. For example, during the 1948-1949 school year, the Atlanta Public Schools allocated \$228.05 per Black child and \$570.00 per White child.⁴ These differences in resources manifested themselves in multiple ways. All were barriers that attempted to prevent the educational and social ascension of African Americans. I often recall finding a textbook in my classroom that contained a poem full of racial epitaphs. The first line of the first stanza read: “Nigger, Nagger; Ragger, Tagger.” For me, the “left-behind” book was an unintentional reminder of one of the historical purposes of segregated schooling, namely the generational indoctrination of White supremacy.

I was unaware of the impact the *Brown* decision would have upon my life and the life of the nation. Segregation was so tightly woven into the cultural fabric of Atlanta that a dictum from up North posed no real threat to state-sponsored Jim Crow. The social order of the South had survived other challenges. Both the Civil War and Reconstruction waged a war against a morally bankrupt racial code. Though significant victories were realized, the deep-seated beliefs that embraced the physical and psychological bondage and torture of African Americans continued to influence the national posture.

The real assault on segregation came on the heels of *Brown*. In 1955 the Supreme Court demanded that states move with some deliberation toward integration. This call for urgency was in conflict with the gradualist approach favored by Southerners. In the South where movement toward social change was met with allegations of “outside agitation” and “communist interference,” White elected officials promised to defy the ruling.⁵ Their response to the court’s demand that states and school districts proceed with “all deliberate speed” was outrage and strategic legal maneuvering. In Atlanta, Mayor William B. Hartsfield declared that “the City of Atlanta is now engaged in defense of segregation in the public schools of Atlanta, and we expect to continue to defend that suit.”⁶

While Atlanta and the state of Georgia waged its war against the evils of integration, I and other teachers and administrators in Area One (the all-Black district within the district) of the Atlanta Public Schools went about our work of educating African-American children to reject the badge of inferiority that was branded upon them like a

birthright. Racial pride, intellectual achievement, and racial uplift permeated our lessons. We believed that our task was to prepare our students to succeed in a society that held no respect for them as American citizens.

ANTICIPATING BROWN: CIRCUMVENTION STRATEGIES TO THWART RACIAL INTEGRATION

Fearful that *Brown* would eventually lead to integration, Georgia and other states were determined to prevent “race mixing” in their public schools. The strategies employed were varied. Some districts created and redirected local and state taxes to all-White private academies. Some districts closed their public schools rather than bow to the supreme law of the land. Still others, including the State of Georgia, passed laws declaring integration in public schools illegal and withheld state funds to districts where Black and White children attended school together.

State public officials realized they had never been morally or legally expected to live up to the *Plessy* doctrine of separate and equal. Georgia raced to avoid national chastening by temporarily abandoning their funding formulas. New Black schools were quickly constructed and resources previously earmarked for White schools were redirected to Black schools.⁷ This futile attempt to conceal its schooling history backfired. A few months of intense funding could not erase the vast inequities of Jim Crow schools. Moreover, *Brown* was not solely concerned with material equalization. The justices were convinced that segregated schools were intellectually and psychologically

damaging to Black children.

Concern over racial integration was not limited to students. Within the context of Jim Crow, White and Black educators lived in racially distinct professional worlds. We attended segregated colleges. We were members of segregated professional organizations. We were assigned to segregated schools. The anticipated integration of the teaching force was troubling to *Brown* opponents. The dominant sentiment was that White teachers should not have to teach Black children and Black teachers were unqualified to teach White children. Although this perception was fueled by ignorance and prejudice, I believe that the Atlanta Public Schools attempted to validate these notions by documenting the “inferior intellect” of Black teachers.⁸

On a blustery winter morning circa 1959, I, along with all of the other Black teachers and administrators in the Atlanta Public Schools, reported to the David T. Howard High School gymnasium. We had been notified that the district would be administering a national teacher’s examination to us. I remain convinced that the school district hoped that our performance on the examination would support the widespread notion that we were unqualified or at least less qualified than our White peers. My suspicions greatly increased when we were given the option to write or not write our names on our tests.

I was deeply offended by the entire event. The herding of Black educators in a cold gymnasium with no regard for our physical needs was insulting. To keep warm, many of us had to wear our hats and gloves during the test. However, to ask us to participate in our own professional demise was a role I was unwilling to accept. I defied the

proctor’s recommendation and wrote my name on my test. My personal and professional pride would not permit me to acquiesce. Once I received my scores, I had further verification that I had done the right thing. My score of nearly 1150 indicated what I already knew. I was qualified to teach children, irrespective of color, in the state of Georgia.

