THE WIZARD OF OZ EFFECT: A CRITICAL ANALYSIS OF THE HISTORICAL

RELATIONSHIPS BETWEEN RACE, EDUCATION, AND WEALTH IN AMERICA

BY

TAMIKA M. COVINGTON

A dissertation submitted to

The Graduate School of Education

Rutgers, The State University of New Jersey

In partial fulfillment of the requirements

for the degree

Doctor of Education

Graduate Program in Design of Learning Environments

Approved by

_____

Professor Angela M. O'Donnell, Chair

_____

Professor Melanye T. Price, Committee

_____

Professor Ruth J. Palmer, Committee

New Brunswick, New Jersey

May 2018

Abstract

The Wizard of Oz Effect: A Critical Analysis of Race, Education, and Wealth in America

TAMIKA M. COVINGTON

Dissertation Director:

Angela M. O'Donnell

In a nation founded upon race, freedom, and justice for all, African Americans still find themselves collectively marginalized by a complex web of systems functioning in a synchronized manner to thwart their attainment of wealth. The concepts of racism and racial discrimination have been persistently interwoven within the fabric of this society, pervading public and social institutions such as healthcare, education, economics, entertainment, labor, law, and politics (Fuller, 1964). The Wizard of Oz Effect unpacks the pretention that equality insofar as education and wealth attainment does or can exist in an inherently racist society. Political policies such as redlining and restrictive covenants have undergirded unfair housing and anti-voting tactics, which in turn reinforce unequal schooling (Orfield, 2013). President Nixon's Drug War in the 1970's had an enormous and deleterious effect on the Black community, the likes from which it has still not recovered. Political decisions by lawmakers and socially constructed attitudes about White racial superiority drive the continued dilemma of inequity pervasive in schools and workplaces. Guided by the central question, "What is the intersection between race, institutional racism, and education in America?" this study is intended to be a critical analysis of political ideologies and how they filter down into society to produce educational and opportunity gaps which invariably translate into significant wealth gaps between European and African

Americans. These relationships are examined through the sociopolitical record, highlighting federal laws and critical events using primary and secondary source documents including legislative texts, court decisions, news accounts, documentaries, periodicals, and previous investigations. Philosophical models such as Critical Race Theory and Culturally Relevant Pedagogy are operationalized as tools to analyze attitudes, behaviors, and decisions made in the society pertaining race and education. The cost of racialized inequality is also explored in a discussion about extreme imbalances of poverty and social dysfunction which are two resulting forces of a society so entrenched in the problem of race.

Acknowledgements

I would first like to thank my dissertation committee for all their input advice and their sacrifice. I am grateful to my chairperson Dr. Angela O'Donnell for being my professor, my advisor, and my greatest support at Rutgers University. Dr. O'Donnell worked tirelessly with me to labor over this work and I will be eternally grateful for her patience and diligence to her students even while on sabbatical.

I would like to thank Dr. Ruth Palmer for all of the advice she shared, her words of encouragement, and most of all, her words of wisdom. Dr. Palmer also supported me in helping to synthesize ideas and she was instrumental in holding me to a higher standard of academic excellence.

I would so humbly like to thank Dr. Melanye Price for being the angel that she is. Any words that I say here will never suffice for the gratitude I feel for her courage and sacrifice in joining my committee, rolling up her sleeves in the fourth quarter, and helping me to work through thoughts and ideas. Dr. Price was a great source of inspiration for me and her selflessness will never be forgotten.

I would like to thank James Scott for being one of my biggest supporters as he never stopped encouraging me, never stopped challenging me, and he was always there helping me to keep going on those rough days. When my laptop died, he bought me a new one the same day and said, "finish your dissertation."

I would like to thank my circle of friends…Damitria Duke, Sharon Scott, Sharon Stephens, Daveeta Smith, Nikeema Missouri, Raynitra Anderson, and Sherri Phelps to name a few… all who supported me and encouraged me along the way. Thank you sistas.

I would like to thank my son Brandon Hendryx, who is my SUN. He gives me warmth and radiates my soul. I am grateful to him for his willingness to share me with the doctoral program, never complaining, only encouraging me. Turning out the light when I fell asleep at the computer, making me breakfast in bed, and sacrificing time as a youth to help me realize this dream. Thank you, son.

It is my extreme pleasure and honor to thank my Mother Susan Covington for her tireless sacrifice and dedication to her only child. My mother has poured so much love, caring, and expectation into me, spending all of her time and money to propel me into the world. Mommy words cannot describe the love I feel for you and my determination to be perfect in your eyesight. I love you!

Lastly, thank you to Amma, the Most High. You have caused the planets to align and the supernatural to become possible. There are no coincidences. Thank you.

Dedication

For

Susan and Brandon

Table of Contents

List of Tables

List of Figures

The Wizard of Oz Effect: A Critical Analysis of the Historic Relationships between Race and

Education in America

CHAPTER I

Poison Poppies: The American Dilemma of Race

The 1939 movie *Wizard of Oz*, came to the big screen with wide national acclaim. It was

adapted from an earlier novel titled *The Wonderful Wizard of Oz* (1900) written by L. Frank

Baum. This adaptation chronicled the fictitious story of an "average" European American family

living in rural Kansas, beleaguered by the region's dust storms, tornadoes, and slight of famine.

During one of those extreme storms, the main character, Dorothy, was swept up by a tornado and

carried into a mysterious and magical land called Oz where, based on belief alone, anyone's

dreams could come true. In a world where art is said to imitate life, the movie portends to be an

extension of the real-life belief in America, that regardless of race, gender, or social orientation,

even the "average Joe" can be and do anything- if only they just believe. Contrary to fiction, the

historical record of this country tells a different tale, one of a darker, less palatable truth.

America was founded upon human subjugation and has been, for centuries, maintained by the

grips of institutional racism where, for some, regardless of education or determination, dreams

never come true.

The Wizard of Oz Effect is operationalized by a set of five tenets which align

comparatively with theories of Critical Race and Institutional racism. The first of these tenets is

the idea that regardless of race, gender, or social orientation, one can become and do anything by

belief alone. This flowered ideology is a part of a widely held belief system in America, we see

modeled in social institutions like government and military, but that is quickly brought down by

the historical experiences of many people to the contrary. Hamilton, Darity, Price, Sridharan & Tippet (2015) explain that working ten times harder than Whites is statistically not a sufficient enough effort to close the substantial and pervasive wealth gap between them and African Americans. This fact-based upon stores of data supports the second tenet of the Wizard of Oz Effect which is the pretention that equality can or does exist in an inherently racist society. Notwithstanding disparities in income, the inability of Blacks to compete with Whites' unearned wealth or the transference of it, intergenerationally, is one of the greatest sins of America's existence as a constitutional democracy.

The third tenet is the overlooking of achievement, opportunity, and wealth gaps as a way of coping with underlying social dysfunction. Although some attention to these disparities is paid through lectures and white papers, it has a mild effect toward leveling the playing field for all citizens. The fourth tenet is the possessive investment in Whiteness as a property which functions to establish and maintain White privilege in the society. Possessive Investment in Whiteness can be seen as the will of Whites collectively to remain boundless and undefined in the broader context of society, while assuming the right to define all others, including the animate and inanimate (Lipsitz, 1995). The fifth and final tenet which describes the Wizard of Oz Effect is that it is a complex web of systems, functioning in a synchronized manner to curtail academic achievement, equitable income, and access to wealth accumulation among African Americans. Through the employment of slavery and colonialism, a persistent effort to marginalize African Americans has been crafted and maintained in artful ways through government mandates and through social impediments that work together to preserve White hegemonic rule.

Rooted in slavery and oppression since its inception, America continues to struggle feebly with the dilemma of race. Since the mid-16th century, African Americans have been treated as second-class citizens or worse. They have endured receiving worse housing conditions than others and denied entrance into many institutions, thereby, bearing the brunt of blatant racial indifference within the general society (Omi & Winant, 1994; Orfield, 2013; Wells, Duran & White, 2008). Equally egregious, deliberately enacted disproportions in the quality of education African Americans have received, inevitably contributed to opportunities to further their advancement, as well as differences in earning potential between them and other racial groups (Bell, 1988; Ladson-Billings, 2006a). Inexorably, this phenomenon has resulted in a very sizeable wealth gap between African Americans and Caucasians (Oliver & Shapiro, 2006).

This dissertation explores the question of race and its relationship to the historical ways in which formal education in America came about and is carried out within the society. Based on the history of education in this country, there is an apparent, deliberate, and malicious undercurrent of institutional racist practices in American society (Darity & Nicholson, 2005; Fellner, 2009; Goldsmith, Veum & Darity, 1997; Kozol, 2005; Lurigio & Harkenrider, 2005; Massey & Denton, 1993; McWhirter, 2011; Mumola, 2000; Noguera, 2003; Nunn, 2002; Oliver & Shapiro, 2006; Oppenheimer, 1994; Orfield 2013; Rose & Clear, 1998; Rothstein, 2017; Saito, 2002; Shapiro, 2004; Skiba, Michael, Nardo, & Peterson, 2002; Tatum, 2017; Webb, 2012). These intentional discriminatory practices are starkly evident in the system of American schooling, which serves to cultivate, drive, and maintain the consistent under-education of African American students (Asante, 1991; Kozol, 2005; Lareau, 2011). These practices are used as tactics for preserving the status quo and consolidating power for the ruling class who are of European descent (Wilson, 2009; Young, 2011). This same undercurrent pervasively flows

beneath the general society thus becoming linked inextricably to wealth access and accumulation, two things severely constricted for African American citizens (Shapiro, 2004). What perhaps is most remarkable about these historical realities is not that they occur, but the amount of cognitive dissonance or simultaneous competing beliefs, with which many people in the general society operate in relation to said realities. What this means is people of both races, European and African Americans, may be largely experiencing a Wizard of Oz Effect, in that they pretend there is equality in the society as a way of coping with causal social dysfunction (Bell, 1988). That is to say that, a good portion of the population lives in a makeshift Oz-like existence with rose-colored glasses, seeing wrongdoing, yet convincing themselves that it either isn't real, it is only temporary, or that it doesn't affect *that* many people. Instead, they wantonly ignore both the realities and implications of failing public schools, health crisis', and political as well as economic turmoil within the nation (Kozol, 2005; Rothstein, 2017; Washington, 2006).

Einstein once said, "Insanity is doing the same thing and expecting a different result" (Gillis, 2014, p. 614). The American education system, from several perches, can be observed as an exercise into insanity as it continues to stagnate regarding establishing equality for all of its students. The kindergarten to 12th grade (K-12) Achievement Gap, broadly defined as the vast differential in standardized test scores between African American and Caucasian students, is a fundamental issue around the nation which demonstrates apparent disparities in educational equality. Tied to this concern, are the plethora of colleges and universities throughout the country where faculty and students dissect the dilemma of race in education through extensive discussions, writings, and conferences, yet emerge from these institutions only to apparently perpetuate it. This problem is evidenced by the National Center for Education Statistics (2017) data which point to K-12 Achievement Gaps as a persistent concern as well as discipline,

suspension, and expulsion rates exposed through a significant body of research conducted by

Skiba et al. (2011).

The problems of inferior infrastructure and resource inequality, for example, have not

been ameliorated within the past century despite perceived gains in social progress and

legislation (Seiler; 2001). Even since Brown vs. Board of Education (1954) the racially

integrative factors implemented into public education, as indicated by Rothstein (2015), have had

lukewarm effects toward establishing equality between African Americans and European

Americans. Antithetical to Jencks and Phillips' (1998) inclination that progression of social-

political dynamics between the races is all but solved, the world is *not* different. This country is

inherently racist and founded on unearned privilege for European Americans (Asante, 1991).

African American men do not earn the same as Caucasian men for performing the same job

(Oliver & Shapiro, 2006). This dilemma is an indicator that we are still operating within a racist

paradigm that is, as Toni Morrison (1992) aptly put, "as healthy today as it was during

Enlightenment" (p. 63).

Many books, periodicals, and scholarly articles have been written about the Achievement

Gap between African American and European American students (Boykin & Noguera, 2011;

Carter & Welner, 2013; Demerath, Lynch, Milner, Peters & Davidson, 2010; Howard & Terry,

2011; Ladson-Billings, 2006a; Milner, 2013; Seiler, 2001). In every statistical measurement

recorded by the National Center for Educational Statistics since 1973, European American

students have vastly outperformed their African American counterparts by double digits on

standardized tests (NCES, 2010; 2017). In looking at the unequal allocation of resources and the

imbalance of laws and social customs, there appears to be a concerted effort on multiple fronts to

keep Black children from succeeding en-masse (Kozol, 2005). The likelihood that African

American students might experience academic success at the same or higher rates comparable to European American students without these roadblocks is a significant query.

Race is a social construct that has evolved over time. It has been used to create hierarchies of control that perform inclusion of specific groups and exclusion of others based on the amount hue in one's skin (Lipsitz, 1995). Marginalization along racial lines occurs in nearly every facet of American life and appears more deleterious for some populations than others. This ostracism is systematic and designed in very intricate ways to inordinately benefit European Americans who control and dominate the socio-political spectrum. Systemic exclusions operate and function throughout the society regardless of town, city, region or state. Whether in social, educational, financial or entertainment realms, this system, which has hindered African Americans historically, is virtually self-correcting and functions like a futuristic car without a driver. It is complex and operates inside of itself, appearing to need only intermittent or periodic fine-tuning. This maintenance often manifests in the form of new laws, curricula or socially created norms. An example of this is the 2015 controversy published in the New York Times regarding the distribution of geography textbooks, published by McGraw-Hill Education, to Texas high schools. The textbooks, which went out to five million public school students, inaccurately portrayed enslaved Africans as "workers" instead of humans kidnapped from their homelands, brought forcibly to the North American colonies and subjugated under extreme duress for the profit of a new nation (Brockmore, 2015).

The article describes how this, and other textbooks portray American chattel slavery as having an "upside," using abstractions to avoid ascribing blame to Europeans for their authorship of said atrocities while selectively using active and passive verbs to obfuscate the true nature of this vicious institution. The following excerpt from the textbook United States History: *Early*

Colonial Period Through Reconstruction (Texas edition), published by Houghton Mifflin

Harcourt 2015, exemplifies the author's argument:

> Some slaves reported that their masters treated them kindly. To protect their investment,
>
> some slaveholders provided adequate food and clothing for their slaves. However, severe
>
> treatment was very common. Whippings, brandings, and even worse torture were all part
>
> of American slavery. (Brockmore, 2015, p. 2; Houghton Mifflin Harcourt, 2015).

The text, verbally active when pointedly naming slaves as some sort of beneficiaries of kind

treatment by "[slave]masters", however, becomes verbally passive in its reluctance to directly

name "[slave]masters" as the ones who perpetrate "severe treatment" by whipping, branding, and

torturing enslaved Africans (Schrag, 2012), Brockmore (2015) points to deliberate grammar

choices in this and other passages which dupe the reader into believing enslaved Africans

experienced intermittent euphoria in the joys of familial ties, social events, and a ubiquitous

"hope" bestowed upon them by Christianity. Nothing could be further from the truth. Instead,

what the excerpt palpably typifies is the foundational marginalization of African people and their

struggle in America, thus signaling a systemic paradigm of both degradation and disregard which

have been handed down for nearly four centuries now.

Midway through *The Wizard of Oz* movie, Dorothy and her animated friends are lulled to

sleep by the lethargic scent of poppy flowers which had been laced with poison by the Wicked

Witch to keep the group from their pursuit of finding and meeting The Wizard. Over time,

African Americans have similarly been lulled to sleep, practicing a modicum of faith and

exerting confidence in an educational system which appeared during the time of the film's

release in the early 20th century to be inherently racist and unequal (Woodson, 1933). Although

to date, African Americans have utilized various alternative schooling measures such as

homeschool, the belief that mainstream education provides more good results than bad, is evidenced by their continuous participation in it. Given the historical record, it is the researcher's opinion that there is no single effect which causes more harm to the African American student, than that which is caused by a complex web of systems, functioning in a synchronized manner to curtail their academic achievement. Disciplining systems, special education systems, and nutritional systems which provide inferior food products to schools where large populations of African American students attend, all play a part in maintaining gaps in achievement. As Rothstein (2015) points out, this web of systems also includes substandard housing and housing practices in communities where African Americans live or seek to live. The combined internal effects of limited funding, lesser educated staff or outdated curriculum and external forces like parental unemployment all influence students' paths to academic success. What this means is that the American education system is the dominant arm of a historically racialized body acting in concert with other systems such as the aforementioned healthcare, law and politics, economics, entertainment, labor, law, politics, and religion to consistently limit African Americans (Fuller, 1964). The inherent racism which courses through the veins of the mainstream society, vastly controlled by European Americans, is intrinsically ingrained within the manifestation of schools which the same group also control and dominate.

Glaring inequalities in education between students of African American descent and those of European American descent, begin in preschool and extend through their collegiate experiences, creating a significant wealth or income gap between the adults of these groups. The wealth gap today has many precursors to its growth, the largest among them, free land usurped from the Native Americans and free labor from the enslavement of Africans. A resource and policy brief for the Institute on Assets and Social Policy identified another driver of the

persistent and growing racial wealth gap, among home ownership, income, unemployment, and

inheritance was a college education (Shapiro, Meschede & Osoro, 2013). Although the median

family income for Caucasians is only roughly double that of African American households, the

median family net worth of Caucasians is astonishingly between 10 and 20 times greater than

that of average African American family (Barsky, Bound, Charles & Lupton, 2001; Rothstein,

2017). The data gathered by these and other researchers point to the real and pernicious truth

that education may be a predictor of financial access and wealth accumulation.

The underlying goal of this historical narrative is to perform a critical analysis of the

historical relationship between race, education, and wealth in America with particular emphasis

on the years from 1960-1980. The study seeks to do this by examining root causes leading to

poor academic outcomes of African American students during this period. It further seeks to

analyze and diagnose how these poor outcomes contribute to the real and pervasive wealth gap in

this country between two specific and foundational racial groups: African Americans and those

who identify racially as being White. For the purpose of this dissertation, African Americans or

Blacks are regarded as persons who are both phenotypically African and who are citizens of the

United States. White persons are regarded here as those who are American citizens (unless

referred to globally), who are racially European, (regardless of language or ethnicity) who claim

to be White or benefit from the privilege of being perceived as ethnically White. White privilege

is the inalienable dispensation of social-political favor as an inherent result of a systemic

advantage which structurally benefits Whites and disadvantages Non-Whites based on group

membership (Tatum, 2017).

The exploration of relevant literature pertaining to Critical Race Theory aids in forming a

theoretical framework which serves as a litmus test for extrapolating between the design and

functions of public institutions and the outcomes they produce. Examination of primary source

documents including legislative texts, news accounts, documentaries, periodicals, and previous

investigations all help to inform this historical narrative. The analysis of these pieces of

information taken together will provide introspection into the dilemma of disproportion in

American society and education.

Thus, this study is primarily guided by a central question which asks, "What is the

intersection between institutional racism, education, and wealth in America?" To answer this

question, it is necessary to consider this intersection in the scheme of its historical precepts and

resulting implications. More deeply, this study asks the following set of sub-questions:

- "What are the historical, social impediments which have contributed to the
  persistent Achievement Gap in education between African and European
  American students?" The inquiry, therefore, concerns itself with ascertaining the
  beliefs and practices which have fundamentally shaped this nation socially,
  politically, and educationally.

- "How have these gaps in educational achievement affected educational attainment
  and the creation of a substantial and proliferated wealth gap between African and
  European American citizens?" Educational attainment, used here, is distinct from
  educational achievement in that achievement is tied to assessments and scores that
  are used to judge a student, whereas attainment is meant to describe the amount
  and quality of education a person has accumulated over time.

- "Is educational attainment directly proportional to wealth attainment in American
  society?" A resulting aim of this investigation is to provide a substrate for further

scholarship in creating pathways toward equally funded and equally resourced

education for African American students.

The literature search for this study begins with establishing some context insofar as the

history of race and schooling in America. Chapter two discusses Critical Race Theory, the Ante

Bellum South, and the Reconstruction Era creating a framework for understanding the

preexisting White-sponsored prohibition of learning and how African Americans defied that at

every possible turn. A discussion in Chapter three about Jim Crow laws and the explication of

the Brown vs. Board of Education (1954) legislation demonstrates the many of the ways in

which psychologists, doctors, educational theorist, and governmental officials over time have

sought to control the amount and variety of learning to which African Americans could gain

access.

Chapter four deals with social politics in conjunction with political ideologies grounded

in race which cause the dismantling and killing of revolutionaries who went against the grain in

the fight for Black Civil Rights. The real estate practice of redlining neighborhoods where

Blacks lived to keep them isolated and devalued is examined in Chapter five. Chapter six

discusses the social politics of the post-Civil Rights era highlighting the War on Drugs and mass-

incarceration. Chapter seven provides data bringing into clear focus the links between

educational achievement, opportunity and wealth. Lastly, Chapter eight, The Cost of Inequality,

envelopes the study connecting the dots of how poverty and social dysfunction are tandem to

issues of institutional racism.

The literature referenced in this review reveals a compilation of authors and sources

obtained fundamentally through the use of Boolean operators, combining terms having to do

with the history of American education and specifically pertaining to its differences and

dilemmas concerning race. For this historical study, many inquiries were conducted through

academic search sites like JSTOR and Rutgers University Library using Articles + databases, via

the terms 'Critical Race Theory and African American students' for example. Secondary

searches using the terms 'African American students' and 'Culturally Relevant Pedagogy' were

also used, revealing hundreds of results respectively. Secondary and tertiary operators were used

to whittle down the quality and number of search results which were then carefully combed for a

choice of useful citations. While many of the sources referenced in this work hail from peer-

reviewed journal articles published before 2016, many other sources were considered such as

books written by social and educational theorists, primary sourced articles, and statistical

documents; all those were selected based on their ability to inform this study. Google Scholar

was used to pinpoint dozens of supporting pieces of literature, with others being located through

the references of various published research papers. These references proved useful in

establishing a theoretical springboard toward the investigation of Critical Race Theory,

Culturally Relevant Pedagogy, and the intersection between race, institutional racism, and

education in America.

CHAPTER II

The History of Race and Schooling in American Society: An Overview

In this chapter, the concept of race, its origins, and its growth are profoundly explored as a means of understanding of its relationship to the formation of America, its institutions and the varied consciousness of the people therein. Central to the goals of this narrative, this exploration also concerns itself with the formation of schools, their evolution, and the dynamics surrounding the preclusion of African Americans from equal access to education. This chapter dissects the Reconstruction Era of Black renaissance from slavery amid upheaval from the dominant White Southern society in response to African emancipation. This chapter will seek to answer the research question about social impediments created in the society to inhibit the growth of African Americans.

African Americans are the descendants of historically marginalized forebears in America who have consistently been exploited and victimized, and thus are, by design, perpetually at risk (Bell, 1988; Carter, 2005; King & Mauer, 2002; Ladson-Billings, 2006; Lipsitz, 1995; Noguera, 2003; Orfield, 2013; Philipsen, 2003; Rothstein, 2015; Rothstein, 2017; Tate 1997). A persistent disparity between how African American and European American students are educated has produced a cavernous divide in the perceived and demonstrated academic abilities of these two groups (Kao & Thompson, 2003; Kozol, 2005). In looking for root causes of this imbalance, some scholars believe that curriculum, methodology, and lack of attention to diversity are the main culprits (Asante, 1991; Delpit, 1995; Gay, 2002; Howard, 2001; Kao & Thompson, 2003; Ladson-Billings, 1995). Even more profoundly rooted is the fundamental belief that race and racism in American are the primary reasons why such a chasm exists between these two groups

of students (Bell, 1988; Dixson & Rousseau, 2005; Howard, 2001; Ladson-Billings, 2006a; Tate, 1997).

　　The concept of race as it relates to American society has been widely held as the single most controversial, socially, and politically divisive idea since this nation's inception, affecting the lives of all its citizens (Bell, 1992; Matsuda; 2008). Ladson-Billings (2006b) authoritatively quotes Toni Morison in relation to the powerful and all-encompassing concept of race in America:

> Race has become metaphorical—a way of referring to and disguising forces,
> events, classes, and expressions of social decay and economic division far
> more threatening to the body politic than biological "race" ever was.
> Expensively kept, economically unsound, a spurious and useless political asset
> in election campaigns, racism is as healthy today as it was during the
> Enlightenment. It seems that it has a utility far beyond economy, beyond the
> sequestering of classes from one another, and has assumed a metaphorical life
> so completely embedded in daily discourse that it is perhaps more necessary
> and more on display than ever before (Morrison, 1992, p.63).

The application of Critical Race Theory is useful in this discussion as a means of striating the sociological manifestations which occur in our society. More specifically, this theory allows us to comb through the entanglements of our educational systems for the purpose of understanding the intersections of race and education in America. Critical Race Theory is a model conceptualization that acknowledges race as a dominating force of institutionalism which utilizes power and privilege to formulate inequities in the society that are inherent, and at times, imperceptible (Bell, 1988; Ladson-Billings & Tate, 1995; Sampson & Garrison-Wade, 2010).

These inequities are firmly supplanted in the nation's socio-political institutions including school environments where the education of many students is adversely impacted. Beginning as a response to both the conservative, reactionary attacks on civil rights gains of the mid-1970's, Critical Race Theory emerged as a challenge to the system of White superiority in America and those that would see it unharmed (Bell, 1992; Dixson & Rousseau, 2006; Tate, 1997). Many scholars maintain that it is a hegemonic, socially, and historically constructed cultural force in American society (Bell, 1988; Delgado Bernal, 2002; Ladson-Billings & Tate, 1995). While Derrick Bell (1992) a pioneer of Critical Race Theory, insists in his work that racism has been sponsored and maintained by a wide collective of White people within the power structures of all societal domains and it is without a doubt permanent and fixed within the very fabric of the society.

Racism is manifested through the use of race, the accumulation of influence and wealth, and ultimately the power to exclude (Bell, 1988; Delgado Bernal, 2002; Howard, 2003; Sampson & Garrison-Wade, 2010). Even Whites who lack resource or wealth maintain ideas of superiority over non-Whites based on the endemic socialization associated with their apparent "Whiteness" (Bell, 1988, p. 768). Their lack of notoriety, cultured affect or participation does not negate their ability to be called White, nor does it bar them from the advances or privileges that accompany such basic low hurdled status.

Critical Race Theory

The theory of Critical Race focuses on the relationship of race, racism, and power as a springboard to confront the institution of exclusion (Bell, 1988; Ladson-Billings & Tate, 1995; Matsuda, 2008). The arguments presented by Critical Race theorists in relation to education are threefold in that: (1) Race continues to be a significant factor in determining inequity in

education; (2) U.S. society is based on property rights; and (3) The intersection of race and property creates an analytic tool through which we can examine social and school inequality (Ladson-Billings & Tate, 1995, p.47). Looking at the role race has played as a catalyst in American policy-making, the Constitution's Framers (founders) enacted compromises with Southern Confederates, protecting their main property source which drew in the lion-share their wealth- enslaved Africans (Bell, 1988). Every facet of living in America is controlled by American policy-making and is no less reflective of the racism that first began in this country, which continues the present day.

The extension of Critical Race Theory into other disciplines including education helps to shift the analysis of race and racism from an individual issue to a structural one, replicated within institutions throughout this society (Darity, 2016). Critical Race Theory in education is guided by a framework of five tenets 1. The Centrality of Race and Racism, 2. Challenging the Dominant Perspective, 3. Commitment to Social Justice, 4. Valuing Experiential Knowledge, and 5. Being Interdisciplinary (Solórzano & Delgado Bernal, 2001; Delgado Bernal, 2002). These principles aim to challenge dominant narratives of racial superiority that have transcended ideology and that pervade the system of education. Each tenet addresses aspects of the use of color which function to interfere with the egalitarian notions this nation is founded upon. Moreover, these tenets provide a wide enough lens through which to see issues of race in education as well as a means of confronting and testing their validity. "The gift of Critical Race Theory is that it unapologetically challenges the scholarship that would dehumanize and depersonalize us" (Ladson-Billings, 2000, p.272).

To understand how racism, the rule of law, and Critical Race Theory are related, one must look at the cultural frames of reference created by schools and other institutions.

"Educational systems are built on laws, policies, and folkways requiring macro-level analyses that overlap with micro-level issues such as curriculum and pedagogy" (Tate, 1997, p.227). A clear relationship between the American public system of education and the laws created to regulate it is evidenced by such landmark legislation as <u>Brown vs. Board of Education (1954)</u>. Laws enacted to standardize education often provide an objective point of view that paints all situations with the same broad brush. Ladson-Billings (1998), however, cautions against thinking of race in education as objective because it allows one to deny the problematic aspects of race pertaining to the institution that are not easily or factually defined. Ladson-Billings (1998) acknowledges that state legislators create laws that are "designed to proscribe contours of education" (p.16) with the expectation that everyone will be treated equally regardless of race.

Investigating the question of where the intersection of institutional racism, education, and wealth lies, Critical Race Theory lay at the nexus of understanding how these ideas fit together. How individuals navigate the society having to negotiate inside of inherently racist structures provides a litmus for assessing the potency of this theory. The course of this historical narrative will move the reader through essential events which, although not exhaustive, supply a frame of reference that is intended to illustrate significant evidence toward answering the subqueries of this study.

In understanding the history of education, particularly as it relates to race, one must look at the historical record and consider the socio-political pulse of each year, each decade, and each era carefully with a magnifying lens to achieve a thorough introspection. It is the very foundation of these fundamental 'framer' ideals, their comings, and goings, in conjunction with the consistent crafting of a constitution, impregnated with amendments, which must be combed through. More critically, it is their varied interpretations, invariably used to govern the society,

that must be fundamentally understood in order to grasp fully the paradoxical predicament of education in America.

Antebellum South and the Prohibition of Learning 1776-1865

In the late 16th and early 17th century, European usurpation of the 'New World' territories in North America by Spain, Britain, and France proved to be an enormous and lucrative undertaking, laying the foundation of a new sovereign nation. These nations, led by their monarchs, established clear objectives which included extracting resources from Native American territories to amass great amounts of wealth. These goals were achieved by subjugating and drastically decimating the Native populations, later colonizing these regions for the dual purposes of prosperity and domination (Oakes et al., 2013). The heinous abduction and importation of Africans in 1619 to America, primarily from West Africa, to be widely used as perpetual slave labor, provided the necessary workforce to produce revolving and unlimited amounts of wealth for these European empires and a select few European businessmen and their families (Zinn, 1995).

Although most European families were farmer/merchant types without any formal education to speak of, the children of wealthy families could afford to attend school. The Boston Latin School began in 1635 as the very first school in America and reportedly a public one, open to both rich and poor White students (Holmes, 1935). Paradoxically, it was Thomas Jefferson, the elder statesman, former president, an enslaver of Africans who touted the idea that an ignorant society, and one which was simultaneously free, was impossible. Jefferson, therefore, moved toward expressing the dire need for systemic education among the 'free' masses (Anderson, 1988). However, as enslaved captives, Africans were forbidden under penalties of dismemberment and death, from receiving any type of learning, formal or non-formal

(Lusane, 2011; Zinn, 1995). This savage cruelty is exemplified in legislative acts such as those

passed by the General Assembly of the State of North Carolina in 1830-1831 where laws

prohibiting enslaved Africans from reading or learning were duly spelled out:

> Whereas the teaching of slaves to read and write, has a tendency to excite
>
> dissatisfaction in their minds, and to produce insurrection and rebellion, to the
>
> manifest injury of the citizens of this State: Therefore,
>
> Be it enacted by the General Assembly of the State of North Carolina, and it is
>
> hereby enacted by the authority of the same, That any free person, who shall
>
> hereafter teach, or attempt to teach, any slave within the State to read or write,
>
> the use of figures excepted, or shall give or sell to such slave or slaves any
>
> books or pamphlets, shall be liable to indictment in any court of record in this
>
> State having jurisdiction thereof, and upon conviction, shall, at the discretion
>
> of the court, if a White man or woman, be fined not less than one hundred
>
> dollars, nor more than two hundred dollars, or imprisoned; and if a free person
>
> of color, shall be fined, imprisoned, or whipped, at the discretion of the court,
>
> not exceeding thirty nine lashes, nor less than twenty lashes.
>
> II. Be it further enacted, That if any slave shall hereafter teach, or attempt to
>
> teach, any other slave to read or write, the use of figures excepted, he or she
>
> may be carried before any justice of the peace, and on conviction thereof, shall
>
> be sentenced to receive thirty-nine lashes on his or her bare back.
>
> III. Be it further enacted, That the judges of the Superior Courts and the
>
> justices of the County Courts shall give this act in charge to the grand juries of

their respective counties. (Acts Passed by the General Assembly of the State of

North Carolina at the session of 1830-31).

Before emancipation, there was a minor constituent of Africans in different American societies

who were known as free persons, most likely of high wealth and status who were also somehow

educated, either through their social, intellectual or religious associations (Ihle, 1990). Southern

White lawmakers and plantation owners saw the education of Africans as a path to slave revolt

and eventual freedom. As a result, despite their social status, both free and enslaved Africans

endured rampant, blatant racism and discrimination as a means of intimidation and a deterrent

toward education and real freedom in the society (Ballard, 2004).

The Impending Civil War

The Declaration of Independence, adopted and signed by 56 persons representing 13

colonies in the New World, was a mockery insofar as it declared freedom for all men, at the very

same time it held African men, women, and children in bondage. The document reads: "We hold

these truths to be self-evident, that all men are created equal, that they are endowed by their

Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of

Happiness." (LOC, 2017 (a), p. 1). Compromises toward liberty sanctioned by the United States

Constitution, having endorsed slavery and the parceling out of Africans as 3/5ths of a person,

might best be characterized as the ultimate contradiction: a travesty of morals and deeds.

Definitive evidence of this contemptable era and its vitriolic, emboldened license is found in the

1857 Dred Scott v Sanford decision in which Supreme Court Chief Justice Roger B. Taney

considered whether Dred Scott, a formerly enslaved African who escaped to a free state should

remain free. His decision was bursting at the seams with unbridled racist hyperbole. Chief Justice

Taney most famously is quoted as having stated that 'Negroes' "…had for more than a century

before been regarded as beings of an inferior order, and altogether unfit to associate with the

White race, either in social or political relations…" and therefore historically "had no rights

which a White man was bound to respect." (LOC, 2017 (b), p.19)

Popular ideas about the 1865 abolition of chattel slavery being due to its 'inhumaneness'

towards Africans stand in stark contrast to the very real and pressing antebellum dilemma

"between two social systems- slavery and peasantry on one hand and capitalism and free labor

on the other" (Anderson, 1988, p.1-2). More succinctly, the burgeoning country of America,

barely a century old, with an increasing White population, could not afford to employ its White

citizens while the free labor of Africans was readily available.

Prior to the Civil War conflict, nearly half of all free children were receiving some form

of education. According to Anderson (1988), between 1830 and 1860, widespread movements

throughout the states calling for public education had begun to form; however, it would not be

until the turn of the century before the reality of extensive free tax-based public schooling would

take hold. Despite this call for increased public accountability toward children's education, mob

violence and hatred by European Americans in the South led to decreased educational

opportunities for African Americans.

Civil War broke out in America on April 12, 1861, between Northern Union armies and

Southern Confederates following the election of President Abraham Lincoln, after ruminations

that Lincoln would take away states' rights including the right to own Africans, and demand

higher taxes from the profits of slavery (Lusane, 2011). Eleven southern states (South Carolina,

Mississippi, Florida, Alabama, Georgia, Louisiana, Texas, Virginia, Arkansas, North Carolina,

and Tennessee) all seceded from the Union and fought to the death to establish Confederate

sovereignty. In the end, the Union Army prevailed using a war tactic that effectively set free *only*

those enslaved Africans who inhabited states which had seceded. This maneuver had the grave

effect of chilling Confederate production and profits from harvesting crops (chief among them

cotton) and crippling their supply lines as many formerly enslaved Africans no longer helped

fund the war with their free labor (Lusane, 2011; Zinn, 1995). After many battles, the southern

Confederates were defeated, and the Civil War ended on May 9, 1865. The Thirteenth

Amendment, Section 1 of the 38th Congress, Session II, to the United States Constitution,

approved on February 1, 1865, confirmed southern fears. The amendment reads: "Neither

slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have

been duly convicted, shall exist within the United States, or any place subject to their

jurisdiction." (LOC (c), 2017, p 567). It cannot be overlooked that the term "except," cunningly

written into the constitutional amendment language, fully invalidates the actual abolition of

slavery and involuntary servitude by excluding certain persons who are convicted of a crime

from freedom from bondage. Unlawful arrests and convictions are well documented throughout

the penal history of this country (Saito, 2002; Turow, 2017; Wildeman, Costelloe, & Schehr,

2011).

Despite the aversion of mainstream White culture toward educating African Americans,

many schools had been created during The Civil War at the behest of freedmen and women with

the financial assistance of the federal government through the Freedman's Bureau (Anderson,

1988). There was a network of schools created in New Orleans, Louisiana originally by formerly

enslaved peoples around 1861, but was later taken over by Union Army officials and blossomed

to more than 60 schools with nearly 8,000 students and at least 100 teachers (Anderson, 1988).

The numbers of schools and pupils increased exponentially in the next four years allowing many

of the formerly enslaved people to obtain at least a rudimentary education. According to

Anderson (1988), by 1865, nearing the end of the war, the number of schools and students in

Louisiana had ballooned into the hundreds and thousands respectively (Table 1). These schools

were maintained by the collection of property taxes, however, in 1866, the federally run

Freedman's Bureau suspended the tax decree and closed all the Black schools. Anderson (1988)

goes on to state that parents petitioned the government to reopen the schools, and although

suffering from extreme poverty, begged to pay for the schooling themselves. "Such actions

reveal the collective effort and shared values of the ex-slaves who built and sustained schools all

across the post-war South." (Anderson, 1988, p. 10).

Table 1. Establishment of schools in New Orleans, Louisiana during the US Civil War
(Anderson, 1988).

Year	Schools	Teachers	Students
1864 (September)	60	>100	8,000
1864 (December)	95	162	9,571 youth, 2000 adults
1865	126	100	19,000

In 1868, the Fourteenth Amendment was ratified, extending citizenship to formerly

enslaved Africans, who then called themselves Negro or Colored, since the term African

American would not be widely used until the late 1980's. The newly adopted Fourteenth

Amendment legally established equal protection under the law for African Americans including

the right to due process as well as remedy for violations against them. Southern Confederate

states bitterly and vehemently opposed the newest amendment because it gave power to those

Africans who were formerly powerless, downtrodden, and enslaved. However, these states were

forced to ratify its measures in order to regain representation within the United States Congress

(Amar, 1992). Two years later in 1870, the Fifteenth Amendment, which granted African American men the right to vote, was ratified under The Constitution and held that the "right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude" (U.S. Constitution, 2018, p. 14). Characteristic of the historical racial intolerance in America, southern states which were largely Democratic at that time, compelled African Americans to take poll tests, literacy tests, and even pay poll taxes in order to suppress or discourage them from voting (Anderson, 1988). Curiously, poor Whites, who could neither read nor write, were not disenfranchised from casting their ballots according to Anderson (1988). The exclusion of the African American vote had a deleterious effect on much of their schooling, causing many of the buildings to languish in disrepair and lack of resources. By and large, the 13th, 14th, and the 15th Amendments were socially invalidated in many ways such as the Southerners' continued compulsion of African Americans to work for free in a system called "Share-cropping". This system allowed Africans Americans to live and work on the plantation planting and harvesting crops for a minimal profit.

Reconstruction Era Growth 1869-1879

The Reconstruction Era was a period in American history shortly following the Civil War from about 1870 to 1880, in which Africans, newly freed from slavery, were afforded military protection by the United States government from virulent Whites angered at the dismantling of slavery. Changes to the Constitution were rapidly in order since Africans were now legally considered free, thus marked the ratification of the 14th Amendment in 1868, granting them citizenship, and the 15th Amendment in 1870 which provided voting rights to Black men only (Lusane, 2011). The Freedman's Bureau afforded them never before enjoyed rights to vote, own property, conduct business for personal gain, and due process. Astoundingly, many Africans rose

to the unbelievable heights of a United States senator; many were house representatives, judges, postmasters, and teachers (Lusane, 2011).

Near the end of the 20th century, when progressive reformationist ideas were being thrust into the forefront of educational debates, African Americans who proliferated in the south, suffered the deadly sting of Reconstruction gains being torn decidedly from their hands, turning back the clock of educational and economic progress gained in the decade prior (Mitchell, 2001). This regression was set in motion by the presidential election season of 1876 which proved to be fiercely competitive between candidates Samuel J. Tilden, a southern Democrat, and Rutherford B. Hayes, a Republican from the north. Following a virtual deadlock in votes between them, they struck a deal known as the Hayes-Tilden Compromise of 1876. Spurred by the White envy of African American progress, the northern Republican Hayes (conditional upon his presidential win) promised southern Democrat Tilden that he would withdraw federal troops from protecting Blacks in the south (Lusane, 2011). This treachery ushered in a particularly dark period for African Americans which saw the public emergence of the Ku Klux Klan, Jim Crow laws, grandfather clauses, all White unions, and an overall separate, overtly violent, and grossly unequal society (Lusane, 2011).

Many historically Black universities and colleges (HBCU) were triumphantly created during the mid to late 1800's in spite of the evident viral hostility and aversion to African Americans' learning. Shaw University was founded on December 1, 1865 by a White Baptist minister and former Union Army soldier named Henry Martin Tupper (Shaw, 2004). Fisk University was founded in 1865 by John Ogden, Reverend Erastus Milo Cravath, and Reverend Edward P. Smith, and was named in honor of Union general Clinton B. Fisk who secured facilities for the new college (Fisk, 2017). Tuskegee University, initially named Tuskegee

Institute was founded by Booker T. Washington in 1881 in Tuskegee Alabama. These are but three examples of various universities which began after the end of the Civil War which sought to provide an academic education for newly freed African Americans.

Revolutionary leaders of the time, Fredrick Douglas, Booker T. Washington, and W.E.B. DuBois had many commonalities and some distinct differences in how they thought and advocated for African Americans both politically and educationally. Douglass, who was born into slavery in Maryland 1818, had escaped to the North by age 20 and quickly rose to popularity due to his fiery anti-slavery speeches which attracted both Black and White patronage (Lusane, 2011). On July 5, 1852, at the Rochester Ladies' Anti-Slavery Society in Rochester, New York, Douglass brought forth a verbal treatise to the crowd of nearly 600 persons posing to the audience the question "What to the Slave is the fourth of July?" (Lusane, 2011). His bold rhetorical reply partly stated:

> I answer, a day that reveals to him, more than all other days in the year, the gross injustice and cruelty to which he is the constant victim. To him, your celebration is a sham; your boasted liberty, an unholy license; your national greatness, swelling vanity; your sounds of rejoicing are empty and heartless; your denunciations of tyrants, brass fronted impudence; your shouts of liberty and equality, hollow mockery; your prayers and hymns, your sermons and thanksgivings, with all your religious parade and solemnity, are, to him, mere bombast, fraud, deception, impiety, and hypocrisy--a thin veil to cover up crimes which would disgrace a nation of savages. There is not a nation on the earth guilty of practices more shocking and bloody than are the people of the United States, at this very hour.

Go where you may, search where you will, roam through all the monarchies

and despotisms of the Old World, travel through South America, search out

every abuse, and when you have found the last, lay your facts by the side of the

everyday practices of this nation, and you will say with me that, for revolting

barbarity and shameless hypocrisy, America reigns without a rival.

Fellow citizens, the murderous traffic [the slave trade] is today in active

operation in this boasted republic. In the solitude of my spirit, I see clouds of

dust raised on the highways of the South; I see the bleeding footsteps; I hear

the doleful wail of fettered humanity, on the way to the slave markets, where

the victims are to be sold like horses, sheep, and swine, knocked off to the

highest bidder. There I see the tenderest ties ruthlessly broken, to gratify the

lust, caprice and rapacity of the buyers and sellers of men. My soul sickens at

the sight.

Fellow citizens! The existence of slavery in this country brands your

republicanism as a sham, your humanity as a base pretence, and your

Christianity as a lie. It destroys your moral power abroad; it corrupts your

politicians at home. It saps the foundation of religion; it makes your name a

hissing, and a byword to a mocking earth. It is the antagonistic force in your

government, the only thing that seriously disturbs and endangers your Union.

It fetters your progress; it is the enemy of improvement, the deadly foe of

education; it fosters pride; it breeds insolence; it promotes vice; it shelters

crime; it is a curse to the earth that supports it; and yet, you cling to it, as if it

were the sheet anchor of all your hopes.

Oh be warned! Be warned! A horrible reptile is coiled up in your nation's

bosom; the venomous creature is nursing at the tender breast of your youthful

republic; for the love of God, tear away, and fling from you the hideous

monster, and let the weight of twenty millions crush and destroy it forever!

(Douglass, 1852, p. 11)

His eloquence and daring came at a time when Africans, enslaved or free, in the North and

South, were mostly reviled. He not only spoke out against slavery but here, in this speech,

against the whole Republic that was America. Yet he still managed to gain audience with

President Lincoln, meeting him twice to discuss the plight of Africans, and remarking of him,

"Mr. Lincoln is quite a genuine representative of American prejudice and Negro hatred and far

more concerned for the preservation of slavery and the favor of the Border Slave States, than for

any sentiment of magnanimity or principle of justice and Humanity" (Lusane, 2011, p. 204).

According to the author, Douglass' popularity did not wane for many decades as he was keen on

further establishing an ongoing relationship to the White House post-Lincoln, garnering various

appointments from four other presidents in the coming years.

        Though the passage of time saw Black symbolic emancipation and later Reconstruction,

there were other advocates on the rise, like Booker T. Washington who did not share Douglass'

fiery sentiments of revolt. Washington's rise to prominence after the death of Douglass proffered

a curious approach to White violence, hatred, and determined separation. Much to the

consternation of Black leaders like W.E.B. DuBois, Washington openly showed his approval for

segregation, gaining wide mass appeal among Whites, who later shunned him in a racial

backlash for having visited President Roosevelt at the White House (Lusane, 2011).

Washington's conciliatory, hat-in-hand rhetoric during his infamous 1895 speech at the Cotton

States and International Exposition in Atlanta, Georgia was stunningly compromising, stating in

part:

> As we have proved our loyalty to you in the past, in nursing your children,
>
> watching by the sick beds of your mothers and fathers, and often following
>
> them with tear-dimmed eyes to their graves, so in the future, in our humble
>
> way, we shall stand by you with a devotion that no foreigner can approach,
>
> ready to lay down our lives, if need be, in defense of yours; interlacing our
>
> industrial, commercial, civil, and religious life with yours in a way that shall
>
> make the interests of both races one. In all things that are purely social we can
>
> be as separate as the fingers, yet one as the hand in all things essential to
>
> mutual progress (Washington, 1895, p. 2).

Dubois, a scholar and activist vehemently denounced Washington's remarks as "a complete

surrender of the demand for civil and political equality" arguing that he represented "the old

attitude of adjustment and submission" (Lusane, 2011, p. 225).

Washington and Dubois, both academicians with divergent principles on how to progress

as Black Americans in a hostile society, held education in high esteem. Near the turn of the

century, with the height of rampant lynching and other acts of violence and discrimination by

Whites, rather than to challenge Jim Crow directly Washington elected to advocate for self-

reliance and education. The consummate communicator and politician, Washington became the

head of Tuskegee Institute when it was merely a vocational school overseeing its operations until

his death in 1915 (Harlan, 1972). DuBois instead chose mainly a life of writing and publishing to

compliment his activism toward social equality for Black people. He was a graduate of a

Historically Black College named Fisk University, and the first African American to graduate

from Harvard University with a doctorate. Dubois was a Pan-African who lectured and spoke

passionately about Blacks gaining the freedoms others so readily enjoyed in the country and

around the globe. Co-founding the Niagara Movement in the early 1900's, DuBois and his cohort

intended the movement to be a direct repudiation of Washington's 'Atlanta Compromise' and the

large following he had garnered as a result (Lewis, 1995; Lusane, 2011). Both men's legacies

profoundly affected the continually burgeoning Black academic community by serving to widen

the latitude of possibilities for Blacks using their gifts of oratory and their brazen courage in

challenging American racism. Each of their perspectives and ensuing work has become an

integral part of grounding social and academic landscapes particularly as it pertains to post-

Emancipation education, activism, and social engagement.

CHAPTER III

Jim Crow Losses: Legal Challenges to Segregation

During the early 1900's, schools in America continued to be highly reflective of the larger social order in that, segregation persisted in nearly all cultural spaces as well as public and private schools. Reese (2006) believed that weight had been levied against the public school to ameliorate difficult economic, racial, and social problems that it did not create, but was, by way of its creators, fully complicit in the conditions that shaped those social issues. Consequently, although formally enslaved Africans were theoretically free, technically American, and living at a time when American education was wholly transformed into a standardized and socially critical institution, "Black education developed within this context of political and economic oppression" (Anderson, 1988, p. 2). Although between 1900 and 1950 Progressive Era reforms led to increases in school days, exponential growths in student enrollment, and decisive investments of public funding in various states, one of the most polarizing issues remained to be that of racial disparity. Accordingly, debates over the nature of a child, child centered education, and public-school efficiency led by progenitors of standard American education like John Dewey and Ellwood Cubberly, did not take into account the needs of African American learner nor were any of their heralded educational theories inclusive of what was in the best interest of that group.

While theorists like Dewey and Cubberly held sway over the minds of White male elected officials and successful entrepreneurs who had the resources to support one reformer's idea over another's, none of their educational reforms were crafted for the specific benefits of the socially and politically outcast African American (Reese, 2006). Failing to acknowledge the history of African Americans or their contributions to society, the apparent chasm between

African American and White schools, particularly in the Jim Crow South, and concern for

impending racial integration within schools would not be seriously debated (and subsequently

legislated) until the 1950's with the Brown vs. Board of Education (1954) case. As such, and

prior to the Brown case, progressive-era reforms treated Black people and their educational

welfare as a byproduct or derivative of White schooling. The legality of Jim Crow or "separate

but equal" doctrine was enshrined by the landmark case of Plessy v. Ferguson 1896 where the

constitutionality of refusing service or entry of African Americans to any public facilities was

upheld. Though to a large degree, this system of separation between races had always been a

commonplace reality throughout the antebellum colonies and expanding states, segregation laws

enacted prior to Plessy became increasingly detailed and precise after the court's decision. No

stone was left unturned in creating laws, as the White ruling class placed increasing pressure on

African Americans to "stay in their place". Statutes made segregation a legal requirement

everywhere:

> No detail seemed too small as laws required segregation at work, at play, and
>
> at home. Public schools were always separate and almost always vastly
>
> unequal. Public conveyances, eating and hotel facilities, bathrooms, water
>
> fountains, prisons, cemeteries, parks, and sporting and entertainment events
>
> were all covered. New Orleans even deemed it in its public best interest to
>
> enact an ordinance separating Negro and White prostitutes. (Bell 2004, p. 12)

The continual dogged effort of Whites to essentially rid themselves of the presence of African

Americans by keeping them socially and politically at bay, bred hatred and suspicion, cultivated

false rumors, misinterpretations and intensified violence. Segregation based on skin color and

ethnicity was then and still is, not merely about separation, but about subordination. Bell (2004)

acknowledges this stating that African Americans, "…without regard to their accomplishments, were presumed to be inferior to any White person no matter how low or ignorant (p. 13)."

American social spaces and public places, in the beginning third of the 20th century, were ripe with cruel and unfair treatment towards African Americans. Since the end of the Reconstruction era (approximately 1877), Jim Crow laws in the south intensified racial discrimination with state mandates being instituted like Grandfather clauses, which meant that whatever your grandfather's status in society was, especially when it came to voting, so too was your social standing in that locale.

In looking at Woodson's non-fiction classic, *The Mis-education of the Negro* written by Carter G. Woodson (1933), the author decries the American education system for purposely under-educating African American students (Seiler, 2001; Woodson, 1933). In his work, Woodson (1933) explicates the lack of consideration given to the plights and experiences of both African and African American culture as a means to instilling pride to the individual and motivation for overall learning (Seiler, 2001). By 1940, there were as many as 330 African Americans holding Ph.Ds. However, it was not until 1941 that Allison Davis, a Black professor, was hired at the University of Chicago and was the first African American to be hired at the all-White university (Ballard, 2004). In an effort to encourage more White universities to hire Black faculty, the Julius Rosenwald Fund wrote letters to 500 universities and their presidents imploring them to make better efforts to hire Black professors. It should come as no surprise that as many as 400 universities did not even reply. According to Ballard (2004) of the colleges that did respond, many were against the whole idea of a Black man teaching White students.

Here the social impediments of obtaining higher degrees of learning against the grain of a segregated society, and mostly being locked out of acknowledgment for one's scholarship but

more importantly, locked out of employment opportunities are indicative of the notions the Wizard of Oz Effect portends. The synchronicity with which hundreds of universities and colleges rebuked even the thought of a Black professor teaching to White students is categorically expressive and indicative of the brand of racial collectivizing we see trending throughout the American historical record. These schools were doing their part, through their non-response, to maintain the de jure White racial status quo.

A popular marker in this trend is the hallmark legislation of <u>Brown v Board of Education (1954).</u> Its relevance in piecing together the effects of social institutions on the sustenance of Black lives in the face of Plessy's ubiquitous inequality is indisputable. However, it also had many implications toward the continuity of subjugation, which may be unintentional, yet nonetheless damaging to the main thrust of arguments against Plessy and in favor Brown, which is freedom of movement and equal enjoyment of education, opportunity, and access within the society.

Brown I

Twentieth-century America was running full steam ahead, ripe with fast-paced industrialization which had by this time had fully taken hold in many parts of the country. American industries were booming with business, manufacturing all kinds of goods, yet nowhere in American society could African Americans find refuge from the stark realities of social imbalance, violence, and daily maltreatment by Whites (Anderson, 1988). In what was known as the Red Summer of 1919, a particularly vicious and bloody barrage of attacks by Whites against African Americans ensued, occurring in multiple cities happening almost simultaneously throughout the summer, leaving many men, women, and children murdered and families completely broken (Lusane, 2011; McWhirter, 2011). A thriving, wealthy African American

community in the Greenwood neighborhood of Tulsa Oklahoma was burned to the ground in

1921 by Whites, and many of the inhabitants were shot or burned to death (Lusane, 2011). This

race riot was particularly heinous as the state government participated in the murders by

dropping explosive bombs onto the African American communities from airplanes circling

above (Halliburton, 1972). Another example is the Rosewood Massacre of 1923; a cauldron of

violence resulting in the racially motivated mass murder of African Americans in the town of

Rosewood, Florida where hundreds of them died by gunshot or from being hanged (Ellsworth,

1992). These few examples demonstrate the pulse of a racially segregated America and the fight

to dismantle government sanctioned separation as well as exclusion between the races.