RESPONDING TO BROWN: A PECULIAR VERSION OF INTEGRATION

In 1961, after evading *Brown* for more than seven years, the public schools in Atlanta finally adopted a “freedom of choice” plan. Viewed as least disruptive to segregated school systems, these plans were often the choice of districts that sought to minimally integrate their schools. They typically placed the onus for integration upon Black students and parents who were required to submit an application to the school district, subject themselves to a battery of interviews, and promise to avoid confrontation by silently enduring abuse from fellow students. This approach pacified the White community by crafting a version of integration that would not dismantle the dual system. Though a few select Black students were permitted to attend previously all-White schools, the racial composition of segregated schools was maintained. As a result, the intended impact of *Brown* was never fully realized.

By the fall of 1962, I had been promoted from classroom teacher to resource counselor within the Atlanta Public School system. In this capacity, I was responsible for safely transporting the two African-American students who were chosen to integrate an all-white South Atlanta High School.

These daily trips continued through the first few weeks of the school year. As I reflect upon my professional journey, the significance of this experience cannot be overstated. Ideologically, *Brown* signaled national progress. Yet, when implemented (no matter how benign), *Brown* revealed the tenacity of American racism. The pursuit of educational opportunity placed us in physical danger. I was given precise driving instructions. An unmarked police car followed my automobile. Our routes changed daily.

The “integration” of Atlanta schools was touted as a model for the rest of the South. There were no massive resistance campaigns. Black children were not confronted with hurled objects and verbal insults. Southern gradualists could proudly proclaim they were in compliance with the Supreme Court’s order. However, neither Black nor White schools were subject to the racial transformation called for by *Brown*. Instead, a watered-down version of integration, acceptable to the city’s recalcitrant White citizens, was implemented. As I caught a glimpse of my car on the national evening news, I wondered what all of this would mean for our public schools and our nation.

A MORAL IMPERATIVE: CONSTRUCTING A NEW BROWN FOR THE 21ST CENTURY

To trace fully the historical and contemporary impact of *Brown* would require a multi-volume tome. Its relevancy is so massive that any mention of its influence on our collective and personal lives seems too small, too narrow, too inadequate. *Brown* and subsequent Supreme Court rulings related to the racial makeup of our public schools illuminate the

different ideological worlds in which we reside. Our respective arguments tell at least two tales. The most obvious is the tenacious nature of White supremacist ideology. Notions of race superiority, protected privilege, and sanctioned inequities are embedded in our customs, mores, and laws. The second tale is the relentless challenge to dismantle a race-based and oppressive national culture. Societal transformation, through legal means, is possible. However, the process is slow and unsteady. Progression, stagnation, and regression have all, at times, described our path to unfettered educational opportunity.

Racial intolerance almost destroyed our nation’s public school system. Acts of violence were directed at children, buses were overturned, verbal assaults and racial epithets were hurled routinely, and in some cases entire school districts were closed. Decades later we are still seeking answers to questions raised by *Brown*. Are material inequities in public schools tied to race? Are children better served in integrated settings? Are individual and collective sacrifices necessary to achieve educational parity? Finally, should our public schools reflect our ideal vision of America? Our answers to these critical questions continue to be the focus of national debate.

These questions are not limited to the K-12 arena. Our national history of educational apartheid extends to our colleges and universities. Consequently, equal access to our public higher education institutions has also been an uphill battle. As a member of the Georgia Board of Regents, and former president and chief executive officer of the Southern Education Foundation, I have been intimately involved with retiring policies and practices that limited

African-American matriculation in postsecondary institutions. From *Adams* to *Ayers/Fordice*, those of us committed to educational justice have insisted that these institutions, the states in which they are located, and the federal government acknowledge their discriminatory past and chart a more inclusive future.⁹

My vision for a new moral schooling doctrine comes out of my belief in the value of public education and my faith that, as a nation, we view educational opportunity as naturally linked to social justice. The current public school debate is immersed in a sea of indifference toward the children who enter our public schools each day. Reform schemes sing the same refrain: Public schools are failing. Meanwhile, competing camps argue over who is to blame and what should be done. These procedural questions divert our attention from a larger question: Is a quality and accessible public education for all a compelling national interest? I believe that it is. *Brown* challenged us to embrace fully public schools as the site for our national transformation and forced us to confront our most fundamental fear—race. Symbolically, our schools represented who we were as a nation. Race was the gulf that separated us. It determined where we lived, where we worked, the buses we rode, the restaurants and movie theaters we patronized, and the schools we attended. Public school integration was to be our national litmus test. Were we willing to live as a single nation? Unfortunately, the results were mixed. Legally mandated segregation is no more. However, the residue of economic neglect and racist public policy remain. African Americans and other minorities are still disproportionately poor, live in areas that are racially segregated, and attend

schools that are materially inferior to White schools.