        The laws of the land pertaining to segregation, firmly positioned by the legislation of the

Plessy doctrine, were decisively etched in stone and seemingly unmovable. The violence

wrought by Whites, who seemed perpetually angered by the presence of African Americans, and

their constant quest to gain equal access to public spaces, was incessant. However, in 1954,

Thurgood Marshall along with a host of legal experts, devised a strategy to attack the broadly

aimed Plessy decision utilizing one central theme: education (Kluger, 2011). Focusing singularly

on the inequalities of classrooms, resources, and lack of post-secondary opportunity created by

segregated schools, lawyers thought this was a recipe for plaintiff victory. Marshall and his legal

staff, determined to challenge the current system, took their case to the United States Supreme

Court in 1954. Using the infamous "Doll Study" created by Mamie Clark and co-authored by

Kenneth Clark, a married team of psychologists from New York, Marshall set out to prove that

separate education, and by default, separate societies were inherently unequal (Kluger, 2011).

The Clark & Clark (1950) study simply asked young African American children to choose

between the 'Black or White' dolls as to which doll was for example pretty or ugly and which

doll was the one the children most wanted to be like (Clarke & Clarke, 1950). Overwhelmingly, the African American children chose the White doll, thus demonstrating the correlative and damaging effect to the self-image and esteem of the African American child.

The Doll Study drew many intricate conclusions about the 'Negro' child's affinity for the White doll over the Colored doll as well as many overt ones. In conjunction with the dolls, the Clarks conducted a Line Drawing study and a Coloring test in which children were asked to color themselves and the other objects on the page investigating children's perception of color pertaining to themselves and what color they would like to be. Predictably, the Clarks' results demonstrated how Negro children consistently rejected their own color signaling an intra-emotional conflict when assessing the value and importance of their own skin color (Clark & Clark, 1950). The researchers referred to the children's' reaction as an "escapist" response and was found to be most prevalent in dark-skinned children, five-year-olds, and Northern children signaling a dominant integrationist ideology formed apparently at an early age. "It is clear that the Negro child, by the age of five is aware of the fact that to be colored in contemporary American society is a mark of inferior status" (Clark & Clark, 1950, p. 350). According to the study, the differential between being Black, Colored or Negro and preferring to be White (by virtue of their demonstrated color choices) highlights a negation of self that is highly conflictual with the ego structure. One cannot separate oneself from her or his skin color, and thusly must be identified with that thing which she or he fundamentally rejects (Clark & Clarke, 1950).

Recommendations from the Clarks' investigation called for a more constructive wholesome education for Negro children, focused on a definitive practice of mental hygiene that "relieve[d] children of the tremendous burden of feelings of inadequacy and inferiority which seem to become integrated into the very structure of the personality as it is developing" (Clark &

Clark, 1950, p. 350). The Clarks, and by extension, Marshall contended that these perceived ideas were further exacerbated by the practice of separate and distinctly unequal schooling (Bell, 1980). While there may have been no legalistic way to insert, argue or advocate for the prescribed course of a more constructive, holistic approach to the Black child's education, it is not clear that it was ever a point of contention amidst the fight for school integration. More clearly stated, the Black child is not a White child encased in brown skin and therefore has always needed an education that does for her and him what White education does for White children (Wilson, 1978; 1992). Supporting the self-esteem through culturally relevant education advances the accrual of knowledge insofar as the ripe and wholesome establishment of the former incites the yearning and avid pursuit of the latter (Asante, 1991; Sampson & Garrison Wade, 2010).

The plaintiff's argument in the Brown case, therefore, may have missed the mark in its singular focus of integration rather than remedies which point more toward the mandating equal resources be applied to the school of Black children. Idealistic in nature particularly in the rearview mirror of history, the equal dissemination of funding might allow for children to take with them their cultural effects into a school environment which welcomed, rather than rejected them. However, when it is understood that the thrust of Brown was indeed a mammoth attempt to tear down the ramparts of Plessy using the fragility of children and their education as the ladder of choice, then school resourcing becomes a secondary, perhaps tertiary concern. In all, the success of either would rightly signal a positive change in the minds and hearts of many individuals.

It was after much deliberation, the Supreme Court, led by Chief Justice Earl Warren, decided 9-0 in favor of plaintiff Oliver Brown and counsel Thurgood Marshall, effectively

striking down the Plessy decision by ruling that school segregation was inherently wrong and must be dismantled (<u>Brown v. Board of Education, 1954</u>; Bell, 1980;1983). The court's language is captured in this excerpt:

> We come then to the question presented: does segregation of children in public schools solely on the basis of race, even though the 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.

> Such considerations apply with added force to children in grade and high schools. To separate them from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone. The effect of this separation on their educational opportunities was well stated by a finding in the Kansas case by a court which nevertheless felt compelled to rule against the Negro plaintiffs:

> "Segregation of White and colored children in public schools has a detrimental effect upon the colored children. The impact is greater when it has the sanction of the law, for the policy of separating the races is usually interpreted as denoting the inferiority of the negro group. A sense of inferiority affects the motivation of a child to learn. Segregation with the sanction of law, therefore, has a tendency to [retard] the educational and mental development of negro children and to deprive them of some of the benefits they would receive in a racial[ly] integrated school system."

Whatever may have been the extent of psychological knowledge at the

time of Plessy v. Ferguson, this finding is amply supported by modern

authority. Any language in Plessy v. Ferguson contrary to this finding is

rejected.

We conclude that, in the field of public education, the doctrine of

"separate but equal" has no place. Separate educational facilities are inherently

unequal. Therefore, we hold that the plaintiffs and others similarly situated for

whom the actions have been brought are, by reason of the segregation

complained of, deprived of the equal protection of the laws guaranteed by the

Fourteenth Amendment. This disposition makes unnecessary any discussion

whether such segregation also violates the Due Process Clause of the

Fourteenth Amendment. (Brown v. Board of Education, 1954, pp. 493-495)

Overtly, the Clarks' research concluded that "racism was an inherently American institution, and

that school segregation' inhibited the development of White children, too" (NAACP, 2018).

Much to Kenneth Clark's dismay, these findings were not cited in the decision. Interestingly, the

court implied (but did not readily admit) that Whites controlled and dominated every single

aspect of the society. The court also asserted through its opinion that segregation between 'White

and colored children' is detrimental to the latter because it establishes an inferiority status

assigned to the 'colored' children and one of superiority to the Whites. Essentially, races

remaining separate would have little meaning at all if one race (in this case the White race) did

not control everything. It is the control of other people, and the power to promote or limit

'Colored' movement as well as upward mobility in education, occupation, social interaction, and

political participation which made the society, in general, unequal. The court never said

'Coloreds' should have a mandatory share in the control of schools, their resources, and their administration. Instead, it only agreed that 'colored' children have the right to go to school where White children attend. Had the Supreme Court been more precise in defining who controls and dominates the society (e.g., Whites), thereby demonstrating or acknowledging that society will never be equal upon such condition, it would have invalidated every law and amendment the Constitution affirms. If one group controls and dominates a society, the society will not be equal.

Still, this ruling signaled the death of Plessy, and the beginning of the end for legal segregation in many public aspects of the general society, but not without a fight. In America, there is the law, and then there is the application of the law, which are two distinct and unequal prospects. Brown v Board of Education was the only logical 'next step' in decision making by the Supreme Court, when faced with some of the most brilliant and formidable African American attorneys. Obtaining a favorable decision from the Supreme Court was no easy task. Compelling historical racists and staunch supporters of segregation working in government, law enforcement, and public spaces to comply with what was now legal 'race-mixing,' proved to be a formidable undertaking.

Brown II

There was widespread White disapproval of the 1954 school desegregation mandate, and wholesale refusal to cooperate with this law. In light of states' debate on how to interpret the new law, Brown v. Board of Education was reheard with the aim of establishing how to exactly apply the law, in what is commonly known as Brown II (Brown v. Board of Education of Topeka, 1955). Chief Justice Warren's opinion was thusly quoted:

> Full implementation of these constitutional principles may require solution of
>
> varied local school problems. School authorities have the primary

responsibility for elucidating, assessing, and solving these problems; courts will have to consider whether the action of school authorities constitutes good faith implementation of the governing constitutional principles. Because of their proximity to local conditions and the possible need for further hearings, the courts which originally heard these cases can best perform this judicial appraisal. Accordingly, we believe it appropriate to remand the cases to those courts.

While giving weight to these public and private considerations, the courts will require that the defendants make a prompt and reasonable start toward full compliance with our May 17, 1954, ruling. Once such a start has been made, the courts may find that additional time is necessary to carry out the ruling in an effective manner. The burden rests upon the defendants to establish that such time is necessary in the public interest and is consistent with good faith compliance at the earliest practicable date. To that end, the courts may consider problems related to administration, arising from the physical condition of the school plant, the school transportation system, personnel, revision of school districts and attendance areas into compact units to achieve a system of determining admission to the public schools on a nonracial basis, and revision of local laws and regulations which may be necessary in solving the foregoing problems. They will also consider the adequacy of any plans the defendants may propose to meet these problems and to effectuate a transition to a racially nondiscriminatory school system. During this period of transition, the courts will retain jurisdiction of these cases.

The judgments below, except that, in the Delaware case, are accordingly

reversed, and the cases are remanded to the District Courts to take such

proceedings and enter such orders and decrees consistent with this opinion as

are necessary and proper to admit to public schools on a racially

nondiscriminatory basis with all deliberate speed the parties to these cases. The

judgment in the Delaware case -- ordering the immediate admission of the

plaintiffs to schools previously attended only by White children -- is affirmed

on the basis of the principles stated in our May 17, 1954, opinion, but the case

is remanded to the Supreme Court of Delaware for such further proceedings as

that Court may deem necessary in light of this opinion. It is so ordered. (Brown

v. Board of Education of Topeka, 1955. P 299-301)

Here, Warren is deferring the decision of how and when schools will desegregate back down to

the lower courts, mandating only that they must do it 'with all deliberate speed.' Although the

enormity of Brown I's decision and its national impact was set to affect hundreds of schools

potentially, one must wonder how racist southern judges, politicians, and educators who were

incapable of seeing the need for inclusion in the first place, would now agree to desegregate with

any discernible speed. Many schools reluctantly complied, however, all-White schools in states

like Virginia and South Carolina would not readily acquiesce with either Brown decision.

Parents and students went about picketing bus arrivals filled with African American students,

threatening them with physical violence and closing their doors altogether. This court-sponsored

reversal led White families to send their children to private schools which had the legal right to

exclude anyone whom they chose. The General Assembly in Virginia adopted a policy termed

"Massive Resistance" using their own courts to thwart African American students and their

families from attendance, essentially obstructing desegregation (Virginia, 2017). In 1958,

Governor Lindsay Almond brazenly closed schools throughout the state of Virginia, causing

even the White students to be left with no schools to attend. White public pressure forced the

Governor's hand in reopening schools in several counties. However, Moton High School, in

Prince Edward County remained closed for five years (1959-1964) after county officials and

parents vowed not to appropriate any funding to the local school system in their effort to resist

integration. While White parents sent their kids to private schools, African American children

were wholly disenfranchised causing some to move to other counties just to attend school

(Virginia, 2017).

The list of politicians and 'public servants' who defied the orders of the Supreme Court

was long. Bull Connor, a reportedly vile anti-segregationist who served as the commissioner of

public safety in Birmingham Alabama from 1937 to 1952 and again from 1957 to 1963, was

vehemently against the 1954 mandate of integrating any public facilities, including schools

(Oppenheimer, 1972). A national symbol of institutional racism, Connor terrorized African

Americans who sought to publicly demonstrate against racial injustice by arresting them on

sight, blasting them with fire hoses, and allowing police dogs to attack them (Oppenheimer,

1972).

George Wallace, another staunch anti-segregationist who served as Governor of Alabama

for four non-consecutive terms between 1963 and 1987, saw his first gubernatorial campaign in

1958 endorsed by the NAACP. However, his opponent, John Patterson, who was backed by the

Ku Klux Klan, beat him soundly by over 30,000 votes. Following his defeat, Wallace became

hardened and adopted a hard-line stance on segregation which later won him the governor's

election in 1962. When asked why he changed his philosophy to a racist one, Wallace reportedly

exclaimed, "You know, I tried to talk about good roads and good schools and all these things that have been part of my career, and nobody listened. And then I began talking about niggers, and they stomped the floor" (Wallace, 2000). The die was cast, and the way forward for Wallace was a path of vitriol, racist rhetoric, and contempt for African Americans. As he took the podium at his inauguration, he was unmistakably candid in saying "In the name of the greatest people that have ever trod this earth, I draw the line in the dust and toss the gauntlet before the feet of tyranny, and I say segregation now, segregation tomorrow, segregation forever!" (Klarman, 1994, p. 109; Wallace, 2000, 00:03).

Governor Wallace is perhaps most famously known for his actions in barring the entryway to the University of Alabama in June 1963, symbolically blocking African American students James Hood and Vivian Malone from attending (Clark, 1995). Later that year in September, Wallace again attempted to block four elementary school children from integrating into a previous all-White school which failed following an intervention from the federal court in Birmingham (Web, 2012). Both Connor and Wallace, elected officials, exhibited a kind of deep-seated radical fanaticism, boldly exemplifying the violent and deadly racialized social construct which typically governed the south (Patterson, 2002). Years later, in the late 1970's, Wallace sought repentance for his racist behavior claiming that his "segregation forever" comments were not against Black people and were merely about states' rights (Carter, 1996). However, the evil deeds had been done, many Blacks were dead, and hundreds more had been harassed, threatened and scarred for life. Redemption was hardly palpable.

The extreme pushback experienced by those African Americans who sought to have the rulings in Brown I and II realized, did not deter them from forging ahead. What was legally ambiguous enough for Whites to continue their disenfranchisement, seemed evident and well-

defined in the purview of Blacks, which was equal access to all parts of the society. Here again, we see it is the pretense that equality will affix itself to the society on the condition of a legal ruling consummating multiple tenants of Wizard of Oz Effect. That governors and other officials can deny and refuse to institute the very laws they are sworn-in to uphold and protect for every citizen, is indicative of the possessive investment in Whiteness and its power override established channels of civility (Lipsitz, 1995).

This lack of respect for the law its own group created leaves Whites to their own collective devices in dismantling people and power structures which are deemed to act countercurrent to the proposed permanence of White superiority. The following chapter discusses this idea in depth by highlighting two figures: one political, the other decidedly social who alter the course of American politics and social justice.

CHAPTER IV

Dismantling Revolutionaries

Many brave revolutionaries in America have fought and died for the social and political freedom of African Americans. Individuals who had a strong penchant for attacking injustice challenged social conventions and even government for its complicity in racially discriminatory applications of the law. This chapter highlights two such individuals who, in retrospect, appeared revolutionary for the often-radical stances they took with regard to politics and civil rights. It uses the sub-question about the construction of social impediments to guide its investigation.

Presidents, senators, governors, and representatives, regardless of party, carry with them personal ideologies which inform their political ambitions. Whenever the people, be they activists or ordinary citizens, find disagreement with the elected official's ideologies or policies, they are often regarded as radical or rebellious. Eventually, if those citizens organize well enough against the powers that be, with whom they disagree, those citizens may even come to be known as revolutionary. Dismantling those dissenting opinions of the citizenry, silencing their voices, and extinguishing their flame has long been a tactic by the wealthy and politically connected to accomplish their ideological and political goals, even if harms or precludes the people from equal protection and access under the law.

John F. Kennedy Jr.

Prior to the Nixon's presidency, the 1960's ebbed and flowed with both political victories and social violence. John F. Kennedy Jr. (popularly referred to as JFK) became the 35th President of the United States in 1961 at the height of the Cold War with the communist Soviet Union. President Kennedy presided over many wars of words and military actions with archenemy Cuba

(an ally of the Soviet Union) in the failed Bay of Pigs Invasion in 1961 and the Cuban Missile

Crisis which began in the Fall of 1962 (Bohning, 2005). JFK was unpopular with many

government officials for his rejection of Operation Northwoods, a covert military strategy in

which the CIA sought to stage false flags (i.e., actual or contrived disasters staged by the

supposed victims). These fake disasters included hijackings and various acts of terrorism against

its own U.S. military or civilian populations, were intended to subsequently be used in blaming

Fidel Castro in order to incite a war with Cuba (Nelson, 2001; Durham, 2014). Although JFK

was popular with African Americans (then called "negros") for having supported the Civil

Rights Movement and the passage of legislation, he was unpopular with many Whites for the

same reason (Dudziak, 2011; Orfield, 1969).

Efforts toward provoking equality and the establishment of civil rights for African

Americans during the 1960's, activated a very visceral reaction from many Whites. The

overwhelming outcry by Blacks which led to legislative victories such as the <u>Brown v. Board of</u>

<u>Education decision (1954)</u>, only exacerbated racist mindsets, demonstrating that old habits die

hard. Of all the domestic issues facing America at mid-20th century, Brown I and its dispelling of

the Plessy doctrine was a critical blow to segregationists. Essentially Plessy, and by extension,

the segregation of the Jim Crow South were both state-sanctioned acts of racism. "[T]he school

desegregation issue provoked an intense preoccupation with the maintenance of White

supremacy and a fixation on racial themes in politics, particularly in the deep South" (Grantham,

1992, p. 147-8). Though Brown's (1954) desegregation was a package deal which prohibited

racial segregation in any public buildings or spaces including bathrooms, theaters and lunch

counters, it continued to be a social standard (Grantham, 1992). Domestically, this was the

precursor to Kennedy's tenure as president.

Though he presented himself as the quintessential statesman, JFK towed the line between lip-servicing African Americans on Civil Rights bills and appeasing White Southern Democrats, but eventually had to deliver some campaign promises to Blacks, one of which resulted in the appointment of Thurgood Marshall to the federal bench (Williams, 2011). Prior to Marshall's appointment there had been two prominent Supreme Court decisions, Morgan v. Virginia (1946) and Boynton v. Virginia (1960), which churned the tide of the racial violence particularly in the south where Jim Crow segregation was staunchly enforced (Carter, 1968). Both cases yielded rulings that segregation on public buses that traveled across state lines or their restaurants and waiting areas was illegal, with the former decision holding that segregating passengers by race on interstate bussing violates the Interstate Commerce Clause of the U.S. Constitution (Morgan, 1946). Southern lawmakers and bus companies below the Mason Dixon line showed their disapproval by ignoring the judicial mandates, thus sparking an integrated movement of mainly activists, college students, and clergy, called the Freedom Riders (Arsenault, 2007). In May 1961, five months after Kennedy took office, Freedom Riders, sponsored mostly by the Congress of Racial Equality (CORE) and the Student Nonviolent Coordinating Committee (SNCC), organized a campaign that would forcibly integrate buses. Their strategy was to ride the buses from northern states into the deep South, sitting purposely in the front where Blacks were not allowed or next to a Black person. Once White citizens, police, and lawmakers were alerted to the Freedom Riders' actions, they began rioting outside bus terminals, physically removing passengers, beating them mercilessly with fists, clubs, and steel pipes, and burning whole buses to hollow charred ash (Arsenault, 2007).

In many cities like Birmingham, Alabama, Ku Klux Klan members led a violent charge against the Freedom Riders with full permission from Police Commissioner Bull Connor as he

often stood aside watching passengers beaten to a bloody pulp. After which, Connor took

pleasure in arresting them for any number of crimes including trespassing or violating Jim Crow

laws of segregation (Arsenault, 2007; Eskew, 1997; Garrow, 1989). As the summer months

approached more activists signed on to be Freedom Riders, trading their safety for a chance to

change the social impediments of systemic segregation. The violence increased, and many were

hurt seriously or killed (Eskew, 1997).

Reports of planned attacks on the Freedom Riders who were being honored at the First

Baptist Church on May 21, 1961, reached President Kennedy's desk prompting him to order

Alabama Governor John Patterson to protect the churchgoers from the massive angry White mob

that formed outside that night (Grantham, 1992). According to records, Kennedy sent 400

Federal Marshals, with Patterson chipping in some Alabama National Guard troops, to protect

the buses carrying the Freedom Riders and in exchange vowed not to interfere with local police

arresting the passengers for violating local segregation laws (Grantham, 1992). This was indeed

Kennedy towing the line between what had already been declared unconstitutional by the high

court, and the ironclad will of Southern racists to hold on to the antebellum Jim Crow way of

life.

Although there were many legal decisions which invalidated the premises of Plessy,

President Kennedy was poised to suggest a cooling off period, which CORE and SNCC rejected,

pressing forward with more rides (Arsenault, 2007). The violence in cities like Monroe, North

Carolina escalated into a shoot-out between police and local White supremacists against Black

citizens protecting themselves and Freedom Riders (Arsenault, 2007). This and other instances of

aggression perpetrated were indicative of an exceedingly emboldened Southern White population

who were determined to subordinate and segregate Blacks away from them. At the risk of

seeming too conciliatory toward African Americans, the Kennedy Administration pressed for

new policies which end (again) segregation in public spaces (Arsenault, 2007). The Southerners

believed they were being proverbially dragged into communing societally with Blacks, for which

they would continue to put up a formidable fight.

In his first State of the Union Address given on January 30, 1961, Kennedy spoke about a

host of domestic issues and had this to say about racial discrimination:

> "The denial of constitutional rights to some of our fellow Americans on
>
> account of race--at the ballot box and elsewhere--disturbs the national
>
> conscience, and subjects us to the charge of world opinion that our democracy
>
> is not equal to the high promise of our heritage. Morality in private business
>
> has not been sufficiently spurred by morality in public business. A host of
>
> problems and projects in all 50 States, though not possible to include in this
>
> message, deserves-and will receive--the attention of both the Congress and the
>
> Executive Branch. On most of these matters, messages will be sent to the
>
> Congress within the next two weeks" (Kennedy, 2004, p. 13).

Clearly, he felt a duty to address the ongoing racial overcast of public indignance toward African

Americans "at the ballot box and elsewhere," reminding Americans of what that must look like

to the world from outside looking in. Then, the President brazenly suggests that the legislated

morality of cases like Brown vs. Board of Education (1954) and Morgan v. Virginia 328 U.S.

373 (1946) have not "sufficiently" motivated the private sector to end their obvious and

continued discrimination in perhaps the hiring of African Americans or providing service to

them. He further intimates that the Congress and Executive Branch will look to scrutinize said

companies in the coming weeks following his address. One thing was now abundantly clear:

Kennedy had decided to pick a side, choosing to stand with citizens' rights, defending them with

the full power of his pen, and against segregationists who were obstinate about moving past post-

Civil War sentiments of bigotry and separation.

President Kennedy's second State of the Union Address, delivered January 11, 1962, and

only one month after the last Freedom Ride was taken, discussed many state affairs and met the

subject of Civil Rights head on. This excerpt details his political position on establishing an

equal society:

> "But America stands for progress in human rights as well as economic affairs,
>
> and a strong America requires the assurance of full and equal rights to all its
>
> citizens, of any race or of any color. This administration has shown as never
>
> before how much could be done through the full use of Executive powers--
>
> through the enforcement of laws already passed by the Congress-through
>
> persuasion, negotiation, and litigation, to secure the constitutional rights of all:
>
> the right to vote, the right to travel Without hindrance across State lines, and
>
> the right to free public education.
>
> I issued last March a comprehensive order to guarantee the right to equal
>
> employment opportunity in all Federal agencies and contractors. The Vice
>
> President's Committee thus created has done much, including the voluntary
>
> "Plans for progress" which, in all sections of the country, are achieving a quiet
>
> but striking success in opening up to all races new professional, supervisory,
>
> and other job opportunities.
>
> But there is much more to be done--by the Executive, by the courts, and by the
>
> Congress. Among the bills now pending before you, on which the executive

departments will comment in detail, are appropriate methods of strengthening

these basic rights which have our full support. The right to vote, for example,

should no longer be denied through such arbitrary devices on a local level,

sometimes abused, such as literacy tests and poll taxes. As we approach the

100th anniversary, next January, of the Emancipation Proclamation, let the acts

of every branch of the Government--and every citizen--portray that

"righteousness does exalt a nation." John F. Kennedy, Second State of the

Union Address, (Kennedy, 2004, p. 33-34)

In this speech to the whole nation, Kennedy addresses head-on the Freedom Riders Movement

and its effect on public policy. He spoke forcefully about the rough road of negotiation,

litigation, and "the full use of Executive powers--through the enforcement of laws" as tools used

to ensure the right to unimpeded interstate travel for African Americans. Surprisingly, Kennedy

goes out on a limb casting his "full support" toward strengthening laws against inhibiting voters

with literacy tests and poll taxes. He went further still, invoking the100th year anniversary of the

Emancipation Proclamation as the litmus for every citizen to strive toward a higher righteousness

of fairness and equality for all.

In his third and final address, JFK spoke about strengthening the nation in four ways

including investing in our youth's education, safeguarding the health of the nation, protecting the

basic rights of every citizen, and by making the most cost-effective use of the nation's resources

and facilities. Pertaining to citizens' rights, he itemized the right to competent counsel for the

federally accused, and also the right to vote, which had not been fully realized by a large number

of African Americans. Kennedy reiterates the previous State of the Union sentiments of how he

"wish[es] that all qualified Americans permitted to vote were willing to vote" adding, "but surely

in this centennial year of Emancipation all those who are willing to vote should always be permitted" (Kennedy, 2007, p. 41). This time, his message concerning the 'right to vote' seemed somewhat cryptic in that "qualified" had not before been useful rhetoric to describe any American. Before this, it was assumed, constitutionally, that being American qualified you to all the rights ascribed by the Framers. Though they were denied illegally, for African Americans men, the 14th Amendment to the Constitution, and the 19th Amendment for women, had previously sanctioned these rights to vote. Also, the former use of the word "permitted" seems to mean that if you were even qualified, that you still may not be 'permitted' to vote. And lastly, Kennedy says of all those who are qualified *and* American *and* permitted, he wishes they were "willing" to vote. Cryptic indeed. Would not the next sentence alone have been enough to get his point across about African Americans having the right, and the freedom, by way of Emancipation, to vote?

Under any mid-century lens, Kennedy was a trailblazer, speaking forcefully about fulfilling his duties as president. In his first State of the Union Address he stated his official intentions clearly:

> "For my part, I shall withhold from neither the Congress nor the people any
> fact or report, past, present, or future, which is necessary for an informed
> judgment of our conduct and hazards. I shall neither shift the burden of
> executive decisions to the Congress, nor avoid responsibility for the outcome
> of those decisions." (Kennedy, 2007, p. 6)

The President spoke more candidly and cogently than many of his predecessors about race and about moving past the promises of Emancipation and Reconstruction, affording the full rights of citizenship to African Americans, unencumbered by hatred, bigotry, and violence. Moreover, he

was willing to use not only the bully pulpit as a tool of negotiation and persuasion, but the power

of his pen as well, to accomplish his mission.

Among many domestic political issues, it was clear that Kennedy's vision toward

eliminating poverty and providing equal access under the law for every American was not shared

by everyone. Throughout the year of 1963, vicious White mobs, expressly in the South,

continued their onslaught of hatred and violence against Black people. Dr. Martin Luther King

Jr, and Reverends Fred Shuttlesworth and Ralph Abernathy, who had been pleading with

Kennedy for a Civil Rights bill, organized marches to take place in April which saw many Black

citizens including Shuttlesworth and Abernathy themselves arrested and jailed for various

frivolous misdemeanors (Oppenheimer, 1994). In early May, Alabama Governor George

Wallace and Birmingham Police Commissioner Bull Connor conspired to unleash attack dogs,

water cannon fire hoses, and police with guns onto non-violent Black protestors. Once Kennedy

saw by way of the news how the Black citizens had been brutalized for singing and

demonstrating, he stated how it made him "sick," and at that moment decided to enact a Civil

Rights Bill to protect African Americans from public and state-sponsored discrimination (Lytle,

2005; Oppenheimer, 1994).

Kennedy's forthright attempts at leveling the playing fields for Blacks were not shared by

the wealthy and powerful nor were they shared by the extreme White opposition he encountered

from the cold hard segregationists of the poor and middle class (Oppenheimer, 1994). The

backlash he endured because of his willingness to legislate fairness for all, in the end,

contributed to his demise, costing him his life. President John F. Kennedy Jr. was assassinated on

November 22, 1963, a year before his term end.

Dr. Martin Luther King Jr.

A prominent and formidable public figure, Dr. Martin Luther King Jr. used his spiritual background and his gift for oratory to engage the American political system in the fight for civil rights for African Americans. One of his early and more notable achievements was leading a successful boycott among the African American citizens in Montgomery, Alabama in 1955. The demonstration was against the local city bus company due to its racist practices of compelling Black passengers to ride in the very rear of the bus and give up even those seats to any White passenger who wanted them (Oppenheimer, 1992). Though Dr. King's legacy is most remembered as a tireless advocate for justice and equality for African Americans, since his time, he has been revered and celebrated internationally as an iconic figure and a remarkable visionary.

In his early life as a student, Dr. King was a scholar, graduating high school at the age of 15 and enrolling into Morehouse College and later graduated with a B.A. in Sociology (Ling, 2015). His penchant for scholarship further led him to earn a Bachelor of Divinity from Crozier Theological Seminary in 1951, and a Ph.D. in Systematic Theology in 1955, after which he chose religious ministry as both his calling and formal occupation (Ling, 2015).

Following many turbulent years of rampant violence and race rioting, things had reached a boiling point in 1955 following the landmark case Brown vs. Board of Education (1954) and the unprecedented blow it dealt to the legal precedent of Plessy v. Fergusson. Dismantling Plessy's "separate but equal" doctrine altogether would prove to be more difficult than merely obtaining a Supreme Court decision since the segregation mentality, for Southern Whites, was a deeply embedded way of life. Wrestling that away was almost impossible. However, the bravery of a young girl named Claudette Colvin in March 1955 and that of a woman named Rosa Parks

nine months later in December would ignite a movement to change that segregation mentality.

Since they paid the same fare as the White customers, African Americans boycotted for the

freedom to sit wherever they wanted (Ling, 2015).

During the boycott, Dr. King and other leaders urged Black citizens not to ride any city

buses to which they complied. Through seasons of rain and other inclement weather, Black

people organized carpools to get around, or they walked to and from their destination. Many

African Americans were harassed, threatened with violence, and even fired from their jobs for

participating in the boycott. On the other hand, some White housewives provided transportation

to and from their homes for the women who worked as maids, unable or unwilling to relinquish

their help (King, 2010). The boycott lasted for 381 days until the bus company, nearly went out

of business. A case heard in US District Court, Browder v Gayle (1956) brought an end to

segregated busing in Montgomery, but not before Dr. King would himself be arrested on one

occasion and have his house firebombed on another (Ling, 2015). Garnering extensive media

attention for its duration and success, the Montgomery Bus Boycott catapulted King into the

national spotlight transforming him into an iconic symbol of freedom among Blacks and enemy

of the state for most Whites.

Dr. King's was the first president of the Southern Christian Leadership Conference, an

organization created to lead Black churches and their congregation organizing protests and

fighting for civil liberties, which he helped to found in 1957 with Reverends Ralph Abernathy,

and Fred Shuttlesworth (Oppenheimer, 1994). After having authored as many as ten books over

his lifetime, Dr. King's popularity grew out of his tireless traveling lecturing, organizing

marches, advocating for and inspiring people everywhere. It also made him a target, not just for

racist individuals, but governmental agencies like the Federal Bureau of Investigations (FBI). J.

Edgar Hoover, who functioned as the FBI Director from 1935 to 1972 serving under six

presidents and was a product of a segregated upbringing, "considered King a personal enemy,

both of himself and of the Bureau" (Theoharis, 1999, p. 123). King, along with many other

activists had been under FBI surveillance since the late 1950's, however, scrutiny of King

intensified under the Kennedy Administration (Theoharis, 1999). The Bureau wiretapped his

home, hotel rooms, and any locations he was known in advance to be, as well as took countless

undercover photos and videos of him, his family, and any associates under the guise that King

was linked to the Communist Party (Theoharis, 1999). Accordingly, there were several public

exchanges between Hoover and King, with Hoover calling King, "the most notorious liar in the

country" (Theoharis, 1999, p. 123). King responded in a more eloquent style yet sarcastic tone,

remarking that Hoover's disparaging remarks about him must be the result of pressures "under

the awesome burden, complexities, and responsibilities of his office" (Theoharis, 1999, p. 123).

Hoover's hatred of King escalated with each successive accolade King earned. In December

1963, Time Magazine named Dr. King, Man of the Year, after which he was offered a host of

honorary degrees from various Universities, and an invitation to meet Pope Paul VI in Rome

(Garrow, 2015).

The year was 1964, President Kennedy had not long been assassinated, and the struggle

for civil right still had a strangle hold on much of the country and especially the South. King was

chosen to receive the Nobel Peace Prize, likely because of his uncanny leadership,

statesmanship, and his non-violent approach to achieving justice and equality for African

Americans. Despite his humanitarian work, Dr. King was the victim of ongoing vitriolic attacks

by the FBI which purposely circulated rumors and disseminated false information about him to

smear his name and tarnish his reputation as a leader (Garrow, 2015). Reportedly, Hoover mailed

King's wife a tape revealing extramarital affairs of King, threatening to release it publicly if the civil rights leader did not reject his Nobel Peace Prize (Theoharis, 1999; Garrow, 2015).

King did not relent, instead going on to lead or participate in many demonstrations of nonviolent resistance to bigotry and discrimination. Among them was the Albany Movement of 1961 in Albany, Georgia, which was not overtly successful in its efforts at desegregating the city (Carson, 2001). There was also the Birmingham Movement of 1963 in Birmingham, Alabama, in which a march led in March of 1964 in St. Augustine, Florida, and the infamous March on Selma Alabama in December of 1964 where the participants, mostly Black, were shot at and brutally beaten on the Edmond Pettis Bridge as they attempted to enter the city of Selma, it what would come to be known as "Bloody Sunday" (Ling, 2015, p. 197). The push for equal rights in the South, as well as the North, was a full-time occupation for those like King who were determined to gain freedom of movement throughout the society just like anyone else.

In the late November 1967, Martin Luther King gave sharp and critical remarks inside of a Mississippi Baptist church during a staff retreat for the Southern Christian Leadership Conference geared toward establishing better strategies for winning the struggle against social inequality (King, 1967a; 1967b). He carefully laid out the fundamental argument for the SCLC's new initiative, The Poor People's Campaign, relating the American government's refusal to support the American Negro with the same privilege and financial supports it readily afforded to White citizens (King, 1967a). In his remarks, he refutes notions of African American languor, to the contrary, reporting on the many ways in which African Americans are expected to compete with little to no resources. Dr. King insistently remarked:

At the very same time that America refused to give the Negro any land,

through an act of Congress, our government was giving away millions of acres

of land in the West and the Midwest, which meant that it was willing to

undergird its White peasants from Europe with an economic floor. But not only

did they give the land, they built land grant colleges with government money

to teach them how to farm. Not only that. They provided county agents to

further their expertise in farming. Not only that. They provided low-interest

rates in order that they could mechanize their farms. Not only that. Today,

many of these people are receiving millions of dollars in federal subsidies, not

to farm, and they are the very people telling the Black man that he ought to lift

himself by his own bootstraps. And this is what we are faced with…And this is

the reality. Now, when we come to Washington, in this campaign, we are

coming to get our check. (King, 1967a, whole speech)

King underscores these remarks by implying that he and other Blacks were coming to

Washington DC to in essence protest America's lack of fiduciary responsivity to its Negro

citizens and call for an end to government sanctioned poverty. In doing so, he and other SCLC

leaders hoped to force government officials into ensuring fair wages, unemployment insurance,

and better education for those in poor communities (King, 1967b).

Only four years earlier, had King and several other civil rights leaders organized the 1963

March on Washington, chronicling one of the most momentous and historical demonstrations to

ever take place in Washington, D.C. (King, 1967b). It was at this August 28th March, organized

mainly by A. Philip Randolph and Bayard Rustin, that Dr. King delivered his famous "I Have A

Dream" speech to hundreds of thousands in attendance. Many American citizens are unaware

that the finished product in terms of the timing of the March's agenda and speeches by many of

the speakers were edited to the liking of President Kennedy and his administration to be more

politically correct, hopefully minimizing fallout from Whites who disagreed with the event and

its premises (Reeves, 1994). Instead of a challenge to the political status quo, the March on

Washington transformed into a watered-down version of its original intent.

Despite its compromises, the March on Washington further ignited racist penchants for

violence in many White communities. In particular, Birmingham, Alabama became a powder

keg of extreme hatred toward King, Shuttlesworth and all of the Blacks who lived in that town.

Earlier that year, in April, King and Shuttlesworth planned protest demonstrations and as such

applied for city permits with the Public Safety Commissioner Eugene "Bull" Connor which he

flatly denied. Connor reportedly exclaimed, "You will not get a permit in Birmingham, Alabama,

to picket. I will picket you over to the City Jail!" (Oppenheimer, 1994, p. 659). In the following

month, it was the vicious attacks waged by Commissioner Bull Connor, unleashing water

cannons and police dogs on innocent men, women, and children who protested anyway, that

precipitated President Kennedy's decision to publicly promise a Civil Rights Bill.

It was now September 1963 and the beginning of the new school year brought with it

revived demonstrations by White Birmingham residents who maintained their fight against

integrating city schools (Ling, 2015). After several violent attacks by White police and citizens,

including a second bombing of local Black attorney Arthur Shores' home, and the fatal shooting

of a young Black man named John Coley, Governor Wallace ordered all public schools closed in

Birmingham, Tuskegee, Huntsville and Mobile, halting the Black students from enrolling (Ling,

2015). According to Ling (2015), on September 5th, the Governor incited more violence stating

"…what the country needed was a few first-class funerals and some political funerals too" (p.

157). Only ten days later, Wallace's vitriolic call became a reality. On Sunday, September 15,

1963, four young girls, Denise McNair, Cynthia Wesley, Carol Robertson, and Addie Mae

Collins were killed when a bomb exploded in the basement of the Sixteenth Street Baptist

Church (Ling, 2015; Oppenheimer 1994). Outraged by the ongoing violence including the

murders of the four little girls and other Black citizens caught up in the crossfire, Kennedy's

condemnation of Southern civil unrest came to an end when he was assassinated in November

1963 (Oppenheimer, 1994).

      The pressure that Martin Luther King Jr. and countless other activist put on President

Lyndon Johnson following Kennedy's death, to deal with the ongoing violence and

disenfranchisement toward Black citizens was tremendous. The desire was to continue the path

that Kennedy had laid for the passage of a civil rights bill. Instead, they got a Voting Rights Bill

giving them a right to vote freely in political elections (Ling, 2015). Not long after, Dr. King

would be assassinated on the balcony of the Lorraine Motel in Memphis, Tennessee on April 4,

1969, following a very fiery speech called the Mountaintop speech. In it, he spoke about how

historically, the American Negro had been duped into accepting second-class citizenship, and he

urged the American Negro to boycott certain companies until they begin to operate in fairness to

Black citizens. King's strongly modified tone over the endless indignations Blacks suffered in

the South, seemed to exhibit a growing exasperation that seemingly departed from his typical

nonviolent, quiescent speak. In light of successful campaigns like the Montgomery Bus Boycott,

his international notoriety as a Nobel Peace Prize winner, and his uncanny ability to mobilize

both Black and White masses, many theoreticians believe King's departure from his usually

patient and measured rhetoric may have dictated the timing of his assassination.

      On April 4, 1968, Dr. Martin Luther King Jr. was murdered by one shot from a long-

range rifle as he stood on a balcony of the Lorraine Motel in Memphis, Tennessee (King, 1967b).

To quell African American anger, rioting, and violence following King's assassination, the

following day, President Lyndon B. Johnson penned a letter to the United States House of

Representatives, urging lawmakers to swiftly pass the stalled Civil Rights Bill of 1968 (1968;

Peters & Woodley, 1968). The House of Representatives approved the bill on April 10, 1968,

and President Johnson signed it into law on April 11, 1968 (Kotz, 2005).

Two pivotal, historical figures, John F. Kennedy and Martin Luther King Jr., stood apart

as iconic individuals on the American political landscape yet existed symbiotically as mutually

dependent characters in the struggle for human and civil rights. Both gave their lives and

ultimately their bloodshed in what could only be seen as the utmost revolutionary acts: the

devolvement of self. Kennedy's idealistic departure from typical Washington rhetoric in

exchange for strong positions on the Federal government, Vietnam, social welfare and voting

equality for African Americans made him unpopular with many Southern lawmakers. King held

an unflinching stance on economic fairness, freedom of education within the society, and equal

protection under the law for African Americans. Even in the face of revolving death threats,

bombings, and constant surveillance, these things made him a formidable opponent for those

who celebrated the Jim Crow way of life. Dismantling these revolutionaries was not a tragic

accident, but a necessary recourse by both racists and zealots who sought to extinguish the

flames of integration, equality, and progress.

Racial indifference and intolerance both have long since been the subject of

multitudinous research studies, diagnosing intentional White-sponsored social segregation as a

tool of domination, power, and control. In Kenneth Clark's novel, *Dark Ghetto* (1965), he offers

the theory that "…the dark ghetto's invisible walls have been erected by White society, by those

who have power, both to confine those who have *no* power and to perpetuate their

powerlessness" (p. 11). He goes on to state that "…dark ghettos are social, political, educational,

and -above all- economic colonies. Their inhabitants are subject peoples, victims of the greed,

cruelty, insensitivity, guilt and fear of their masters." (Clark, 1965, p.11; Massey & Denton,

1993). Indeed, Clark's intuition about a place he knows all too well diagnoses its root causes and

fixes for the reader. Thus, Clark's words were confirmed by a 1967 Federal investigation

labeled the Kerner Commission Report. It was authorized by President Lyndon B. Johnson to be

investigated by Illinois Governor Otto Kerner, and its conclusions came as no surprise to African

Americans living at that time. In response to police sponsored violence and racial inequalities,

this inquiry was created to identify root causes of violence perpetrated in the nation's African

American neighborhoods during the late 1960's (Massey & Denton, 1993).

Amid the rising tide of civil unrest in America following the assassinations of both

pivotal and polarizing African American leaders like Malcolm X and Dr. Martin Luther King Jr.,

college and university campuses erupted with violent confrontations over racial inequities. In

April of 1969, the Willard Straight Hall Takeover which occurred at Cornell University

demonstrated Black students' resolve to seek serious change in school policies which they

considered to be racist and unacceptable (McPhail, 1999). The burning cross, a historical symbol

of White racial hatred toward African Americans, firmly planted after midnight on the lawn of an

African American dormitory was the tipping point of a long period of racial instability at

Cornell. This was inclusive of the university's ongoing hostility toward student cultural needs,

and its absolute refusal to institute a Black Studies curriculum (McPhail, 1999).

Not only does lack of access present problems with academic gaps and educational

attainment, but the constant threat of macro and microaggressions interfere and negatively

impacts the learner, in this case, the African American learner (Nadal, Wong, Griffin, Davidoff,

& Sriken, 2014). Prior to 1865, and even after, African Americans learning to read or write was a

revolutionary act. Erecting Black colleges and ascending to the Supreme Court to challenge

segregation was a revolutionary act. Being Linda Brown, Ruby Bridges, Vivian Moore or James

Hood, and having the courage to walk up to segregated doors and even sit within them was

revolutionary indeed.

Although the efforts to dismantle all revolutionaries who were in the pursuit of education

attainment was not always successful, these were not the only tools of disenfranchisement that

would be used to thwart African American advancement. A tool afforded by educational

attainment which have the potential to create wealth is real estate and homeownership. In the

next chapter, redlining and housing discrimination are investigated as yet another avenue for

inequitable living between African American and White citizens.

CHAPTER V

Redlining and the Discrimination in Housing

Much of American policies have gone toward keeping poor African Americans from advancing beyond the imaginary, yet very real color line. This line created a barrier to access to wealth, states resources, and affordable housing, among other things, between European Americans and African Americans. This chapter explores the barrier of homeownership as another social impediment to freedom, equality, and access to implements that have the potential to grow and store wealth. The access to these promotes better schooling which in turn has the potential to reduce gaps in achievement and attainment.

Throughout American history, African Americans were consistently prevented, as a group, from obtaining parity in these areas. This obstruction was overtly accomplished through the use of deceptive practices like redlining and gerrymandering which are discussed in this chapter. Redlining often refers specifically to discriminatory housing practices where property or access to services is denied to a specific group of people based on their ethnic or racial makeup. Gerrymandering is the methodical practice of manipulating the boundaries of a district, province or parish to gain a political advantage either by diluting or increasing the potency of a voting class of the electorate. These practices, both predatory in nature, are but a few of the tactics politicians, and the wealthy individuals utilize to create advantages for themselves in the society. However, these advantages work symbiotically in that they create disadvantages for those who are uneducated and poor, and who lack the social capital to weather such politically savvy maneuvers, much less avoid them entirely.

Deeply embedded practices of racism within American institutions have efficiently produced the formation of the permanent Black urban underclass (Massey & Denton, 1993). One of those practices known as "redlining" is the intentional denial of goods, services, and property by the excessive increase of prices, making them virtually unobtainable to a specific group usually on the condition of race (Rothstein, 2017). Although the concept of redlining has been applied to industries like banking, insurance, supermarkets, retail, and healthcare, it is most widely used to describe discrimination within the housing market and has been historically and predominantly used against African Americans.

Of the three Reconstruction Amendments to the Constitution adopted following the Civil War, the Thirteenth Amendment signaled the partial abolition of slavery, but it also worked in tandem with the Civil Rights Act of 1866 (2016):

> Be it enacted by the Senate and House of Representatives of the United States
> of America in Congress assembled, That all persons born in the United States
> and not subject to any foreign power, excluding Indians, not taxed, are hereby
> declared to be citizens of the United States; and such citizens, of every race
> and color, without regard to any previous condition of slavery or involuntary
> servitude, except as a punishment for crime whereof the party shall have been
> duly convicted, shall have the same right, in every State and Territory in the
> United States, to make and enforce contracts, to sue, be parties, and give
> evidence, to inherit, purchase, lease, sell, hold, and convey real and personal
> property, and to full and equal benefit of all laws and proceedings for the
> security of person and property, as is enjoyed by White citizens, and shall be
> subject to like punishment, pains, and penalties, and to none other, any law,

statute, ordinance, regulation, or custom, to the contrary notwithstanding.

(Civil Rights Act 1866, 2016, p. 27)

The act was meant to provide newly freed Africans with the right to, among others, purchase and own real estate property when and wherever they wanted, however, this right has never been fully realized by African Americans. Although many Freedmen acquired various parcels of land, operated businesses, and lived off them, the terrorism of White Southerners, especially the Ku Klux Klan destroyed any chance of Blacks holding or keeping property rights in the South. This phenomenon of Blacks being blocked from owning property especially in areas where Whites lived or owned property was solidified during that time and has since morphed into many other illegal tactics used to impede the full Constitutional rights of African Americans.

Social Welfare for White Citizens

At the time when President Franklin Delano Roosevelt (FDR) was elected, America was experiencing an extreme depression which inspired the president to enact a collection of social welfare programs. Nearly a fourth of adult Americans were unemployed, more than two million people were homeless, and a financial crisis was looming (Alter, 2006). In his first 100 days as president, Roosevelt attempted to inspire the citizenry with public radio addresses called fireside chats in which he spoke about the strength of America, assuring them of its recovery from times of depression. In this 100 days, FDR describe a New Deal for the American public in which he created many new agencies and programs beginning with the Federal Emergency Relief Administration, the Public Works Administration, and the Civilian Conservation Corp hiring nearly half million young adult males to work on various infrastructure projects such as bridges, roads, and other environmental projects (Paige, 1985). In most of the programs particularly the latter, Black men were hired the least, thoroughly segregated, and refused any leadership or

supervisory roles (Gower, 1976). This was one example of an unbalanced society as in Figure 1.

Figure 1. Unbalanced Society

Perhaps one of the most significant initiatives created by Roosevelt and his New Deal

was the government-sponsored Home Owners Loan Corporation initiated in 1933 designed to

stabilize White American families by providing low or no interest mortgage loans and bailouts

for families who could not afford to maintain their homes. The Home Owners' Loan Corporation

created a system of drafting color-coded maps of geographic residential areas meticulously by

outlining in which communities they would be willing to provide financing. It is no surprise that

this projection or calculation of financial risk was largely delineated based on the racial makeup

of geographical occupancy given the social and racial climate of Jim Crow segregation which,

though stereotypically relegated to the South, was also quite pervasive in the northern states.

These residential securities map's color codes included green, to indicate affluent White, Anglo-

Saxon Protestant occupied "first grade" areas, and blue shaded areas considered to be "second

grade" communities in which lived less desirable Whites, namely Jews, Irish, and Italian peoples

who still were sufficient business owners and stable wage earners (Rothstein 2017). The yellow

shaded areas were "third-grade" areas reportedly comprised of undesirable working-class Whites

who were considered high risk for awarding loans. The red shaded areas were considered

"fourth-grade" areas resigned to Blacks and Mexicans who were considered the lowest class of

people and not worthy of assigning loans. As shown in Figure 2, the city of Hartford,

Connecticut was geographically divided by color codes which highlighted zones of feasibility in

terms of homeowner lending. The 1930's and 40's was an era of vast homeownership expansion

that bore this terrible and targeted practice of outlining Black neighborhoods in red which widely

became known as "redlining." Redlining, which violated the 13th amendment and the Civil

Rights Act of 1866, primarily blocked Blacks from any similar access to capital from

government-sponsored or private lenders, either exaggerating terms that no White homeowners

had to face or denying them altogether (Rothstein, 2017). This refusal was deftly applied to

Blacks attempting to integrate into White neighborhoods where they were indeed not wanted.

Restrictive Covenants

For Whites, the opportunity to move into one of the first or second-grade areas was

simply a matter of upward mobility inclusive of getting a better job, earning a better wage and

acquiescing to an Anglo perspective of American living. However, usurping the American caste

system of color for Black citizens was an impossible task in which no amount of earning

potential was satisfying enough for banking lenders or real estate agents to show them homes,

much less lend them money to purchase in a White community. Lorraine Hansberry's 1969 hit

Broadway play A Raisin in the Sun, turned novel, later adapted into a movie, is one such

example of a dramatic tale about a Black family who lived in a cramped, run-down apartment

Figure 2. Residential Security Map for Hartford and West Hartford from the National Archives. (Home Owners' Loan Corporation, 1937).

within a likely redlined district in the Woodlawn section of Chicago. In the story, the death of

the father who is the family's sole breadwinner positions his aging wife to inherit a meager life

insurance payout in which she decided to use as a down payment for a home in some affluent

White neighborhood miles away from the city. Strikingly, Hansberry's play was inspired by her

family's real-life litigation against a racially restrictive real estate covenant which served to maintain the status quo of segregation keeping Black families from moving into White communities (Kamp, 1986).

The Chicago Real Estate Board established neighborhood covenants by organizing local citizens who provided signatures and participated in drafting other legal documents affirming its validity. If any Black family attempted to move into a neighborhood, a lawsuit was promptly filed against their occupancy, and an injunction was obtained to have them removed from the home. According to Kamp (1986), "By the late 1920's, Black neighborhoods were hemmed in on all sides by the racial covenants. Up to 85 percent of Chicago was covered by such covenants" (p. 484). An outgrowth of Chicago's Black population, as well as the throes of the Depression in the 1930's, left White property owners forced to sell or rent their homes (without a plethora of other Whites to sell to) to wealthy Blacks or those who could otherwise afford to purchase them. Carl Hansberry, Lorraine's father, bought a home that was covered by one such restrictive covenant but was left vacant by the owner until Hansberry showed interest, prompting a lawsuit by the neighborhood which had established a mutual covenant.

According to the author, many White owners "opened their building to [B]lacks and extracted high rentals for accommodation which were unable to attract White tenants. Rather than suffer financial losses, [B]lacks they elected to violate existing covenants and fill their vacant units with [B]lacks" (Kamp, 1986, p. 487). Essentially, properties which White owners, whole neighborhoods, and even the Chicago Real Estate board agreed were deemed expressly only good enough for Whites became cost prohibitive for Whites to afford and were thus sold to Blacks who could afford them. Lorraine recollects her father's and her family's legal battle this way:

Twenty-five years ago, he spent a small personal fortune, his considerable

talents, and many years of his life fighting, in association with NAACP

attorneys, Chicago's "restrictive covenants" in one of this nation's ugliest

ghettos. That fight also required that our family occupy the disputed property

in a hellishly hostile "White neighborhood" in which, literally, howling mobs

surrounded our house. One of their missiles almost took the life of the then

eight-year-old signer of this letter. My memories of this "correct" way of

fighting White supremacy in America included being spat at, cursed and

pummeled in the daily trek to and from school. And I also remember my

desperate and courageous mother, patrolling our house all night with a loaded

German Luger, doggedly guarding her four children, while my father fought

the respectable part of the battle in the Washington court (Kamp, 1986, p. 488).

In Hansberry v. Lee, (1940), the courts held that although a prior case to which Lee was a party

in establishing the legality and validity of the neighborhoods restrictive covenant disallowing

Blacks to live there was upheld, Hansberry could not be bound by that ruling. It was established

in the court record that only 54 percent of the neighboring landowners in the Washington Park

Subdivision of the Woodlawn community supported the restrictive covenant, and as such did not

meet the minimum threshold to represent the interests of the remaining 46 percent of owners.

Accordingly, the Supreme Court held that Hansberry was not adequately represented by the

previous class action and was therefore not bound by its previous ruling.

The Hansberry Decision, an apparent legal cornerstone in the jurisprudence of race, class

action, and amendment law plotted a path for future more robust cases in terms of their

outcomes. What is somewhat curious though, is both state and federal courts appeared to have

ignored or fundamentally set aside the 14th Amendment in the hearing of cases that involve

restrictive covenants especially in the face of constitutional law which supposedly forbade

discrimination on the bases of race. "Ignoring Lee's basic unfairness and racism…The Court

retreated into a theoretical treatise on class actions, ignoring the systematic racism embodied in

enforcing the covenants" (Kamp, 1986, p. 493). In a later, legal rematch testing again the validity

of restrictive covenants, the Supreme Court held in Shelley v. Kraemer 334 US 1 (1948) that

"judicial enforcements of restrictive covenants constituted state action and thus violated the

fourteenth amendment" (Kamp, 1986, p. 493). The language in the Shelley decision vindicates

Hansberry in his arduous trek up a legal mountain range which he should not have had to trod. It

also acknowledges his simple ambition to provide a worthy home for him and his family against

the unlawful establishment of covenants between Whites who wish to remain segregated.