I believe that current public indifference to public schools can be traced to the *Brown* decision. *Brown* illuminated America's refusal to refute its racial caste system in favor of public education. Public schools, we learned, enjoyed *conditional* support that was dependent upon their respect of societal dictates. When faced with a changed public school ideology, Whites fled public schools. They developed suburban school systems that were not subject to desegregation orders. This tactic made possible by restrictive covenants and racist lending practices, circumvented integration and protected suburban dwellers from federal interference.

We are now entering a new public school era. Those who previously scorned federal interference are demanding unfettered access to *their* public school dollars. National and state elections turn on whose public schools vision is most acceptable to the masses. When White residents migrated to the suburbs in the 1960s and 1970s, many were spewing racial epitaphs. They denounced integration, busing, and announced their intention to preserve their way of life. Twenty-first century political correctness demands a kinder vocabulary. Public school deserters now claim that vouchers, charter schools, and privatization initiatives are the best hope for a failed public school system. These schemes seek massive reconfiguration of the public school idea, which will exacerbate its already fragile condition. Despite these challenges, I still believe that public schools are our best hope for societal change. I therefore remain committed to public schools. Not just as an idea never to be realized, but as the authentic terrain for continued struggle.

My vision for a moral racial doctrine is grounded in

the principles of fairness, equity, and opportunity. I believe that our public schools are the institutions through which these principles must be taught and practiced. This is difficult work. A cursory overview of our national history reveals that meaningful transformation requires sustained moral courage and commitment, cautious optimism, and tenacious advocacy. Our national morality is on display in our school buildings and in our classrooms. If we are to achieve our full potential as a diverse nation, we must adopt and teach our children a moral doctrine that reflects the best of who we aspire to be.

From *Brown* to the recent Supreme Court rulings on affirmative action, African Americans have relentlessly pursued educational justice. Despite Justice Sandra Day O'Connor's prediction that "we expect that 25 years from now, the use of racial preferences will no longer be necessary to further the interest approved today,"¹⁰ the historical evidence indicates otherwise. Nonetheless, for me and countless others, it is a "consummation devoutly to be wished."

REFERENCES AND NOTES

Bayor, R.H. 1996. *Race and the Shaping of Twentieth-Century Atlanta*. Chapel Hill: University of North Carolina Press.

Foster, M. 1997. *Black Teachers on Teaching*. New York: The New Press.

Irons, P. 2002. *Jim Crow's Children: The Broken Promise of the Brown Decision*. New York: Viking Press.

Patterson, J.T. 2001. *Brown v. Board of Education: A Civil Rights Milestone and Its Troubled Legacy*. Oxford University Press.

Rossell, C. Sept. 1988. Is it the Busing or the Blacks? *Urban Affairs Quarterly*, 24, p. 146.

Walker, V.S. 1996. *Their Highest Potential: An African-American School Community in the Segregated South*. Chapel Hill: University of North

Carolina Press.

1. This essay is concerned with two Supreme Court rulings related to public school integration. The first, *Brown v. Board of Education, Topeka, Kansas*, referred to as *Brown I*, was decided on May 17, 1954. The second decision, *Brown II*, was decided on May 31, 1955, and called for desegregation to proceed with "all deliberate speed." Unless otherwise indicated, *Brown* refers to both decisions.
2. Rossell, C. Is it the Busing or the Blacks? *Urban Affairs Quarterly*, 24 (Sept. 1988), 146.
3. For an extensive discussion of the history of Atlanta public schools and its response to the *Brown* decision, see Ronald H. Bayor's *Race and the Shaping of Twentieth-Century Atlanta* (1996) and Melvin W. Ecke's *From Ivy Street to Kennedy Center: Centennial History of the Atlanta Public School History* (1972).
4. Bayor, 1996, p. 217.
5. See James T. Patterson (2001) *Brown v. Board of Education: A civil rights milestone and its troubled legacy* for an extensive discussion of the South's response to the *Brown* decision.
6. Bayor, 1996, p. 222.
7. Bayor, 1996.
8. See Vanessa Siddle Walker's (1996) *Their Highest Potential: An African-American School Community in the Segregated South* and Michele Foster's (1997) *Black Teachers on Teaching* for a thorough discussion of the preparation and abilities of Black teachers during the Jim Crow era.
9. See *Redeeming the American Promise*. (1995). A Report of the Panel on Educational Opportunity and Postsecondary Desegregation. Atlanta: The Southern Education Foundation.
10. *Grutter v. Bollinger*, et al. June 23, 2003.