Lorraine Hansberry follows with this poignant statement:

> The fact that my father and the NAACP "won" a Supreme Court decision, in a
>
> now famous case which bears his name in the law books is – ironically – the
>
> sort of "progress" our satisfied friends allude to when they presume to deride
>
> the more radical means of struggle. The cost in emotional turmoil time and
>
> money, which contributed to my father's early death as a permanently
>
> embittered exile in a foreign country when he saw that after such sacrificial
>
> efforts the Negroes of Chicago were as ghetto-locked as ever, does not seem to
>
> figure in their calculations. (Kamp, 1986, p. 488).

Lorraine's apparent exasperation with docile and passive modes of justice-seeking shone through

brightly when she counted the cost of her father and the life energy he expended fighting for the

right to live where he wanted simply. Moreover, he had to wage that fight, not because he wrote

a bad check or that he terrorized the neighborhood with loud music, but just because he was

Black. She further intimates that near the end of his struggle, he saw that Whites were hell-bent

to stay segregated even if it meant disobeying the law. It proved that Whites were willing to file

injunctions and use the letter of the law to defend their position of segregation, but that when the

outcome was not favorable to them, they would discard its ruling and authority altogether.

The question of discrimination in housing continued despite the precedents set by

Hansberry and Shelley. If we fast forward to the 1960's, one criticism of President Kennedy's

administration accused him of disappointing Black leaders who expected an equal housing bill

from his administration given his many campaign promises to provide one (Kotz, 2005). Fearing

retribution from Southern Democrats and conservative Republicans against other initiatives he

may have wanted to pass through Congress, Kennedy was reluctant to give Blacks more than lip

service on civil rights legislation. However, according to Kotz (2005), much to the President's

dismay, "southern congressional barons had stalled his domestic programs even though he had

not pushed civil rights" (p. 13). The problem was, White Northerners and Southerners alike took

equal part in segregating their communities, a trend that continues the present day. Like the

intentional, specific use of education in Brown v. Board of Education (1954) to fight overall

segregation problem, Blacks were again using the demand for voting rights and equal housing

bills as stepping stones to their overall goal which was total equality in the society.

Since it would not be until 1968 that a fair housing bill would come to Washington, it

was finally brought by Lyndon Johnson, and its final resolution agreed to by all legislative

bodies only in the wake of Martin Luther King's premature demise. Johnson and King had many

conversations, meetings, and disagreements on how and when the right time was to use

Johnson's 'bully pulpit' to try and ram through the civil rights bill that would encompass many

'new' rights for African Americans (Kotz, 2005). Perhaps Johnson and other legislators knew

what King and his Black supporters nationally either didn't know or had forgotten – that the

Civil Rights Act of 1866 coupled with the Fourteenth Amendment had secured these rights

already and the fight should really have been about enforcement. The new act when finally

passed by Johnson's administration only expanded on previous legislation prohibiting

discrimination on the basis of gender or race in the sale, rental or financing of any property or

housing according to federal statutes (Civil Rights Act, 1968).

It is important to note that many pieces of legislation introduced into United States law

have had and continue to have little importance without enforcement. Demonstrated in the case

of Brown vs. Board of Education (1954) where segregation was illegal, its mandate was not

adequately enforced, and therefore difficult to maintain among a White population that

vehemently resisted. In the case of housing, redlining and restrictive covenants were ways for

real estate agencies and neighborhoods that valued segregation to circumvent the laws that

already were in existence. If we look at cities like Baltimore, Los Angeles, Chicago, and

Philadelphia, we see how areas occupied by homeowners and renters were divided up by color.

Impacts on Schooling

The effects of redlining, restrictive covenants, and slum clearance all have had a negative

impact on African American families and their right to enjoy discrimination-free housing, but

there is another equally significant and disturbing effect caused by this discrimination.

"Systemically unequal schooling helps perpetuate inequality" (Orfield, 2013, p.41). Unequal

schooling is one of the largest results of unequal housing in America which inevitably leads to

inequalities where accumulating wealth is concerned. Schools by themselves cannot produce

equality among students who live in segregated neighborhoods. According to Orfield (2013), "housing policy is educational policy" (p.42) and absent of integration, the segregated group by whom the society is controlled and dominated by will enjoy the lion share of resources intended to ensure better access and success.

Segregation is not just about separation or about preference, it is about access, and "segregated neighborhoods linked to segregated schools produce unequal education" (Orfield, 2013, p. 40). It is more likely that a community segregated by race and income will produce better schooling with better resources. Of the factors that produce limited educational possibilities for children are the income of the family, lack of resources, and the low educational status of the parents. Orfield (2013) also points out that Black families are more likely than White families to occupy housing where they rent rather than own and tend to move more often than their White counterparts cause a discontinuity in their children's education. In Black communities where there was unbridled predatory lending, it was not uncommon to see high foreclosure rates among families who did own their own homes. This also contributes to the disruption of a child's schooling not just because they must leave their home, but possibly their schools, the friends they have made, the familiarity and bond they have established with their teachers and their immediate locations within the curriculum.

Researchers believe that the most influential connections students have to successful outcomes are their teachers, and student peer groups (Orfield, 2013). They also assert that positive supports for students, coupled with strong curriculum and instruction are two implements that drive achievement. What is equally problematic are schools with elevated concentrations of low performing students largely staffed by weaker teachers. Often young or inexperienced teachers proliferate urban schools in depressed neighborhoods, using these schools

as stepping stones or proving grounds to develop their skill sets. Many of these teachers use urban districts as opportunities to repay student loans via government forgiveness programs subsequently leaving them for other workplaces when their loans are finally repaid. This combination of ill-prepared students and teachers creates a snowball effect of discontinuity causing the curriculum to be diluted and produces a cumulative result of unequal schooling.

Housing segregation is often seen as a harmless non-factor in the way neighborhood schools are viewed. However, it is very much a deleterious and limiting factor when one considers rising prices in various housing markets and how much they affect the methods families utilize in searching for and acquiring homes for their families. If the low to moderate income potential of parents is coupled together with redlining effects, it creates isolationism that breeds unstable low performing schools. The widely held belief that segregated schools can be made whole and high performing through stringent laws aimed at accountability of teachers and students has been shown to be somewhat ineffective and does not get at the heart of the problem. The problem is forced seclusion made to resemble personal choice.

Even when parents from impoverished neighborhoods that have failing schools take steps to ensure their children gain access to a more robust education, they are punished severely (Rothstein, 2015). Districts and state legislators have crafted laws to guarantee that those parents and their children remain in their penurious zones languishing academically from what everyone perceptively knows are deteriorated school settings. Mothers and fathers have been fined, and even placed in jail, for sending their children to schools that were in districts where they did not live According to Orlando (2011), as many as six states have enacted laws against providing false residency information to a school district to enroll children. Some municipalities go as far as to fine and imprison parents for Class A misdemeanors, fraud or grand theft, further

mandating they perform community service and retroactively pay tuition. A homeless mother named Tanya McDowell from Bridgeport, Connecticut who enrolled her child in a Norwalk School District was charged with first-degree larceny claiming she stole the accumulated value of her 5-year-old son's education (Orlando, 2011; Nickerson, 2011). McDowell was sentenced to serve five years of a 12-year sentence in prison as a result of the educational theft arrest which happened in April and an unrelated drug charge occurring in June which the judge and prosecutors arbitrarily consolidated. When faced with a trial possibly resulting in a conviction and 15 years in prison, McDowell plea bargained stating, "You shouldn't be arrested for stealing free education. It's just wrong" (Nickerson, 2011, p. 1). In this case and many others, we see the negative effects, and opinionatedly unjust legal consequences segregation has had on many families and communities.

    In the nation's public and secondary schools, although groups of Hispanics and Asians have emerged with higher enrollments, the populations of African American and White students are nearly as segregated as they were in the 1960's (NCES, 2017). Figure 3 shows the percentage of students by race who attend schools with 75, 50 to 74, 25 to 49, and less than 25 percent student enrollment respectively. Where the enrollment of minority students is at least 75 percent of the total school population, 57 percent of those students are African American. Conversely, where 75 percent of minority students are enrolled, only 5 percent of those students were White. This differential is a crystalline example of the segregative nature of American public schools and the patterns with which parents enroll their children.

Figure 3. Percentage distribution of public elementary and secondary school students, by student's race/ethnicity and percentage of minority enrollment in school: Fall 2014 (NCES, 2017).

According to the National Center of Education Statistics (NCES) report on Private School Enrollment (2018), nearly 5.8 million students were enrolled in American elementary and secondary private schools in 2015. The report revealed that four times as many Pre-K through 8th graders attended private school as did 9th through 12th graders with the majority of them attending religious based schools rather than nonsectarian schools. More importantly, and most telling was the fact shown in Figure 4 that on average, 68 % of all private school students were White, followed by 10.3 % Hispanic, 9.3% Black, and 6.3 percent Asian.

Figure 4. Percentage distribution of private school enrollment in prekindergarten (pre-K) through grade 12, by school orientation and race/ethnicity: Fall 2015 (NCES, 2018).

The historical practice of redlining in early to mid-20th century kept many African Americans from gaining access to homeownership. Lack of equal access to housing is problematic if one lives in a dilapidated neighborhood because those areas are likely to contain deteriorated schools within the same neighborhood or community. Orfield (2013) and Rothstein (2015) convey messages with clarity about the linkages of unequal housing to unequal schools. With a lack of opportunity to buy homes in a better school district, children and their families will often fall victim to a vicious cycle. In this vein, redlining policies definitively qualify as social impediments which bear the mark of inequality.

CHAPTER VI

Social Politics of the Mid-20th Century: How Racial Ideology Shaped American Policy

[President Nixon] emphasized that you have to face the fact that the whole

problem is really the blacks. The key is to devise a system that recognizes the

problem while not appearing to

— H. R. Haldeman (Nixon's chief of staff) (Baum, 1996, p.13; Parenti, 2000)

One might ask, if the President of the United States held such critical ideas which so

denigrate a whole race of people, without any concern for their status, education or public

contribution, what does that say about the people who voted for him? Moreover, with this type of

vitriolic ideological rhetoric, it is not hard to imagine the type of policy he might inspire or

create. Why this is particularly important is that it is helpful in understanding how American

social systems operate, and more importantly, how they are not independent, but work together

to inform, enhance, and even erode a society or segments of that society. In this chapter, the

1970's and Nixon Administration are examined to explore how the political policies it employed

contributed to the racially charged atmosphere of the nation and the social dynamics of poverty

and social dysfunction. The War on Drugs, as well as the rebirth of mass incarceration, are

considered as probable social impediments to the achievement of students for a variety different

reasons which we will explore.

History reveals that the Nixon presidency was one rife with corruption and long-held

racist dogma, twisted into strategic policy aimed at African Americans in the form of

impoverished conditions, discriminatory drug laws, and rampant criminalization (Lytle, 2005).

Much of Nixon's political policy was aimed at delegitimizing proletariat struggles which called

for an end to the Vietnam War and thwarting African Americans repeated efforts for justice and

equality by dismantling the revolutionary organization called The Black Panther Party. In the

end, the President found himself mired in the controversy of the Watergate Scandal, attempting

to cover up his administration's illegal wire-tapping and surveillance of political opponents,

leaving him bound by the same tapes he used to entrap others deceitfully (Johnson et al., (1996).

Richard Nixon's Racist War on Drugs

For the majority of its history, America has been at war or involved in some conflict as a

nation (Torreon, 2015). Though the Vietnam War (1955–1975) raged on through the beginning

of Nixon's first term, it was dying down due to increasing political pressure by the citizenry. As

a result, he and his party would imaginatively craft a new metaphorical war: The War on Drugs.

Nixon's declaration of a 'War on Drugs' began with his election but launched into full swing in

June 1971 with him characterizing drug use as America's number one enemy (Baum, 1996).

Though more Americans died in 1970 from influenza (3707 deaths) than did nearly half that

amount from illicit drug use (1899 deaths), this moral imperative was pushed as new policy to

combat drug users and dealers (Baum, 1996).

Unable to use the Vietnam conflict as a campaign bullet point due to the growing

incendiary pressure to end the war, President Nixon campaigned and was elected on a "law and

order platform" (Baum, 1996, p.15) promising to be tough on crime. Nixon's domestic policy

advisor John Ehrlichman in concert with Roman Hruska, a Republican Senate Judiciary

Committee member, and Attorney General John Mitchell met to deliver a law and order strategy.

In 1969, they conspired to create a crime bill aimed at criminalizing citizens using drugs as the

lynchpin (Baum, 1996). Before that time the federal government had not largely been involved in

drug enforcement but were now turning their attention to it in order to deliver on a campaign

promise, and the proving ground where they would test their new crime bill would be the District

of Columbia. Census records from 1970 indicate that the population of D.C. was 71.1 percent

Black and 28.7 percent White (US Census Bureau, 2005). What this means is, Nixon and his

political team were preparing to intentionally launch their heinous crime bill on a predominantly

African American population using measures like "loose search warrants" allowing them to

search property not named in a warrant. Within the bill's language was a plan for mandatory life

sentences for those with three felonies. As if that were not enough, they pushed way past the

boundaries of the Bill of Rights by extending wiretapping and surveillance of typically

privileged conversations with physicians, attorneys, and clergy (Baum, 1996). These measures

would ensure that local and federal police had the authority to set aside citizens constitutional

rights in Washington, D.C. as a testing ground in hopes of spreading the bill to other states. It is

worth reminding the reader that Black neighborhoods would make up most of the communities

that underwent such criminal scrutiny all in the name of a counterfeit drug war.

Many researchers agree that media, through specially selected news stories, could shape

public opinion around what issues or events are important affairs (Johnson et al., 1996). In the

late 1960's, although drug abuse was not widely reported in the news as one of the nation's most

important problems, through careful manipulation of the media, the Nixon administration was

able to influence the portrayal of a looming drug epidemic significantly. The president increased

the federal spending for law enforcement, drug treatment, and education ten-fold during his

tenure and was successful in cajoling the news media to help substantiate his actions by

consistently intimidating television executives and radio broadcasters (Johnson et al., 1996).

According to Johnson et al. (1996), by 1971, nearly $37 million of commercial time was

dedicated to anti-drug commentary as well as about two dozen programs guaranteed episodes

containing anti-drug themes. This is particularly important because of the hidden agenda of

Nixon and other conservative politicians to chart a path toward criminalization of drug offenses.

They were creating a drug problem to subsequently hyper-criminalize it.

The effects of this new "drug epidemic" waned during the Ford and Carter presidencies

but made a resurgent comeback in the early 1980's during Ronald Reagan's tenure. Widely

known and proven through countless dossiers and congressional hearings, the Central

Intelligence Agency's (CIA) direct involvement in importing and trafficking drugs on American

streets through petty dealers (who would subsequently be arrested and jailed) while wealthy

businessmen, CIA and other political officials grew rich with brazen impunity (Scott & Marshall,

1998). One must be made to understand that these drugs, imported by the very people who write,

enact and enforce anti-drug laws, changed hands from the wealthy and powerful, down to the

street hustlers in various cities in America, many of whom were African American.

The implications of being jailed for drug possession or trafficking extended far beyond

the individual caught dealing or using. The effects of this state-sponsored entrapment trickled

down in the society destroying families and whole communities by littering the streets with drug-

related violence and crime, discarded needles and destitution. In the period between 1980 and

2007, there were substantial racial disparities in the rates of drug arrests, convictions, and

sentencing. African Americans represent approximately one-third of all drug arrests yet

constitute 46 percent of those convicted of drug felonies in state courts (Fellner, 2009). It is

curious that African Americans make up less than 13 percent of the United States population, are

more likely to be arrested and are 10.1 times more likely to be sent to prison than European

Americans (Human Rights Watch, 2008; Fellner, 2009;). These real arrests in these staggering

statistics were set up by the racially motivated policies begun by the Nixon administration and

revived by Ronald Reagan in his tenure as President of the United States (Human Rights Watch, 2008).

Incarceration Statistics

Just as Cortes and Columbus' voyages to the New World would become a historical precursor to the abject conquest of Native Americans, the importation and enslavement of Africans, and the creation of the corporation now known as the United States of America, so too was Nixon's 'War on Drugs' the precursor to a staggering political assault on American citizens. More specifically, "the US drug war has been and continues to be waged overwhelmingly against Black Americans" (Human Rights Watch, 2008, p. 2). The statistical fallout from Nixon's law and order campaign, compiled and analyzed over the last 40 years, proves that there is a conspiratorial element in which most, if not all, states are complicit. According to the Human Rights Watch (2008), data reported from 34 states to the National Corrections Reporting Program for 2003 revealed that 53.5% of all persons incarcerated for drug convictions were African Americans, despite them being approximately 13 percent of the American population. The study also stated that Blacks were 10.1 times more likely to enter prison for drug offenses than Whites regardless of gender. Black men were reportedly 11.8 times more likely to enter prison for being convicted of a drug offense than White men. Black women also found no parity as they were purportedly 4.8 times more likely to enter prison than a White woman according to the report.

President Reagan's diligent continuity of Nixon's drug war included the launching of federal and state measures which prioritized arrests and incarceration over prevention and treatment (Human Rights Watch, 2008). One might think the key to such a costly war would be to stop the drugs from being imported into the country while simultaneously providing treatment

to the addicted, but that was not the course Reagan chose. The same report detailed how drug arrests more than tripled between 1980 and 2006, going from about half a million apprehensions to nearly 2 million arrests (FBI, 2007; Human Rights Watch, 2008). Unfortunately, the case for some individual states was much bleaker. Illinois, notorious for its criminalization of African Americans, quintupled their drug arrest numbers overall between the mid-1980's and the year 2000. Minnesota would not be outdone, quadrupling their overall drug arrests between 1985 and 2005 (Human Rights Watch, 2008).

Many remember Nancy Reagan's 'Just Say No' slogan, which began in 1984 as her contribution to the anti-drug crusade and would dramatically become the moving billboard of the Reagan administration's campaign in the fight against drugs. Ironically, the "Just Say No" movement, which was funded mainly by corporate and private donations in exchange for policy favor and influence, focused predominantly on absolving White, middle-class youth, while criminalizing Black citizens of every age (Elwood, 1994). While Mrs. Reagan's campaign made its rounds, her husband's administration was busy serving harsh mandatory sentences to support their "imprisonment binge" (Human Rights Watch, 2008, p. 10). Under the Reagan administration, new laws made it likely for one to receive a prison sentence for a low-level offense, to see increased lengths of prison sentences, and for those convicted to serve a much greater portion of their sentences according to the study. These were particularly heinous given the fact that most of those arrested were low-level, non-violent offenders who sold or transported drugs at the street level as opposed to privately in the penthouse. In a far-sighted analysis:

> The War on Drugs is a rhetorical, multifaceted public relations campaign
> designed to enhance the images of specific political figures and to absolve the
> federal government of the responsibility for resolving problems involved with

drug addiction and trade… Such rhetoric allows presidents to appear as strong

leaders who are tough enough on crime and concerned about domestic issues

and is strategically ambiguous to portray urban minorities as responsible for

problems related to the drug war and for resolving such problems. Such

rhetoric also has helped these presidents construct a politics and a strategy of

governing that attacked policies targeted toward blacks and minorities without

reference to race, a conservative politics that had the effect of polarizing the

electorate among racial lines…without communicating overt bigotry or anti-

black effect to Whites. (Elwood, 1994, p. 3)

Race is tied significantly to incarceration rates in most states who report their statistics.

Black American represent an overwhelming and disproportionate number of inmates in the U.S.

prison population. Illinois, as referred to earlier, saw the numbers of African Americans accused

of drug offenses increase six-fold between 1990 and 2000, while the number of Whites arrested

for the same or comparable offenses remained stable and nearly unchanged (Human Rights

Watch, 2008). In looking at Table 2, the prison admissions for drug offenses as a percentage of

all admissions were separated by race and gender. The statistics show that in 2003 Black males

were admitted into prison at a consistently higher rate, often almost doubling, except in 5 states.

These states, Iowa, Minnesota, Nebraska, North Dakota and Oregon, coincidently had less than 6

percent African Americans who resided there. Another startling piece of information is that

according to Human Rights Watch (2008) in 2003 White women had a higher percentage of

incarceration than White men in every one of the 34 reporting states, where in contrast, Black

women shared the burden of incarceration with Black men nearly in half the states according to

the figures.

Table 2. Prison Admissions for Drug Offenses as a Percentage of All Admission, by Race and Gender, 2003 (Human Rights Watch, 2008).

State	White Male	White Female	White All	Black Male	Black Female	Black All
Alabama	29.5%	40.7%	31.2%	32.7%	29.8%	32.4%
California	28.2%	35.1%	29.2%	32.9%	32.1%	32.8%
Colorado	20.9%	38.9%	23.3%	35.7%	46.5%	37.3%
Florida	18.4%	37.1%	20.5%	39.0%	36.8%	38.8%
Georgia	27.7%	40.5%	29.5%	34.8%	26.6%	34.0%
Hawaii	12.0%	21.7%	13.6%	31.1%	33.3%	31.4%
Illinois	24.2%	32.3%	25.3%	48.2%	42.4%	47.5%
Iowa	32.6%	36.1%	32.9%	22.9%	10.5%	21.4%
Kentucky	28.5%	43.5%	30.8%	39.3%	38.6%	39.2%
Louisiana	26.6%	38.8%	28.1%	44.2%	39.9%	43.9%
Maryland	22.5%	26.0%	22.8%	50.7%	54.2%	50.9%
Michigan	10.6%	18.3%	11.2%	22.9%	17.1%	22.5%
Minnesota	33.8%	48.9%	35.3%	28.2%	30.4%	28.3%
Mississippi	34.5%	39.2%	35.3%	36.3%	36.4%	36.3%
Missouri	29.4%	43.2%	31.1%	38.2%	27.6%	37.5%
Nebraska	30.1%	38.9%	31.1%	17.2%	32.6%	18.9%
Nevada	14.3%	29.2%	16.2%	19.2%	15.7%	18.8%
New Hampshire	19.0%	30.6%	19.9%	24.2%	0.0%	21.1%
New Jersey	30.2%	49.4%	32.2%	55.1%	53.8%	55.0%
New York	23.9%	43.0%	25.9%	43.9%	54.3%	44.6%
North Carolina	12.7%	24.2%	14.4%	27.3%	30.2%	27.6%
North Dakota	39.5%	62.9%	42.3%	15.6%	20.0%	16.2%
Oklahoma	41.8%	59.1%	44.5%	42.3%	52.5%	43.6%
Oregon	13.7%	25.9%	14.8%	11.6%	26.3%	13.4%
Pennsylvania	24.7%	31.0%	25.2%	43.6%	31.7%	43.1%
South Carolina	16.3%	18.5%	16.7%	33.0%	20.8%	31.8%
South Dakota	30.1%	33.3%	30.6%	32.6%	45.5%	35.1%
Tennessee	16.8%	28.1%	18.8%	30.6%	29.2%	30.5%
Texas	23.5%	38.8%	25.7%	38.8%	38.7%	38.8%
Utah	36.8%	52.5%	38.9%	35.1%	70.0%	38.0%
Virginia	13.7%	21.6%	14.9%	31.8%	35.4%	32.2%
Washington	30.0%	44.8%	31.9%	43.1%	55.5%	44.5%
West Virginia	9.2%	15.8%	10.1%	31.8%	31.8%	31.8%
Wisconsin	19.1%	25.7%	19.7%	44.3%	53.3%	44.9%

Some politicians, pundits, and citizens have tried to argue that inequality does not exist, but these tables, facts, and figures tell a different story. Often politicians and educators try to argue that the Achievement Gap between Black and White students are due to innate or cultural factors particular to race, but these statistics tell a different story. How does one steal a man's boots and complain that he has no shoes? How does one employ tactics like importing drugs into the country, inserting them into a community and then blame and incarcerate community members at alarming rates for dealing and using those drugs? The gradient of political rhetoric toward a carefully constructed drug war employed the strategic use of media to heighten the public's perception that drug-dealing and substance abuse were more prevalent in Black urban neighborhoods than in affluent White communities (Human Rights Watch, 2008; Saxe et al., 2001). In reality, the reverse is true. There are far more Whites who commit drug offenses than Blacks, according to the study. In fact, it points out that the type of drug offense committed whether that be drug trafficking or possession, the type of drug involved, and the previous record of an offender can all affect the type of sentence a person receives. Now, these factors were written into the drug law as supposedly "race-neutral," but the preponderance of the statistics shows the obvious disproportionality among incarcerated drug offenders, stratified by race and grossly misaligned. "The disproportionate rates at which Blacks are sent to prison for drug offenses compared to Whites largely originate in racially disproportionate rates of arrest for drug offenses" (Human Rights Watch, 2008, p. 41).

A closer look reveals that the White population in America is roughly six times larger than the Black population, with the rate of drug use relatively comparable between them, which means the number of drug users who are White is significantly and statistically higher than that of users who are Black (U.S. Census Bureau, 2008). The federally created Substance Abuse and

Mental Health Services Administration (SAMSHA) commissioned a survey in 2006 detailing

how overwhelmingly more Whites (27,083,000) self-reported their use of cocaine within their

lifetime, compared to Blacks (2,618,000) who used cocaine; the use of crack cocaine by Whites

(5,553,000) far and away out-paced that of Black crack cocaine use (1,536,000) by nearly five-

fold (SAMSHA, 2006) (See Figure 5). Combining the total drug users of any race in the

SAMSHA survey, African Americans account for only 13 percent of those Americans who have

ever used illicit drugs of any kind, 21 percent who have used crack cocaine specifically, and only

8 percent of persons ever having used cocaine. With African Americans accounting for more

than half of drug arrests in some states, and nearly 40 percent of all drug arrests nationwide (See

Figure 6) (BJS, 1996) even the most discerning eye can see these glaring and abhorrent

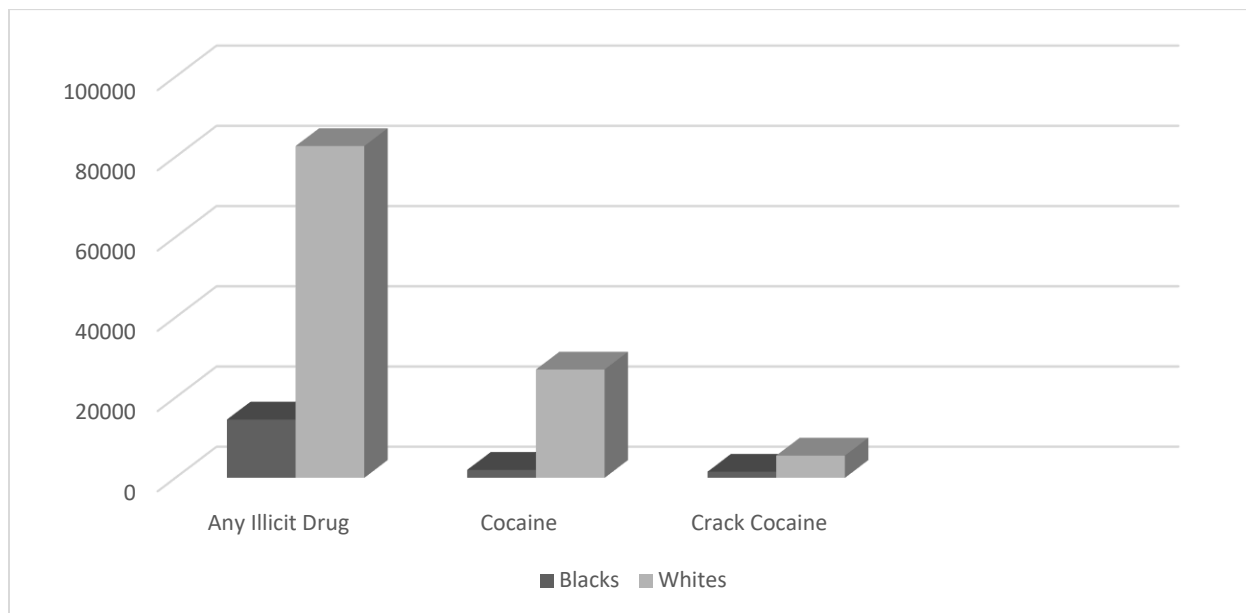disparities are indicative of a racially motivated drug war.

Figure 5. Lifetime Drug Use by Race, Ages 12 and Older Estimates for drug use by persons age 12 and older, (SAMHSA, 2006).

Figure 6. Percentage of Incarcerations by Race in United States (Human Rights Watch, 2008).
*Total calculated on basis of 34 reporting states.

To drive the point home, we must look at individual states where an even more dramatic, but very real picture develops. In the state of Georgia, African Americans were only 14 percent of all drug users, yet they represented 58 percent of the persons charged with drug possession, and 72 percent on average of those arrested for drug offenses despite them being only 22 percent of cocaine users (Human Rights Watch, 1996). Despite a study which found comparable drug use between African American and White citizens in Minnesota, "there is a 10:1 disparity in drug-related arrests between [them]" and in Wisconsin, the arrest rate of African Americans was six times greater than that of Whites (Human Rights Watch, 2008, p.45). African American and other non-White persons constituted 26 percent of all drug arrests in West Virginia though startlingly being only 2.5 percent of the state's population (Hass, 2005).

Researchers cite a number of reasons for how or why these extreme disproportions occur. Statistically, more African Americans live in metropolitan areas (51.5%) than do Whites (21.1%)

according to the United States Census (US Census Bureau, 2003). Reportedly, illicit drug use is

higher in urban areas than in suburban ones; therefore, law enforcement is more heavily

allocated in urban areas, but they are not evenly distributed among them with the highest

concentration focusing on low income, predominantly, Black neighborhoods (BJS, 2003). Again,

it must be noted that these policies and practice cannot be considered race-neutral as law

enforcement factions have concentrated their efforts mainly toward where African Americans

live which is demonstrates a commitment to racial prejudice and criminalization bias.

The Human Rights Watch report (2008) discloses two very interesting case studies, one

of the states Illinois, and the other of the city of Seattle. As indicated earlier, Illinois has proven

to be one of the most dangerous and extremely heinous culprits of the use of hyper-incarceration

of Blacks. The case study of Illinois reveals how Blacks despite being a minority in that state,

comprised 74.9 percent of all prison admissions for illegal drug offenses and were 23.6 times as

likely as Whites to be sent to prison on drug charges in 2003 (Human Rights Watch, 2008),

Lurigio 2005). Included in those statistics was the fact that almost two-thirds of all state drug

arrests came from Cook County which comprises less than half of the state's population (43%).

Staggeringly, 90 percent of drug arrests in Cook County came from the city of Chicago, of which

African Americans yielded 74 percent of those individuals from Chicago, and 85 percent from

Cook County overall, arrested on drug charges. One would be hard-pressed to find a more

blatant example of the damaging and deleterious effects of Nixon's War on Drugs begun thirty

years earlier (Human Rights Watch, 2008; Lurigio 2005).

The second case study examined here is from the city of Seattle, Washington. Flagrant

racial prejudice can be observed in looking at the statistics of drug arrests there. At the time of

the study, the population of Seattle was 70 percent White and 8.4 percent African American.

According to researchers, most drugs possessed or sold were by Whites, yet the majority of drug

arrests were of Black people (64.2%) (Beckett & Law, 2008; Beckett, Nyrop, & Pfingst, 2006).

The study found that law enforcement readily and consistently concentrated their efforts on the

outdoor market in Seattle's downtown areas, focused on looking for drug offenders mainly

selling crack cocaine, and wholly neglecting the outdoor markets in predominantly White areas

where the majority of heroin was being sold. In fact, of the five drugs studied- heroin, powder

cocaine, crack cocaine, methamphetamine, and ecstasy- 78.7 percent of the arrests were for crack

cocaine, even though crack cocaine was involved in only an estimated 33.3 percent of drug buys.

What does this mean? It means law enforcement was only looking to arrest Black dealers who

mainly sold crack cocaine especially when one considers that 79 percent of those persons

arrested for selling crack were-- Black.

Though they tried, the researchers could not find any "racially neutral" explanation for

the tragically imbalanced arrest rates. Police officers and detectives focus on crack offenders

could not in any way be attributed to the frequency of crack sold, nor crime rates or citizen

complaints. Of the Seattle police department's tactics in investigations and arrests, the

researchers of the case study concluded their methods:

> "[R]eflect implicit racial bias: the unconscious impact of race on official
>
> perceptions of who and what constitutes Seattle's drug problem .... Indeed, the
>
> widespread racial typification of drug offenders as racialized "others" has deep
>
> historical roots and was intensified by the diffusion of potent cultural images
>
> of dangerous black crack offenders. These images appear to have had a
>
> powerful impact on popular perceptions of potential drug offenders, and, as a

result, law enforcement practices in Seattle." (Human Rights Watch, 2008, p.

53-54).

At odds with this perspective is the apparent contention that there could be any 'unconscious

impact of race on official perceptions.' On the contrary, the race of the African Americans

appears to be the guiding factor with which law enforcement in Seattle, and the majority of

states, make decisions to be punitive. Even more curious is the caricature of the 'dangerous

Black crack offender' as if Black people bore the idea of cultivating crops, packaging them,

importing them, and then distributing them on a massive scale. Exactly who are the dangerous

people deserving of legal scrutiny, criminalization, and punishment more than the petty street

dealer? This is the Wizard of Oz Effect in full color and magnificent detail. It is the statistics

staring back from the page screaming racism, bigotry, and elitism and yet the trend of hyper-

incarceration of African Americans continues. It is the false idea that just over the hill, or the

coming new year, or the next presidential election cycle will breathe change into such

breathtaking disparities.

The impact of drug law enforcement forcefully, and arguably, intentionally has sought to

threaten the civil rights and sociopolitical gains toward improving opportunities for African

Americans. Drug criminology predominantly aimed at Blacks in many states is seemingly

intended to produce similar effects as slavery and Jim Crow segregation which are primarily

designed to "destabilize Black communities and disadvantage Black Americans, especially Black

men" (Human Rights Watch, 2008, p. 55; Tonry, 1995). Incarceration for any offense has serious

implications for offenders' families and their communities (Human Rights Watch, 2008).

According to the study, the impact on the offenders themselves is rife with the stress of often

overcrowded conditions and violence, where it is likely difficult to maintain emotional stability

and self-respect. Hyper-criminalization both provokes and exacerbates the destabilization of the Black community insofar as it leaves families without a breadwinner (King & Mauer, 2002), and children with one or no parent to guide and protect them (Human Rights Watch, 2002).

The problems individuals incur due to incarceration extend far beyond the prison walls as their release brings with it its own consequence of familial and communal deterioration. The burden of being labeled a former convict or parolee exponentially weakens opportunities for employment or access to state or federal assistance programs. Released prisoners often have trouble finding housing as their relationships with family members may have deteriorated or diminished altogether. Individuals who have been incarcerated are also often politically disenfranchised by having their right to vote stripped away from them, further lessening their ability to become an active member in the community, participating in how it and the general society is shaped. "High rates of incarceration in particular communities may deplete the human and social capital of already disadvantaged neighborhoods, diminishing opportunities for social and economic mobility and even contributing to ongoing cycles of crime" (Human Rights Watch, 2008, p. 60). Social capital is defined as both tangible and non-tangible resources which are known or become available to an individual based on one's positioning within a particular social setting or by the social relationships they participate in or cultivate (Adler and Kwon, 2002).

Perhaps the most deleterious effect of hyper-criminalization is on the children of the incarcerated. More than half of all incarcerated adults in the United States are parents of whom a moderate portion of them are likely defined as having a low income and limited education (Gabel & Johnston, 1995). Of the estimated 1.23 million incarcerated males in 1992, nearly 700,000 were fathers and 6 out of 10 of them were between the ages 18 and 34. Interestingly,

these are the ages when young males move into adulthood and become men by most social

standards, having to bear increased responsibility within their families and communities. As male

offenders, they typically "serve longer sentences than females and are more likely to be

rearrested and reincarcerated" (Gabel & Johnston, 1995, p.6).

Men who are incarcerated for extended periods of time feel powerless over the decision-

making concerning their children, and this contributes to over-controlling parental behaviors

(Adalist-Estrin, 1986). In contrast, the median age of women jailed or imprisoned in the year

1989 was 32 years of age (Gabel & Johnston, 1995). However, in close similarity with male

prisoners, incarcerated women are likely to have limited education, lack employable skills, and

have pasts littered with some dysfunction including substance abuse according to Gabel and

Johnston (1995).

Caregivers who attempt to provide sustenance and continuity to children of imprisoned

parents often find that children are laden with stress and confusion which hampers their

development in a variety of ways. This dilemma is mainly due to the lack of contact with their

parent. Although African Americans established physical visits more often than any other group,

and communication by telephone with their children more often (53%) than Whites (40%), the

distance at which a parent may be correctionally housed (62% and 84% for state and federal

prisons respectively), is often a deterrent toward establishing visits (Hairston, Rollin, & Jo, 2004;

Mumola, 2000). The school-aged children of incarcerated parents are also regarded as some of

the most "at-risk, yet least visible, populations of children" (Reed & Reed, 1997, p.5).

Introspection into how children of incarcerated parents develop is a worthy query. We

find answers when we look at those around them including their peers, teachers, extended

family, and the communities in which they and their incarcerated parents live. What happens to a

community that becomes maladjusted, infested with drugs, crime, and those who are scrambling

to cope with the real and pervasive effects of hyper-criminalization? It becomes dysfunctional

especially for children who experience the negative impacts of traumatic stress, inadequate

secondary care, fear, sadness, anxiety, and grief which in turn potentially manifest as reactive

negative behavior (Gabel & Johnston, 1995). While it should be noted that some children have

had the benefit of strong supportive caregiving and resources which helps them weather the

storm of parental incarceration (Scales & Leffert, 1999), according to Bilchek, Seymour &

Kreisher (2001), "children of incarcerated parents are six time more likely than their peers to

become criminally involved" (p.109). This is an alarming statistic when one considers the

cyclical impact on these disadvantaged children, extending past their childhood into their teen

and adult lives. The recurring impact of dysfunction on children and adults, and on the

communities in which they live in turn manifests into a snowball effect which threatens the

vibrancy of those communities. If you multiply this result times 100 or more communities

nationwide, what you get is an epidemic, the likes of which Americans have struggled with for

decades.

The lasting effects of Nixon's Drug War and the resulting outgrowth of seemingly

intentional hyper-criminalization are but one example of institutional racism in America. This

criminalization brings about severe political and social impediments for affected individuals and

communities toward freedom and equality. These drawbacks are what disenfranchises and

disadvantages citizens in general and African Americans specifically.

One thing that must be understood is that the political dynamics of the mid-20th century

had many far-reaching implications for the population regarding shaping public policy and the

opinions of that population. The research shows that average citizens who formulated their

beliefs about the society from news reports and newspapers accounts have been easily

manipulated into believing ideas reported as fact that may not even be true. The effect that this

has in the educative environment is particularly damaging when teachers and students alike bring

to school with them ideas that they have crafted from false news stories designed to herd a

collective into a consensus mentality. Manufactured ideas of a looming drug epidemic in the late

1960's and early 1970's, which prompted the need to create a national "War on Drugs," is an

example of this. The multiplicative purposes of establishing a drug war were to create an

enormous multimillion-dollar revenue stream both thru the supply of a massive quantity of

drugs, and the incarceration of millions of African Americans by continuing to make millions of

dollars off their imprisonment and free labor.

One must also be made to understand the impact of these government-sponsored illicit

drugs and the transformations that hundreds of communities underwent in the presence of

rampant drug selling and addiction in those neighborhoods. The streets became war zones

littered with trash and the bullets of those looking to secure their turf. Addicted mothers and

fathers were not able to adequately care for their homes or their children, leaving them often to

fend for themselves at home and school. Children with limited or waning familial support

struggled to succeed, having to cross drug turf lines with nothing but hunger in their stomachs on

the way to school; inadequately groomed and likely emotionally bankrupt from chaos ensuing at

home.   These are merely some of the cumulative effects that affected communities who were

torn between the 'War on Drugs' experience. We now know that Nixon and later Ronald

Reagan's war was not to eradicate drugs but to eradicate people in poor communities utilizing

those illegal drugs as the primary weapon (Nunn, 2002). This war was aimed squarely at

communities of color, mainly where large numbers of African Americans lived below the

poverty line. They were almost powerless to fight back against the covert war against them as Nunn (2002) points out. There were more than two centuries of enslavement, a hundred more of grandfather clauses, literacy tests, and Jim Crow, promises of desegregation, and still, their civil rights had yet to be fully realized. Who advocated for the African American in his own land? It was, after all, as much of his as the European American. Was it not?

Adding together the American government's historical and duplicitous policies toward extreme racism and discrimination, multiplied by hundreds of thousands of over-incarcerated men and women, subtracting those who lost their lives freedom-fighting and fighting in Vietnam and other wars, both Black and White, one can hardly calculate the escalated cost of real freedom. Trust in a government which has crafted arguments and drafted documents sworn to protect the rights of every citizen regardless of color runs counter to its legacy of mandating Black men be drafted into war by the thousands. When at the same time White men, privileged by the association of skin color, evaded war, riding to the top of society in college classrooms as many Black men lie dead in fields of rice (Terry, 1985). Black soldiers in Vietnam suffered much higher combat casualties comparable to soldiers of other races. They had to endure pervasive, overt discrimination in the ranks, on the battlefield, the decoration and promotion stand, and when they returned home from battle (Terry, 1985).

Even here we see the Wizard of Oz Effect play out as White privilege permeates American draft protocol sending the less fortunate or less advantaged males off to fight and possibly die. The presumption by anyone that poor Black males, barely adults, had the same opportunity to dodge the draft, similar to some middle and upper-class males from well-connected or wealthy families, is a flight into fantasy.

This is a place where race, politics, and education intersect. African American children have for centuries learned, through their experiences, how to grow into adulthood expecting racism, discrimination, and the socio-political short end of the stick. Both Vietnam and the 'War on Drugs, in effect, acted as politically and socially constructed impediments which had far-reaching implications for Black communities. If the focus of a school is for children to learn, how could African American children learn all that they are expected to under such conditions as these? Many of them went fatherless or brother-less as a result of the war having a deleterious effect on their socio-emotional lives. Alternatively, worse, many families dealt with the struggles of a shell-shocked, mentally-ill or physically disfigured family members home from the war. How could they compete with children for whom, the 'War on Drugs' or the horrors of the Vietnam War were not a reality? More importantly, how could they grow to be healthy, educated citizens who effectively participate in a democracy and a competitive capitalistic market? The answer is- they cannot.

The fallout from real wars and fabricated ones on the Black community was epically disastrous. These socially and politically constructed impediments affected Blacks in ways that are still being investigated and diagnosed in the present, 38 years later. As the narrative continues into Chapter 4 delineating gaps in education, opportunity, and wealth, it pieces together the most crucial consequences of a highly racialized society and its weaponizing of social, educational, and public policy to emaciate a whole race of people. The impact of drug-infested neighborhoods laden with crack-addicted mothers and imprisoned fathers all in the name of a domestically contrived Drug War negatively impacted the collective academic achievement of Black children. Although this singularly was not the cause of gaps between the educational achievement of African and European students, it was, by far, the most heinous and vile, as it

was entirely manufactured. Moreover, to what end, if not to destroy Black people? In the real

world, children who lack demonstrated academic achievement are not likely to experience

opportunities that promote their ongoing success into and during adulthood such that they can

build and enjoy even a modest modicum or wealth.

CHAPTER VII

Gaps in Achievement, Opportunity and Wealth

"I have always accepted that Black education, and all, public education, was a

product of historically, politically, and socially constructed ideas. I have

observed Black education as a "political" act. I have viewed this act as

influenced by hegemonic social relationships, labor market economics, class

stratification and racial division." (Watkins, 2001, p. 179).

The purpose of this chapter is to show statistical relationships between the gaps of

achievement and opportunity which drive home their extreme connection and relevance toward

one another. Black students are sent out of the classroom exponentially more than White students

are causing them to miss crucial instructional time which is critical to their success. Proving

these deleterious relationships exist moves us closer to an accurate diagnosis of the problem and

provokes difficult conversations about what must be done to ameliorate these destructive forces.

Education is the foundation of life in America, and it guides the path of its citizen's

wellbeing. While it is but one variable in the lifespan and activity of an individual, it is a fairly

important tool for gaining access to the society. One's level of education, in this society, is used

in many cases to judge the intelligence or usefulness of a person. In an unequal society, those

who lack anything more than a standard education or have none at all, are often shut out of many

career and financial opportunities, causing a differential widely known as the Opportunity Gap.

These gaps in opportunities have led to an ever-widening crevasse known as the Wealth Gap,

where the discrepancy between those who have access to capital and resources, and those who do

not, is staggeringly wide. As Figure 7 illustrates, race, education, and wealth are interconnected.

Therefore, the primary culprits of an unequal society are racism, lack of robust education,

opportunity, and barriers to the accumulation of wealth. Disparities in these areas collectively

affect the cultural and economic mobility of African Americans from the time they are young

and throughout adulthood.

Figure 7. Race, Education, and Wealth are Interconnected.

Many researchers consistently point to themes of social injustice and educational inequity

that they consider pervasive throughout our society. Lareau (2011) argues that middle-class

families function in a different way than working-class families, exhibiting a kind of cultural

capital that contributes to the amount of societal success they enjoy. Conversely, lack of this

cultural knowledge would make it more difficult for such families to sustain a modicum of social

advancement comparable to others. However, there are more factors to consider than merely

one's own habitus, termed by Bourdieu (2000) as a kind of cultural comfort zone, when

explaining the gross variations between African American and European American student

outcomes. In education, there have been many reform measures geared toward student

assessment, teacher accountability, and professional development, but unfortunately, none of

these drills deep enough to the core issue. The issue which appears to be a persistent theme in

educational inequity is race. Could race alone be the sole culprit to what ails the American

education? Probably not. However, it has functioned as a consistent dilemma in achieving parity

for all students regardless of race or ethnicity. The criticality of understanding how racism

operates through power structures and how it is operationalized as a broader methodology within

the society and its institutions is of paramount importance.

        In looking at the history of this country, the socially normative traditions, and political

policies resulting from them, race and racism have always been the massive elephant in the

room. As evidenced by the writings of Pedro Noguera (2003) and Gloria Ladson-Billings

(2006a), there is a tendency for American citizens and the institutions in which they participate,

to see race as a dividing line for who is achieving, who is worthy of an opportunity, who is a

criminal, who is an intellect, and who is outpacing whom. Often the problem will be blamed on

the proverbial 'system' as if it were some ephemeral notion which exists and cannot be tangibly

accounted for. These are all reasons why it is imperative to examine these disproportions which

exist and understand how deeply and inextricably rooted they are when it comes to achievement,

opportunity, and wealth gaps in America.

        In advance of the analysis of the statistical gaps between Black and White students, an

explication of how self-esteem, Cultural Frames of Reference, and Oppositional Culture Model

relate to the over-representation of African American student discipline referrals and suspensions

is supplied. Aspects dealing with the employment of Culturally Relevant Pedagogy often

referred to as teaching grounded in culture (Ladson-Billings, 1995) show different theories and

techniques developed to combat inequality in the classroom. These explanations and models are intended to move us closer toward understanding the full set of dynamics that contribute to gaps in achievement.

Failure Is an Option

Race and racism, as factors in the poor academic outcomes of African American students comparable to Whites, are widely considered by researchers of many different ethnicities to be a significant cause for alarm (Darling-Hammond, 2007; Delpit, 1995; Kozol, 2005; Ogbu,1993). The legal disenfranchisement of slavery and segregation authored by Whites and systematically practiced against Native and African Americans for more than three centuries has had specific deleterious effects on the way these groups are perceived and treated. (Ladson-Billings 2006a, Tyack 2004). Despite innumerable achievements and contributions to the nation, African Americans have long since been relegated to second-class citizenship especially when it comes to education (Bell, 1992). Schools in America continue to be highly reflective of the central society in that segregation persists in both the larger society and the nation's public schools despite the introduction of many legal remedies (Lareau, 2011, Warikoo & Carter, 2009).

In American schools, gaps in achievement between Black and White students are the result of issues related to segregation, substandard infrastructure, lack of resources, culturally inept curriculum, and unqualified staffing, all of which stem from issues of urban poverty and White imperialism (Seiler, 2001; Young, 2011). Fallout resulting from the political policies of the mid-20th Century statistically demonstrates how the impact of rampant criminalization, voting and housing discrimination against African Americans was deleterious enough to cause maladjustments within their families and their school-aged children. The reality of race and how it is weaponized becomes more apparent when we look statistically at rates of discipline,

suspension, and expulsion. This perspective provides a grim yet informative depiction of race and how it contributes to gaps in achievement.

Preschool to prison. Education is arguably America's most important institution as it is integral to how one matures and thrives. Schools have a profound and often detrimental effect on the lives of children who are expected to mature into adult citizens. African American students, for example, take up a minority role in many school populations but statistically represent a much more significant role in school discipline referrals, suspensions, and expulsions. In 2012, White students comprised 51% of all elementary and secondary school-aged children attending public school yet comprised only 41% of all in-school suspension cases, and only 32% of all out-of-school suspension cases (Figure 8; Figure 9). Comparatively, Black students comprised only 16% enrolled nationwide yet comprised at least 33% and 32% of all students punished with in-school suspension and out-of-school suspension respectively (NCES, 2015b; U.S. Department of Education Office of Civil Rights, 2014). Black student received 34% of the expulsions despite being only 16% of the school population, compared to White students who comprise 51% and were expelled only 36% of the time (Figure 11).

African American students are accused of school rules infractions and punished for them far more frequently than White students which leads more often to their suspension and being expelled from school (Cregor & Hewitt, 2011; Milner, 2013; Noguera, 2003; Skiba et al., 2011; Skiba, Michael, Nardo, & Peterson, 2002). Race plays an ever-present role in school discipline which inevitably affects the amount instructional time that students receive after being sent from the classroom. In one national study of Pre-Kindergarten through ninth graders, researchers found that African American and Latino students were subject to harsher discipline measures than their White peers (Skiba et al., 2011). The study found that disproportions in what students

Figure 8. National Percentage distribution of students enrolled in public elementary and secondary schools, by race/ethnicity: Fall 2012 (NCES, 2015b)

Figure 9. National Percentage of In-school suspension, by race/ethnicity 2011-12 (U.S. Department of Education Office for Civil Rights, 2014)

Figure 10. National Percentage of Out-of school Suspension (multiple), by race/ethnicity 2011-12 (U.S. Department of Education Office for Civil Rights, 2014).

Figure 11. National Percentage of Expulsions by race/ethnicity 2011-12 (U.S. Department of Education Office for Civil Rights, 2014).

were accused of and how often they were disciplined occurred both at the point of referral and during the administrative decision. African American students in grades K-6, with a population of 25.8% relative to the total enrollment, showed an over-representation of 35.3% in discipline referrals, having been sent out of the classroom to the office (Skiba et al., 2011). The same was true of the 6th to 9th-grade sample whose representation in receiving discipline referrals was significantly misaligned in comparison to their population and in comparison to the population of their White peers. African American students in this study and many others were disproportionately likely to be accused of subjective offenses like "disrespect" while objective offenses like smoking or being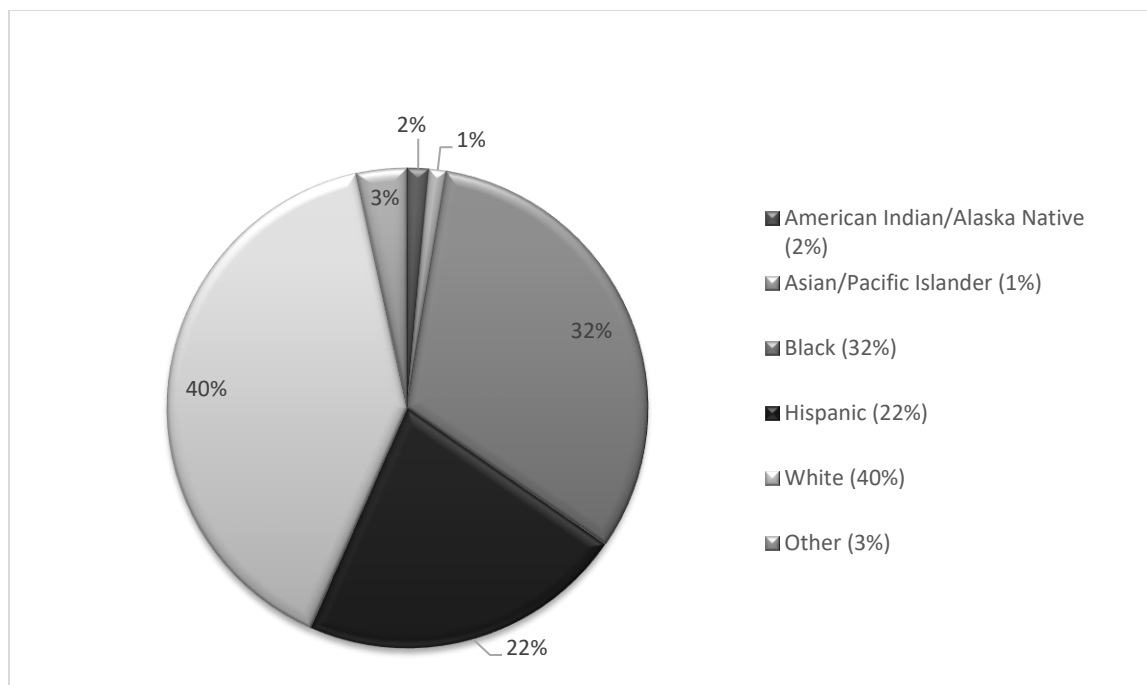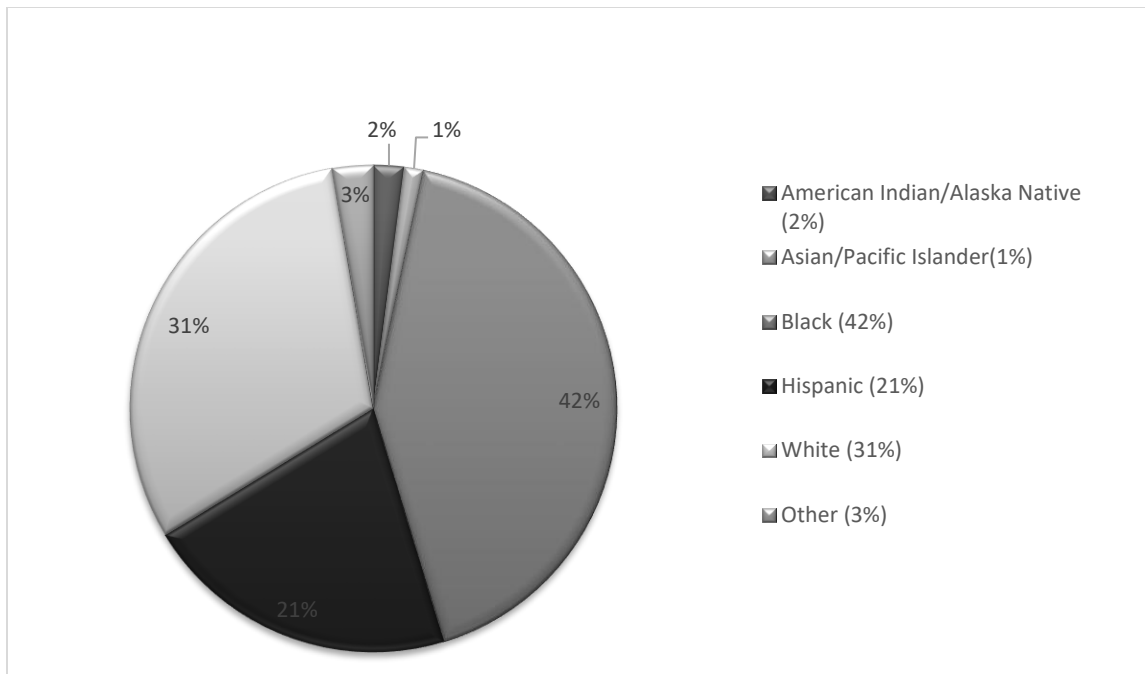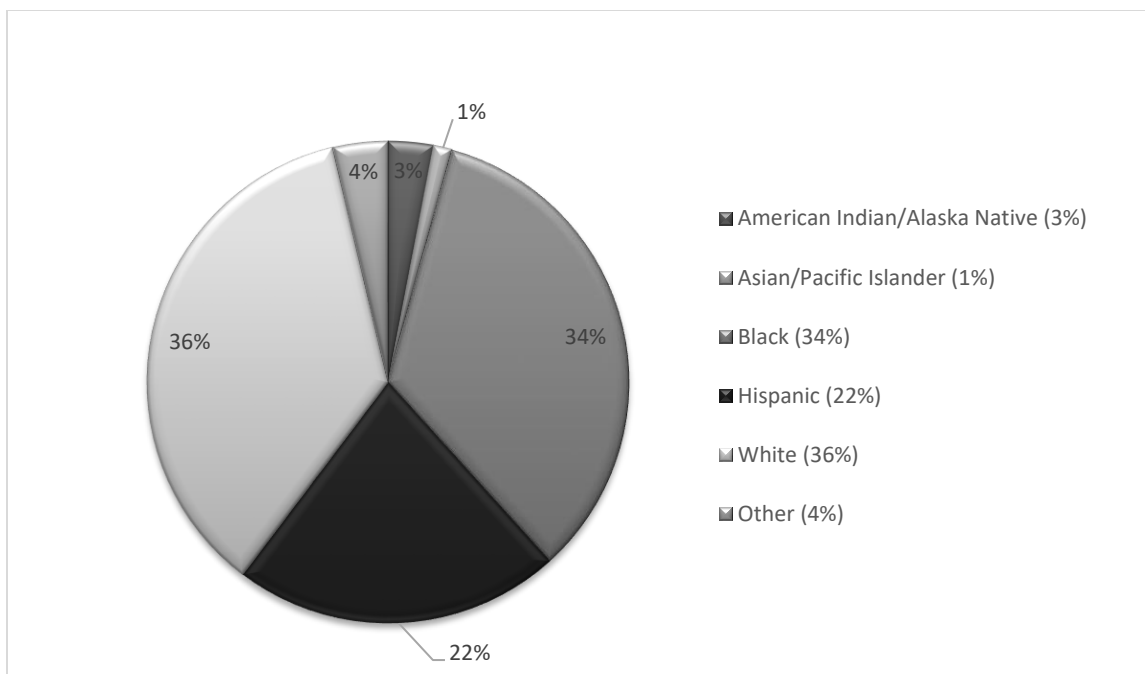 late to class were more likely to be the accusations leveled at White students (Sheets, 1996; Kilpatrick, 2010; Skiba et al., 2011). These subjective infractions are more likely to be one-sided and based solely on what the teacher perceives to be disrespect or unruly behavior, and this is enough for a student to be punished without any investigation or due process (Skiba et al., 2011). Subjective infractions are equally likely to be those which cannot be tangibly identifiable such as being rude, loud, defiant, or non-compliant with the teacher's directions or classroom rules. Conversely, White students are most often flagged for more verifiable fact-based or objective infractions which point to a specific or concrete classroom or school violation. The instructional time that African American children lose as a result of being sent from the classroom at higher rates than their peer's negatively impacted their ability to keep pace with the curriculum, and as a result, they fall behind academically. This is a major factor that contributes to the gap in demonstrated academic achievement which is measured by standardized testing.

Gender is also a factor in the disproportionality with which students are disciplined in school. There is an evident overrepresentation of male students, over that of female students,

which consistently shows up in a vast array of studies performed by many researchers (Skiba et al., 2002). When compared to girls, boys are four times as likely to be sent to the office, suspended or punished physically. According to the U.S Office for Civil Rights (1992), Black males were subjected to 16 times more harsh punishment than White female students. Black males were also most likely, among 7th to 12th graders, to be suspended, followed by White males, Black females and White females the least (Taylor & Foster, 1986; Skiba et al., 2002).

According to the National Association of Secondary School Principals (2002), ethnic disparities in the way school discipline measures are exacted, are a result of the impoverished socio-economic status of African American students. They report this phenomenon is invariably due to both their overexposure to the weight of poverty and their likelihood of failing to adapt to school norms and rules. However, Skiba et al. (2011) found that the alarming rates at which African Americans receive disciplinary actions cannot be explained merely by class, family or income. To simply say that a child is poor and therefore incapable of learning or behaving well in a classroom or school settings is offensive and irresponsible because it tethers a circumstance beyond a student's control to their future and its outcome. If one can orchestrate poverty, as we have already delineated government to be culprits of, then one can, with precision, cultivate adverse outcomes for whole groups of people. Therefore, the connection between poverty and the inability to learn becomes paramount to the mission of those who create or incite institutional racism.

Implications of self- esteem. Implications of self- esteem. How one identifies oneself is largely based on one's familial and educational associations. From the time we are born our self-esteem is derived from the way in which we are perceived and treated by other members of the groups with whom we interact with (Johnson & Johnson, 2003). Fundamentally, these groups are

our families, to which our membership is inevitable and ubiquitous. It is within our families and

peer groups that we are socialized into norms or ways of thinking and behaving, as well as taught

to have certain perspectives reflective of our particular ethnicity (Johnson & Johnson, 2003).

Apart from home, much of this socialization happens in the school environment. It should

be considered that the schools we attend, the teachers, and fellow students we interact with are,

by and large, an extension of such a reference group which functions to inculcate certain

behaviors and belief systems (Asante, 1991). While the reasons for this void may be varied,

some researchers agree that lack of diversity pertaining to curriculum contributes significantly to

lower academic achievement for African Americans (Asante, 1991; Earp, 2013; Fisher, 2005;

Kao & Thompson, 2003; Lareau, 2011; Ogbu & Simmons, 1998; Sanders, 1997). Gaps in

comparable success are intensified directly by a curriculum that is wholly Eurocentric in scope

and sequence, and in some cases, factually inferior (Asante, 1991; Fordham, 1996; Ogbu, 1993).

The lack of diversity in chronicling African American experiences in the classroom leads to

enormous problems with adolescent self-esteem in children (Sampson & Wade, 2010).

Among the various philosophies promoting a correlation between home, community and

school cultures (Brown-Jeffy & Cooper, 2011), the theory of Culturally Relevant Pedagogy

proposed rests upon providing instruction that is culturally inclusive of the whole African

American experience. The absence of curriculum reflective of the standard value systems held by

the learner that are modeled by the teacher, have the potential to incite some detachment from

the educative process (Dotterer, McHale, & Crouter, 2009; Ladson-Billings, 1995).

This problem is particularly the case in urban school settings where African American

children often feel the void of a curriculum which pertains to their culture that is thoughtful or

descriptive of their collective experiences. The value system endemic of public school culture

does not always match that of African American students, thereby negatively impacting their self-esteem and eroding feelings of belongingness (Earp, 2013; Fordham, 1996; Kao & Thompson, 2003; Sampson & Garrison-Wade, (2010). This dilemma has been attributable to the overrepresentation of White teachers and administrators together with the orientation and proliferation of Eurocentric ideals used to control and dominate urban education (Asante, 1991; Ogbu & Simmons, 1998; Ogbu, 2008).

African American students often intentionally avoid academic achievement because of the notion that academic success is associated with what was previously described as being a White domain (Fordham, 1996; Ogbu, 2008). It is equally difficult to establish learning among Black students who consistently receive instruction based on historically biased information from a group existentially seen as oppressive. Overcoming institutionalized racism and the stigma of racial dramaturgy found easily within educational systems are part of challenges that Black students face. The study of the "attribution of racialized labels to behavior, attitudes, or thought" (i.e., acting Black or acting White) are what is known as racial dramaturgy Peterson-Lewis & Bratton, 2004, p. 83). By and large, these views of "acting Black" or "acting White" create a steep burden for the students who exhibit or exalt them (Peterson-Lewis & Bratton 2004). To have a healthy self-esteem, it is highly essential to cultivate and maintain identification with, and acceptance of one's own cultural group (Kardiner and Ovesey, 1951). Why this is important is so that individuals can move through spaces such as the school classroom unencumber by doubt, worry or feelings of inadequacy. This has the potential to lessen the burden of socially constructed norms that perform antithetical to one's own cultural norms.

The absence of cultural relevance linking African American student values and norms to subject matter provokes the presumption on the part of the learner that any accomplishment in this area is considered to be incompatible with Black identity (Ogbu, 2008; Fordham, 1996). The term 'acting White' is derived from the related notion that the school building itself, its classrooms, and any success obtained for Black students in what is thought of as a White domain is antithetical to acting Black or Black being (Ogbu, 1993; 2008). Existing in a domain construed as a construction implicitly for White students has a deleterious effect on the self-esteem of the African American child by lessening their self-efficacy or self-belief that they can achieve the same or greater success compared to other students (Asante, 1991; Ogbu, 2003; Fordham, 1996; Milner, 2011).

Black youths associated 'acting White' with getting good grades, and instead used things like skipping class and skipping assignments to rationalize 'acting Black' Peterson-Lewis & Bratton, 2004). Sadly enough, many of these youths don't make the glaring correlation between acting Black (as they perceive it) and guaranteeing failure in school. This achievement dissonance is described by Fordham and Ogbu (1986) as linking "acting Black" and failure predictive qualities together where success is "racially inappropriate" (p. 181). Among both Black and White high achievers, White students are categorically teased as being nerds, while Blacks are ridiculed for 'acting White'. Cook and Ludwig (1998) contend that although both Blacks and Whites are derided for being smart, the pejorative characterization "nerd", is a social term rather than a racial one and is innocuously different from that of the Black students in the critical sense that it:

> does not burden the White achiever with the impression that his or her
>
> academic achievement is racially inappropriate. On the other hand, the label

"acting White," when applied to a Black achiever, problematizes academic

achievement by racializing it, thereby converting achievement into a racial

affront, and the Black achiever into a race offender. The label "acting White"

pits Black achievers' personal ambitions against their racial identity and leaves

them with two primary strategies for resolving the conflict: (a) they must either

lower their personal achievement ambitions or (b) discontinue identification

and/or association with other Blacks (Peterson-Lewis & Bratton, 2004, p. 88)

Black youth also develop their identity and belonging through fictive kinships which are

invigorated group memberships that provide trustworthiness beyond what they experience within

their own families (Fordham & Ogbu, 1986). Thus, group loyalty becomes paramount in

situations dealing with in relation to the White dominant group. Further, there is the questionable

notion that Black students who either are successful or desire to become successful must adopt a

raceless persona, distancing themselves from Black cultural habits and tradition ways of being

(Fordham 1988; 1996). Ogbu (2003) laments, "Within the school structure, Black adolescents

consciously and unconsciously sense that they have to give up aspects of their identities and of

their indigenous cultural system in order to achieve success as defined in dominant group terms;

their resulting social sieves are embodied in the notion of racelessness" (p.82).

The pressure to avoid 'acting White' is stronger and more pervasive for Black males than

it is for the Black female, where among males, behaving negatively is popularized (Peterson-

Lewis & Bratton, 2004). Utilized as a survival mechanism, Black males must appear tough and

mentally sharp at all times to avoid being seen as soft. Researchers often have referred to this as

'cool pose' or acting relaxed and unbothered as a means of establishing popularity and gaining

self-assuredness (Peterson-Lewis & Bratton, 2004). It is alarming that students believe this

behavior is necessary to exist or participate in school activities. It speaks directly to a disconnect within the school environment that, like negative discipline rates, detracts away from instructional time, and possibly achievement.

The contention as mentioned earlier that Black students, particularly males, must adopt a raceless persona in order to experience academic success, is dangerous to the self-identity and self-esteem. This means that African American students must relinquish the culturally relevant parts to their identity that do not coincide with the dominant culture of the teacher and the school environment. Combined, the ideas of acting Black and the need to develop a raceless persona are enormous barriers to the goal-setting process and subsequent achievement of African American students – especially Black males. Additionally, we see this ideology played out in the working world of adults where the overt notion of acting White will be seen as favorable in the workplace. Kardiner and Ovesey (1951) suggest that the healthy self-esteem of an individual includes developing and firm connection and comfortability of values with the family and friends in your community as well as your school.

Cultural frames of reference

There is a constant struggle for Black children to be something other than what and who they are. How young people see themselves throughout their maturation process will likely affect not only how they see themselves in comparison to others as they grow, but how well or how poorly they move through the society as adults. These perspectives help an individual to formulate frames of reference for how to think, act, and be. John Ogbu (1993) defines a cultural frame of reference as the way in which a group perceives and interprets the cultural differences between itself and the dominant group (p.485).

People and their descendants who emigrated to America of their own volition are called voluntary minorities (Ogbu, 1993). Their cultural frame of reference, which began before their migration, is mainly positive because they were not forced to come, and therefore do not perceive themselves to be oppositional to that of the dominant group which is European American. Conversely, involuntary minorities are those people and their descendants who were forced to come to this country either through slavery, conquest, or colonization (Ogbu, 1993). African Americans, largely the descendants of enslaved African forebears, are involuntary minorities who have innately negative cultural frames of reference relative to the dominant group which interfere with daily social, professional, and educational life. Their frame of reference, born of historical racial conflict, is oppositional to the dominant group and includes devices to protect their social or collective identity in the quest to maintain their sense of worth (Ogbu, 1993).

In formal educational settings, the histories, cultures, and languages of African American students have been devalued, misinterpreted or omitted altogether (Bernal, 2002). Stovall (2005) posits that racism is endemic to American life and vital to the centrality of defining Critical Race Theory as a set of complex, intricate, discrete functions of racism in urban school settings (p. 96). Urban centers are riddled with "distinct social problems" such as drug proliferation, police brutality, unfair banking practices, and inadequate social services, which are regarded as systemic structures of racism (Stovall, 2005). The cultural frame of reference of those living in this type of social structure is one of devaluement where the students, their parents, and community organizers are treated as nuisances on whom state resources are wasted. In this study, cultural frames of references can be viewed as stabilizers that help strengthen individuals, but

more importantly, fictive groups against the tide of social impediments that often hinder the

progress of such a group.

      Oppositional culture model. Ogbu (2008) also describes the Oppositional Culture

Model as one where students develop and/or maintain cultural affects, behaviors, and ideals that

are in direct contrast to that of the dominant culture. When aligned with Critical Race Theory,

the Oppositional Culture Model appears to be born from a need to stretch free beyond a racist

system, inherent in school environments, created and incubated by rules of law in the larger

society. Students who are seen as behaving in an oppositional fashion are often considered as

"outsiders within" (Cookson & Persell, 1991, p. 220). A 1991 study of African American

students who attended a private, mostly White institution, found that they are caught between

two cultures and are often doubly marginalized for being both minority and unwealthy. The

authors further outline how the burden of "acting White" (Fordham, 1996; Ogbu, 2008) to fit into

the mostly White and wealthy student population added an additional load on African American

students who can only act like, but never really be considered by the elite majority to be upper-

class (Cookson & Persell, 1991). There were 55 boarding schools included in the sample of

which the students (N = 2,475) in 20 of these schools were given anonymous questionnaires

querying them about their ethnicity and family background. A variety of qualitative data were

collected through interviews of administrators, teachers, students, and alumni to find out what

their schools' academic climate was about. There was a subsample of 106 African American

preparatory school students who were polled as well. Of the results, one startling realization for

African American students revealed was that in a world dominated by Whites, academic success

does not equate with acceptance (Cookson & Persell, 1991).

Fordham and Ogbu (1986) discuss how the Black experience has contributed to modalities of failure for African American students with regard to choosing between academic success and failure within an "oppositional culture model" (p. 176). This antithetical behavior manifests because African Americans are thought to be involuntary minorities; Black people with ancestors who were brought to America and enslaved, and categorically suffer from a syndrome of low effort (Ogbu,1998). It is uncovered that society historically will not reward Black student educational accomplishments as it does for White students (Fordham & Ogbu, 1994; Kao and Thompson, 2003; Ravitch, 2009). Oppositional culture as a causal design for the effects of delayed or low achievement which plague African American students is examined as a cultural inversion where symbols and behaviors that are associated with a dominant culture are deemed inappropriate by the subordinate culture (Ogbu, 1998). The presumption is that any accomplishment in this area is considered to be incompatible with Black identity. This sense that their achievement is racially inappropriate allows the students to attribute their failures to race loyalty. Ogbu (1998) further portends that African American youth are repeatedly exposed to conditions of underachievement and thus cannot socially separate the idea of achievement from that which is White, and therefore, antithetical to their own being.

African Americans, assumed to be "involuntary minorities" or citizens of forced cultural membership, often opt out of performing well on tasks because they do not agree with American cultural norms (Fordham & Ogbu (1986). They instinctively perceive the school environment to be a distinctively White domain, unwelcoming, but one of order. Conversely, the Black domain was regarded to be one of chaos, and negativity (Peterson-Lewis & Bratton, 2006). This result is directly proportional to the infamous "Black doll White doll experiment" by Kenneth and Mamie

Clark (1950) and replicated many times over. Both demonstrate stark reverence for White

personage and conversely, clear and distinct contempt for one's own self, being Black.

        In contrast to the Oppositional Cultural Model, Fisher (2005) lends her own critique of

Ogbu's theories in her experiment with more than 1,500 high school students from an urban

Massachusetts high school. Fisher's purpose was to explore the differences in self-concept,

academic behavior, and self-reported personal experiences between high and low achieving

African American students through the lens of the Oppositional Culture Model. She concluded

that Ogbu's Oppositional Cultural Model was truncated in that it was ineffective in explaining

Black underachievement. However, a major flaw in this study was that only 9% of the students

were African American in comparison to 64% Whites which would seem to be an insufficient

sample for disproving Ogbu's theory.

        White students who are inculcated from birth with cultural frames of reference

enveloping the ideology of White racial superiority, likely carry favorable notions pertaining to

self-concept that only further undergird the privilege they experience. Their youthfulness does

not exclude them from the unearned dispensation of privilege nor does it exempt them from the

theoretical assignment of possessive investment in Whiteness which marks their privilege. The

ways in which the classroom, as an instrument, is used to promote White students and prohibit

African Americans are clearly spelled out in the literature (Milner, 2012; Rothstein, 2015). More

intricately, this is inclusive of assessments and how they are used to promote and prohibit.

        Standardized Testing. Francis Galton is known in American sociological communities

as the progenitor of the Eugenics Movement. Considered a science, Eugenics is defined as that

"which deals with all influences that improve the inborn qualities of a race; also, with those that

develop them to the utmost advantage" (Galton, 1904, p. 1). In a lecture given before the

Sociological Society at London University in 1904, Galton implored the listener to leave morals

and deciding on a person's good or bad quality aside. Instead, in Darwinian fashion, he

promulgated his agenda toward extinguishing the lives of those in society who were sick, weak,

and "ill-fitted for their part in life" (Galton, 1904, p. 1). He boldly asserted the aim of eugenics

was to replace criminal classes or those otherwise seen as undesirable, instead, seeking eligible

classes of people to represent their race by letting live and procreate, only its best specimens,

thereby crafting a civilization entirely from a contrived pool of influence (Galton, 1904). Galton

continued, stating another goal of the eugenics movement included improving the inborn

qualities of human populations through the selective breeding of those individuals from certain

races that are deemed socially fit, mentally competent, and deservedly worthy.

A proposal devised for cajoling the whole of society to accept this pseudoscience as

robust and common included the actionable goals of 1. Disseminating a knowledge of heredity,

2. Historical inquiry into the civic usefulness of different classes of citizens, 3. The collection of

factual evidence indicating large and thriving families, their origins, and the circumstances of

their "success," 4. Banning unsuitable marriages by prohibitive methods, and 5. Persistence in

making eugenics become nationally accepted by legitimizing it as an academic question until it is

accepted as fact; accomplished through force-feeding it to the public using strategies similar to

the tactics of religious dogma (Galton, 1904, p.3). Ignobly, his use of rhetoric comparing the

Negro to a wild animal whose fertility, if left unchecked, could balloon despite the intentional

abolition of his or her freedom and livelihood, can only be considered as racist diatribe. Galton

blatantly cites the "disappearance of most savage races when brought into contact with high

civilization…But while most barbarous races disappear, some, like the Negro, do not" (Galton,

1904, p. 3).

Galton's pioneering legacy of eugenics becomes of paramount importance when one understands that he is also known in many circles as the father of psychometric testing: the precursor to standardized testing. Although there were others scientist and prominent thinkers at this time, his influence on the development of tools used for psychosocial and academic assessment as well as his interpretations of scientific validity and data analysis is undisputed (Goldstein, 2012). The development of the Binet-Simon test by French psychologist Alfred Binet, later revised as the Stanford-Binet Intelligence Scale, was created to distinguish cognitive deficiencies in students by measuring their mental abilities. Cognitive performance tests were used to determine if a child is deficient, functioned as the antecedent of today's standardized tests designed to measure mainly the curricular intelligence of students. Standardized assessments are used most commonly as benchmarks for student achievement test and include high stakes entrance exams into exclusive private K-12 schools, colleges, and universities. Galton and many of his successors believed data patterns to be "reflections of underlying realities that had universal validity" (Goldstein, 2012. p. 149). To the contrary, researchers have found that data from these routine assessments have very little, if any, predictive validity in accurately measuring the likelihood of a student's success (Johnson, 2013). If it is in any way possible that these types of tests have low predictive validity, the question then becomes, what is their true function? Johnson, (2013) asserts:

> [Testing] serves merely one function, which is to exclude undesirable learners
> from entry into educational programs where they are not wanted. Whether its
> cognitive or achievement measure, it doesn't matter. They all have emerged
> from a culture of racial exclusivity and continue to serve the original purpose
> of intent – the denial of opportunity based on race. (Johnson, 2013, p. 57)

Essentially, a standardized test, which is largely predicated on timing and efficiency, can only partially measure a student's understanding of a variety of curricular concepts. There are other variables related to how well or not a student performs on an assessment such as positive supports, teacher preparation and efficacy, and nutrition. "When anxiety is plentiful, achievement is at risk" (Johnson, 2013, p.57).

The dilemma of hampering legislation like No Child Left Behind (NCLB), introduced as an Act of Congress in 2001, plagues school districts and state systems as they work to navigate the direction of public education (Ravitch, 2009; Darling-Hammond, 2007; 2010). Standardized assessments of U.S. students (e.g., PARCC, SAT) routinely point to the low academic achievement by African American students in comparison to Whites who both control and dominate success markers in education (Kao & Thompson, 2003; Weinberg, 1977). This is a problem widely known throughout the field of education as The Achievement Gap and can be defined as the large and persistent breach between the standardized reading and math scores of African American students compared to those of Whites (Jencks & Phillips, 1998). Statistical information recorded by the National Assessment for Educational Progress (NAEP) shows a consistent gap between Black and White fourth and eighth graders of at least 20 points in both math and reading scores since 1973 (see Table 3; Table 4). This difference of scores represents a persistent disparity drawn along racial lines which is firmly entrenched in American public schools (Earp, 2013).

As recent as 2015, the Achievement Gap between Black and White fourth grade students was found to be 24 and 26 points (see Table 3.) for math and reading, respectively (NAEP, 2018). In the same year for eighth-graders, the gap between the same racial groups was 32 and 26 points in math and reading respectively (see Table 4.). In 2010, the U.S. graduation rate for

White students was 93.5% compared to 66.1% for African Americans and the dropout rate for

the latter was more than double the national average (Carter & Welner, 2013). Although the

adjusted cohort graduation rate (ACGR) for public high schools in the 2013-14 school year has

seen a significant increase, African American still lagged behind their Asian (89%), White

(87%), and Hispanic (76%) counterparts with a 73% graduation rate (NCES, 2017). This sort of

continuing disproportion, Carter and Welner (2013) contend, is the result of gaps in opportunity

for students due to obstacles rooted in the lack of comparable quality of the schools they attend.

Complicating the matter is the lack of culturally relevant teaching to which African American

students are exposed. This lack of Culturally Relevant Pedagogy is described as a void in the

curriculum where the cultural impetus and experiences of African American students are

Table 3 NAEP standardized testing point differential between Black and White students 4th grade
students in the US. (NAEP, 2018)

Subject	1973	1992	2000	2003	2007	2011	2015
Math	40	32	31	27	26	25	24
Reading	52	32	34	---	27	25	26

Table 4 NAEP average standardized testing point differential between Black and White 8th grade
students in the US. (NAEP, 2018)

Subject	1973	1992	2000	2003	2007	2011	2015
Math	40	40	40	35	32	31	32
Reading	52	30	---	28	27	25	26

not utilized (Ladson-Billings, 1995; Gay 2002). Culturally Relevant Pedagogy, as a practice, is a means of ensuring that all students have access to instruction which lends contextual value to their self-identity and self-esteem by reflecting their own cultural values, norms, and history. In providing such culturally relevant instruction, Ladson-Billings argues that education processes must establish and maintain cultural competence as well as ensure that students develop a critical consciousness through which they challenge the status quo of the current social order (Ladson-Billings, 1995). This is highly inclusive of ensuring positive supports that promote healthy self-identity and healthy self-esteem.

Culturally Relevant Pedagogy

Education is designed to perpetuate a culture and to maintain it over time. It is a tool to help its participants be functional in a society, yet, too many teachers are ill-equipped and inadequately prepared to teach in a culturally responsive way that serves ethnically diverse students (Gay, 2002). This being the case, students are emerging from school environments not knowing centralities about their own culture, unable to help or maintain it, and leaving them unable to function effectively in society. For groups like African Americans who have been historically marginalized, the discontinuity of normative community customs and normative school customs often make school and the student incompatible (Asante, 1991; Ladson-Billings & Tate, 1995). The knowledge of cultural diversity that teachers need especially when teaching students of different races or cultures goes beyond the mere awareness of student norms, cultural differences or different values systems (Brown, 2007). It requires commitment toward developing a knowledge base of detailed factual information concerning cultural intricacies of a specific ethnic group. Gay (2002) identifies five elements similar to those identified by Ladson-Billings which are essential to culturally responsive teaching: (a) developing a cultural diversity

knowledge base; (b) designing culturally relevant curricula; (c) demonstrating cultural caring and build a learning community; (d) establishing cross-cultural communications; and (e) establishing congruity in classroom instruction (p.106-113).

The precepts written by Ladson-Billings (1995) and Gay (2002), two of the foremost authors on the subject of Culturally Relevant Pedagogy, are guidelines and are meant to capture a critical mass of students, within a theoretical net that has, until now, had wide, gaping holes. Through these holes, African American children have fallen victim to illiteracy, delinquency, unemployment, and poverty. The reconstruction of this proverbial net as Howard (2003) discusses, is a "rejection of deficit-based thinking about culturally diverse students" (p.197). It is a rejection of the notion that African American students cannot be saved or adequately educated.

In her article titled, "Preparing for Culturally Responsive Teaching," Geneva Gay makes an argument for improving school success for ethnically diverse children through culturally responsive teaching (2002). She makes a case for placing teachers in pre-service programs that equip them with the knowledge, attitudes, and skills need to offer culturally relevant pedagogy. Gay (2002) states that requirements for developing a solid knowledge base in this area are acquiring intricate details about students' "cultural peculiarities" (p.107), as well as knowing how to "use cultural scaffolding" to teach ethnically diverse students (p.109).

Developing Cultural Competence

Careful study of various districts in a variety of states, reveals that there is extreme cultural bias in the assignment of school environments (Ladson-Billings, 2006a; Kozol, 2005) and the delivery of information in the form of curriculum which accelerates low achievement (Carter, 2005). Exhaustive research efforts in and out of school buildings reveal there is a predictability to the inequality that prevails. The cultural hierarchy and the intentional

miseducation of African American populations function to keep castes separate and distinct. Academic marginalization used deliberately to distinguish class is not without consequence. This effect is viewed as a real educational deficit for which the country has been accruing as an educational debt over the last five centuries (Ladson-Billing, 2006). The "Racial Achievement Gap" in education refers, broadly, to abundant evidence of disparities in academic achievement between groups of students as defined by their purported race or ethnicity (Earp, 2013).

Students raised concerns in their interviews about societal notions of Blacks being less intelligent than other groups and teachers who "dumb down" curriculum and standards to reinforce their own low expectations of students based on them being Black (Fordham & Ogbu, 1986). Students complained that the staff's capitulation to negative images of Blacks led the staff to demand very little of them academically-particularly Black males- as long as they were not disruptive (Fordham, 1996; Noguera, 2003). Certain students who were high achieving reported incidences where White adults outside of the schooling structure remarked that "they did not really seem [B]lack" as a way to explain their academic success, while others suggested they disassociate themselves from Black peers so as to not risk not "living up to their full potential" (Peterson-Lewis & Bratton, 2006, p. 88).

The advance of school reform has historically sought, on the surface, to advance American educational standards for competition on the world stage. What it has managed to do is further imbue a deeper and wider chasm between students of color and others. Fundamentally, the curriculum set by most districts nationwide is a Whitewash of historical information which holds the White individual out to be revered and admired, and conversely, the immigrant, voluntary and involuntary, as a second-class citizen who was born only to bear the brunt of labor as an under-classed minority (Asante, 1991). For example, Black and White students alike are

taught that George Washington, the first recognized American president, was a pious man who

should be respected as an American hero. Despite the fact that Washington and his wife Martha

brutally enslaved Africans presents no conflict to the universal teaching of this, promoting full

esteem for White students who are racially related to Washington. However, students of African

descent, racially related to Africans who were enslaved, find a contradiction in this information

which in no doubt conflicts with their entire state of being. Consequently, and diabolically, the

latter are compelled to reproduce and regurgitate Washington as pious and a hero if they are to

demonstrate mastery of such lessons. This is highly detrimental to the self-identity and esteem of

students of African origin having not only to be force fed misinformation that forcibly conflicts

with cultural belief but is also particularly deleterious and damaging to have to replicate in order

to earn a passing grade. Since passing grades result in the stamp of academic success, students

are left little choice but to self-report information which does not align with their beliefs if they

are to succeed. Gaps in success, as determined by the dominant majority of White policymakers,

are intensified by a curriculum that is biased and factually inferior (Asante, 1991).

Student Population & Teacher Diversity

Student Population & Teacher Diversity

Enhancements to curriculum based on culture are often contingent upon whether school

districts support them, but more importantly if teachers are inclined to facilitate their

development. However, in-depth knowledge of, connection to, and willingness to formulate

curriculum around the cultural indices of African American value systems appear to be in short

supply. Lack of teacher diversity is a significant factor in this reluctance to comingle cultural

ideas with academics. Over the last few decades, the U.S. has experienced a dramatic shift in the

demographics of school-aged children where the White student population has significantly

declined, yet teaching staffs remain majority White (NCES, 2013). In 1991, nearly ninety

percent of all public-school teachers in America were White, while African American teachers

made up slightly more than eight percent of these educators (Burt, Ortlieb, & Cheek, 2013).

Twenty years later, in 2011, 82 percent of all public-school teachers in America still were

Caucasian and majority female, while African Americans, regardless of gender, had declined to

only seven percent (NCES, 2013). More recently, the number of African American teachers,

trainers, and those in library occupations combined total 10.7 percent while those same

occupational posts are occupied by 82 percent of White regardless of gender (BLS, 2018).

Similarly, of all educational administrators, Whites comprise 81.8 percent while African

Americans make up 12.9 percent.

A sharp decline in the population of White students in combination with the

overrepresentation of White teachers above all other groups could be interpreted as an imbalance

in shared interests, culture, and values represented in the classroom. Gay (2002) asserts that "too

many teachers are inadequately prepared to teach ethnically diverse students" (p.106). Some

researchers believe that the disproportion of White teachers to African American students has

explicitly manifested into a cultural discontinuity that has traditionally translated into lower

achievement rates (Carter, 2005; Fordham, 1996; Ladson-Billings, 1995; Ogbu & Simmons,

1998). More importantly, research shows that the gap in achievement between racial groups,

highlighted by substantial racial disparities in standardized test scores, and reported officially by

the National Assessment of Educational Progress (NAEP), shows a progressively widening

crevasse between African American and White students incrementally with age and grade

(Seiler, 2001). This gap is cumulative and progressive with no signs of abatement despite minor

fluctuations in population, graduation rates, and costly local and national reforms (Seiler, 2001).

Many people think that possessing a good education alone will afford them the opportunities they need to be successful in life. If the education they receive doesn't fare well compared to the next person, does that mean their life is relegated then to chance? If the sum total of one's educational achievement amounts to one's educational attainment, then having higher achievement levels should be proportional to capturing better opportunities to succeed occupationally. However, opportunity is not just relegated to work. There are a million ways or more that creating or benefiting from opportunity can enhance one's life and their future.

Social Capital and Opportunity Gaps

As one navigates throughout the world, it is essential to take with you the best of all that your parents have instilled, all that you have gleaned from your education, and all that your culture has bestowed - if you have these things. It is equally, if not more, necessary, however, to be reminded that everyone is coming from perhaps somewhere different. Dorothy was coming from plain old rural Kansans when she landed in colorful Oz. The children of wealthy parents may have never had their utilities shut off for non-payment or had to share a room with their siblings. Siblings of impoverished parents share everything. What this means is that people themselves are not just different in speech or dress, but that their experiences and perspectives are different and unique to their upbringing. Our social environments, educational, familial, and vocational pursuits are the main predictors of how we see the outside world, the people in it, and the interactions we exchange. Within these groups, the amount of social capital (i.e., resourceful social connections) we have accrued, whether by inheritance or by personal ingenuity, remain our best allies in the abstract pursuit of success (Bourdieu, 2000; Carter, 2005).

It is not uncommon for persons to rely on their historical groups or socially constructed alliances for personal gain. This occurs daily on both micro and macro scales projecting mobility

upward. Wealthy White entrepreneurs use personal contacts and the exclusivity of venues (i.e.,

golf course), to capitalize on business ventures. Black and Latino businesses take advantage of

government-sponsored "minority" set-asides designed to level the economic playing field. In all,

individuals are likely able to use fictive kinships to align themselves with a larger convenient

group to further their own personal means.

It is the capital of the group, even loosely defined, that affords perceived favor- even

opportunity. For example, students of varied racial groups may be in an honors chemistry class

together. Now, that a Black student is considered to be from a group that suffers categorically

from Achievement Gaps, does not preclude a Black student in the honors class from benefiting

from the advantages this group provides. These advantages may range from exclusivity to a

perceived notion of higher intelligence comparable to non-honors students. Where some Black

students perceive the classroom to be a White domain, the same Black student might

instinctively develop the notion mentioned above of racial dramaturgy or "acting White", with

the unconscious intention to promote her or his own success within the group (Fordham & Ogbu,

1986; Peterson-Lewis & Bratton, 2004). Carter (2005) loosely defines this type of student as a

cultural straddler who is a "strategic navigator" and who consciously "plays the game" by

oscillating back and forth between races or cultures to achieve their goals and secure academic

success (p. 308). The exclusivity this honors class provides supersedes momentarily, the

disadvantages of participating in a non-fictive group, whereby establishing temporary social

capital that proves useful to an individual's goal setting.

The American cultural milieu upholds the idea of uniformity versus free expression and

negates the reality that each person has their own points of reference. People can choose freely at

times to utilize these or join other groups that they fit loosely with, to improve their footing in

the society. This is a means of improving the opportunities they may become exposed to. At other times, it seems that they are stuck. Stuck living in environments where the dominant culture decidedly ascribes the nondominant culture as a disability choosing who is privileged and who is not (McDermott & Varenne, 1995). In American society, it is Whites who have defined what acceptable language, behavior, and custom is. For example, if you speak English with improper diction, subjects and verbs misaligned, you are considered uneducated. If you speak ill of America's militaristic strategy or if you do not celebrate the Fourth of July, you are somehow unpatriotic. Treating non-White culture as a disability funnels deeply into the educative process where Black children taught by White teachers "suffer enough from miscommunication and alienation to give up on school, this despite the fact that they are, at least potentially, fully capable" (McDermott & Varenne, 1995, p. 335). In fact, McDermott & Varenne (1995) refer to them as those who are "locked out of the system" (p. 335). In saying 'the system,' these authors are astutely intimating a White construct which is built and operated on the thoughts, ideas, behaviors, languages, and traditions of those who are ethnically European. This inordinately instigates a dilemma of difference where any acknowledgment of cultural divergence pits people to compare one's worth in the world (Minnow, 1990). Therefore, Black children as well as the families and communities from which they hail are culturally divergent from that of the dominant White culture and are locked out of individual opportunities because of those differences. Despite this, there are slight hierarchies which exist. If you are middle class or affluent, then you likely have the right amount of social capital to cultivate your nonfictive mainstream alliances. This allows non-dominant individuals to weather the storms of indifference often resulting from forms of discrimination or inequality.

In many urban schools, culture has become a disability where the student's own backgrounds and communal environments have manifested negatively in the minds of the teachers as a defect or abnormality prompting perhaps only baseline instruction. Preconceived notions about individuals who belong to a larger cultural group allow for the creation of false cultural tags, where for instance, Asians eat rice and do math all day, or Black people eat fried chicken and sing rap songs. These erroneous and often racists tags translate into presuppositions about intelligence which through teaching and administration may negatively impact academic outcomes. The unfortunate result is there are no rewards for those who are seen to lack cultural competence living within mainstream society (McDermott & Varenne, 1995).

These types of cultural traps, set to ensnare the perpetually impoverished, inevitably do, and thus cause continuous cycles of poverty that result in opportunity gaps. Children are taught that if they pay attention in school and get good grades, they will be in a position to get a good job, and thus have a chance to become successful and live well. Instead, they often find stale curriculum in racially segregated classrooms that expand the disparities between Black and White students even when one controls for income (Ladson-Billings, 2006a). Ladson-Billings (2006a) speaks cogently about the looming "educational debt" as an extension of the opportunity gap in America and is the result of longstanding negative historical, socio-political, and moral decisions made by the society. She compares the accruing educational debt to the national economic debt with it surmounting deficits of resources, tangible and otherwise, that could be used in other ways were it not for this overwhelming need to compensate for orchestrated under-educating (Ladson-Billings, 2006a).

The resulting moral debt speaks more to liability for the historically immoral and inhumane treatment African Americans, in particular, have suffered. These debts that we owe

and continually accrue, Ladson-Billings (2006a) writes, add to our collective educational deficit. The imbalance here is that while inequality sparks debate and incites action to make an educational policy change, the resulting reforms seem only to exacerbate inequalities (Ladson-Billings, 2006a). This is in no way better demonstrated than by each state's funding and per-pupil expenditure. It is no coincidence that states underfund poorer predominantly non-white districts and overfund wealthier predominantly White ones. These schools, reminiscent of apartheid systems, are not formed by accident, but are carefully constructed to maintain the popular White dominated status quo.

In looking at school budgets and factors such as per-pupil spending, the disparity along racial lines is indelibly drawn. Ladson-Billings (2006a), in what she terms economic, educational debt, is clear to point out that annual per-pupil expenditures in Chicago public schools average about $8,482 in schools with an 87% Black and Latino population compared to $17, 291 spent per student in Highland Park which has a 90% population rate of White students (Figure 12). The disparity is no less shocking in Philadelphia public schools where an average of $9,299 per student is spent on schools with a 79% Black and Latino population in contrast to about $17,261 in Lower Marion where students who are White make up 91% of the population. In New York, public schools comprised of 72% Black and Latino students were outspent by the suburban public district of Manhasset, containing 91% White students, by nearly double, spending $11,627 and $22,311 respectively (Kozol, 2005). The disproportion in per-pupil spending demonstrates a pattern in metropolitan centers across the country like Chicago and Philadelphia where, in the shadows of Brown vs. Board of Education (1954), segregation between Black and White students is as pronounced now as it ever was (Ladson-Billings, 2006a). In 1857, the New York Board of Education operated in the same racist fashion spending at least $16 per White child on

buildings, while only spending 1¢ per Black child (Darling-Hammond, 2010). This carte blanche

is otherwise known as White privilege where individuals, in this case, students, both then and

now, enjoy the best of everything, from brand new textbooks to modern school buildings built on

sprawling campuses, while black students languish in dungeon-like facilities with no books, poor

lighting, and water fountains you can't even drink from.

Figure 12. Per Pupil Expenditure in Illinois and Pennsylvania. (Kozol, J. 2005; Ladson-Billings, G. 2006a.)

As educators, we are enriched by ideas, techniques, and methodologies that are meant to

improve and sustain the educative process. Legislative policies like No Child Left Behind

(NCLB), Race to the Top, and newer assessment tools like Partnership for Assessment of

Readiness for College and Careers (PARCC) were designed, in their intent, to elicit student

academic success. In reality, they function more to undermine that success. The problem with these measures is they do not take into account the alarming and pervasive inequities which mainly occur along racial lines (Darling-Hammond, 2007; 2010). Programs like these, in their established missions, are more like band-aids that only mask the dilemmas which cause disparity in education, and are neither singularly, nor collectively large enough to absorb the bleeding caused by inequality in American schooling.

It seems that while other nations have managed to build robust, equitable systems of public education that prepare their children for the world they will inherit (Darling-Hammond, 2010), the United States has wallowed in the mire of separation and greed. Nations like Singapore, where 80% of families live in public housing, produced fourth and 8th-grade students who ranked first in 2003 globally, in mathematics (Darling-Hammond, 2010). They have surpassed international expectations as to what a country with limited economic means can accomplish educationally. The homogeneity of their societies proves to be an advantage in this regard where the bulk of their citizens are racially uniform and therefore do not grapple with the subject racism in the same way, if at all. America, being an extremely heterogeneous society, is crafted from the very idea of separation and the establishment of a permanent underclass which was always intended to be the African (Duster, 1987; Philipson, 2003). Lionel Smith (1997) gives perspective when he states, "The blackness that marks us off for permanent subordination and various forms of abuse is also what gives us a sense of identity, community, and history" (p. 182; Philipsen, 2003). In a historical context, America's cultural foundations within its primary institutions use race as a tool to separate and discriminate, much exemplified in its educational system.

Post-secondary schools are no less indictable for the offence of discrimination and are really an extension of deliberate and willful neglect based on factor that begin with race. If we look from the perch of faculty representation in post-secondary environments, we see that, far and away, the university is controlled and dominated by White practitioners regardless of gender (Figure 13). Black students have been overlooked by prominent schools and colleges purely because of race. Bruce Wright, an African American student, was admitted to college in 1939 and given a full scholarship to Princeton University which, historically, had a policy of excluding Black students (Karabel, 2006). On paper, Mr. Wright was a great candidate to become a student at Princeton, but he was denied entry to the college amid claims that he was admitted by accident, solely on the basis that he was Black (Karabel 2006).

Allan Ballard, in his 2004 work, "The Education of Black Folk: The Afro-American Struggle for Knowledge in White America", chronicles some of the more popular strides and protests of Black students and faculty to receive educational equality on college campuses of predominantly White institutions (PWI). While not exhaustive of all the ideological or physical struggles African American endured during the mid- to late-20th century in their quest of a fair and decent education, his encyclopedic work carefully analyzes many racially intense occurrences involving the dilemma of race and equality. Ballard (2004) regards these PWI's as "truly the most conservative of all of society's institutions" calling them the "keeper[s] of the culture" while simultaneously feigning the appearance of social inclusion as it relates to race (p.3). Contrary to the myth that American colleges are authentic sanctuaries from the racial prejudices of the "outside world," is the reality that they each manifest a standard of White superiority in ways that alienate African American students, isolating them and their potential to be fully engaged in the educative process (Ballard 2004). The counterfeit notion of parity and

inclusion in these colleges and universities, coupled with the apparent reality that little or none

exists, presents a menagerie of thought and a recipe for unrest. This is precisely the Wizard of Oz

Effect: the rhetorically embedded illusion that academic freedom or equality can be achieved, not

by evidence, but by belief alone.

This separate and unequal treatment reverberates in themes surrounding concepts like

"school choice" which Diane Ravitch (2009) thoroughly outlines. The term was first coined

during the 1950's and used as a tactic for White families to subvert public systems that were

Figure 13. Percentage distribution of full-time faculty in degree-granting postsecondary
institutions, by academic rank, race/ethnicity, and gender (NCES, 2015a).

federally mandated to desegregate. She claims that newly formed private schools in the South are

what come to be recognized as the first known "schools of choice." These "segregation

academies," as they were also called, admitted Whites exclusively, to whom the state gave

tuition grants as a conscious and very literal attempt to maintain state-sponsored segregation

(Ravitch, 2009, p.114). The concentrated cultivation of these White families and their savvy ability to circumvent the law for the benefit of their children's education goes to the heart of what Lareau (2011) writes in her book, Unequal Childhoods. Today, school choice also exists but is not much different from the mid-20th century. Anyone of any race can, in theory, exercise school choice if, according to NCLB standards, the schools in one's district are failing.

The Achievement Gap between Black and White students that sparked the widely despised NCLB legislation is amplified by the lack of attention to racial inequality as being the culprit (Darling-Hammond, 2007; 2010). Instead, funding snafus and teacher deficiencies bear the brunt of the blame. Commissioners, state legislators, fancy testing services and teachers still think they can test their way to student growth outcomes, a position Ravitch (2009) explains to the contrary:

> Perhaps most naively, it is assumed that higher test scores on standardized tests
> of basic skills are synonymous with good education. Its assumptions were
> wrong. Testing is not a substitute for curriculum and instruction. Good
> education cannot be achieved by a strategy of testing children, shaming
> educators, and closing schools (Ravitch, 2000, p. 111).

Accordingly, PARCC is one of the more recent assessment tools designed to judge the readiness of students prepared to enter college or the workforce. However, it is likely that this latest brand of standardized testing will be no more able to predictability and readiness than any of its failed predecessors. What it will do, similar to its forebears (essentially what all tests do) is separate highly efficient rote learners from ones who are not. From this, states will better be able to predict which students eventually enter the workforce and which ones will likely be candidates for swiftly growing industries of juvenile and adult corrections.

The rapid undercurrent of overcriminalization in this country, which has become more pronounced in the last 20 years, is being linked directly to the failure of schools where Black and Latino students predominate (Noguera, 2003). The state of California, not unlike most states, is deliberate in its underfunding of education statewide, and it is particularly notorious for withholding subsidy when it comes to districts where Black and Brown children learn (or not). Darling Hammond (2010) points out that steady decline in state funding for schools following Proposition 13 legislation, limited property taxes and caused a sharp decline in state coffers used for funding education. In the year 2000, California ranked first in the number of pupils it served and 38th in the expenditures per pupil. In her analysis, she reports:

"When Serrano (Serrano v. Priest, 1975) sought to equalize funding, it drew comparison between high-rolling Beverly Hills and low-spending Baldwin Park, which served a predominantly Black population a few miles away. The remedy was meant to put the two districts on par, but 25 years later, wealthy Beverly Hills was spending 40% more per pupil than low-spending Baldwin Park and Compton, both low income, segregated minority communities in Los Angeles that spent well under the state average" (p.147).

While funding for California schools declined, the funding for prisons flourished. In 2009, schools and colleges took more than $6 billion in cuts while prison budgets were protected (Ladson-Billings, 2006a). This type of slash and burn tactic cuts back drastic resources to dry and leaves schools virtually nothing but the building within which to teach. Noguera (2003) points out that students who recognize their education is inferior and that the rewards of such schooling - namely acquisition of skills that normatively lead to college admittance and access to good paying jobs- are not available to them, students have little incentive to comply with school

rules. For this, they face punishment, suspensions, expulsion and worse, the eventual

entanglement with the law. Thus, they become sorted out as troublemakers. He states:

> The socialization process that accompanies the sorting makes it possible for
>
> students to accept the educational trajectory set for them and to see their future
>
> adult roles as positions they have earned. For this reason, there is surprisingly
>
> little objection to the sorting process because students come to believe that
>
> their grades, test scores, and behavior have created a future for them that they
>
> deserve (Noguera, 2003, p. 344).

Black and Latino kids who are identified in school as disciplinary problems eventually

come to see themselves in a role whereby the school to prison pipeline is a natural progression of

their lives (Alexander, 2012). This assumed habitus of Black and Brown students comes from

legally oriented external sources that seek to steer their lives so as to profit from them later

(p.190). Inevitably, this corporate sorting that is tantamount to engineered social reproduction

has dire impacts on the self-identity and esteem of these students which, without doubt,

decimates their chances for any academic success. Noguera (2003) cites the following:

> "Sociologist Loic Wacquant has argued that there is a growing correspondence between
>
> inner-city schools and prisons, and that the similarities are not an accident. He suggests
>
> that the linking of the two institutions is a by-product of what he terms a "deadly
>
> symbiosis between ghetto and prison" (Noguera, 2003, p.348)

With the growing apathy of working-class parents and students who have all but accepted their

fate, and the states poised to profit from them potentially, there is no incentive to ready these

schools or make them better. There is no social capital, as termed by Bourdieu (2003), to be had

or to be spent by these underprivileged students and their families. They are entrapped in a

vicious cycle of natural growth. The system does not work for them. It works against them- to

criminalize Black and brown faces whenever and wherever the opportunity presents itself. The

school to prison pipeline functions to feed the juvenile and adult correctional facilities using this

socially engineered permanent underclass of so-called minority children. They are labeled

wholesale, as disobedient and persistently dangerous so as to criminalized them beginning with

that first one discipline referral (Alexander, 2012; Noguera, 2003).

Gaps in Wealth

> In short, without slavery, there would be no Constitution to celebrate. This is
>
> true not only because slavery provided the wealth that made independence
>
> possible, but also because it afforded an ideological basis to resolve conflict
>
> between propertied and unpropertied Whites. (Bell, 1988, p. 772).

It is imperative to know the difference between wealth and income in order to understand

the Wealth Gap, how it was created and how it is maintained in America. Wealth can be defined

as a stock or storage of accumulated value over a period of time different from income which is

considered to be a flow of income, usually translated as one's earnings from one or more

sources. Gittleman & Wolff (2000) apply Greenwood and Wolff's (1992) term "fungible wealth"

as "that which is saleable and therefore has current market value" (p. 2-3). Different types of

income include earned income which typically is a salary earned from employment including

vacation allowances and performance bonuses, self-employment from a business, consult or

private contract, or from unearned income for example in the form of interest accrued on the

value of existing or transferred assets. Wealth is equated to a person's net worth which is the

value of one's asset subtracted by the value of one's debts. It is the sum total of what one owns

minus what one owes. Wealth is one of the most important indicators of structural racism and can be delineated using statistics.

Accruing and maintaining wealth is a significant indicator of quality of life from an economic position which can determine factors such as one's place of domicile, the quality of food one consumes, or quality of healthcare one has access to. Having a stable wealth position can sustain an individual or family in a variety of emergency situations as well as reduce the amounts of stress associated with making economic decisions, great or small. Having high levels of wealth not only supplies the ability to send children to college, but also have the means to place them in the best colleges regardless of their aptitude. The capacity to participate in political arenas along with the potential to influence local and national policy is heavily associated with the accrual of wealth. Most importantly, wealth allows one to bequeath a stock of cash, investments, property or other assets to younger generations to cultivate and store as a tradition of wealth.

Intergenerational wealth combines the passing down of parental wealth to children through inheritances and in vivo transfers, for example, combined with the familial transmission of an exclusive type of social capital which uniquely and characteristically breeds opportunity. In other words, the wealthier a family is, the greater access it and its offspring have to opportunity within the society. In-vivo transference of wealth from are bequests of wealth and assets perhaps in the form of gifts passed down from an older generation to a younger one while the former is still living. Example of gifts could be a trust fund, college tuition, down payments on a home.

Intergenerational transmission of wealth has far greater significance than occupation or income resulting from wages earned. As such, volitional merit, deservingness based on one's own ability, is not contingent on what you physically do on your own and is a non-factor in the

accumulation and storage of wealth (Darity & Nicholson, 2005). Mistakenly, wealth is often

looked upon as directly proportional to home ownership. However, there are factors which

determine one's ability to own a home particularly located in an area where it will appreciate

rather than depreciate in its value over time.

   Disparities in income are not a viable reason to explain why the racial wealth gap exists

between Blacks and Whites especially when looking at the median wealth of individuals on the

same income levels (Hamilton, Darity, Price, Sridharam & Tippett, 2015). Although the median

net worth of Whites, Blacks Asians, and Hispanics declined during the recession of 2008-09,

there still existed a sizeable difference between Black and White wealth in particular (see Table

5.). Between 2005 and 2009 Black wealth, which amounted to less than 10% of that of Whites,

fell 47% compared to a 16% decline for Whites. Despite Blacks experiencing a slight rise in

median net worth between 2009 and 2011, they controlled even less wealth (6%) compared to

Whites than in the previous period.

Table 5 The Great Recession and the Racial Wealth Gap (Hamilton et al., 2015; SIPP, 2011)

Median Net Worth		2005	2009	2011
	White	$142,335	$119,152	$111,740
	Black	$12,840	$6,081	$7,113
	Asian	$176,225	$81,291	$92,259
	Hispanic	$19,228	$6,668	$8,113
Relative Holdings per $1 White Wealth				
	Black	$0.09	$0.05	$0.06
	Asian	$1.24	$0.68	$0.83
	Hispanic	$0.14	$0.06	$0.07

The question of whether one group works harder than another can be answered by looking at data related to how groups work. Blacks who work full-time retain about $11,649 in wealth compared to $101,917 for Whites versus Black who work part-time retaining about $4,000 in wealth compared to almost $109,260 for Whites as shown in Figure 14. Unbelievably, Whites with no job at all statistically still have more net worth that Blacks carry an average of $21,892 comparable to Blacks who have zero net worth at that same level (Hamilton et al., 2015). What this means, and why it is so shocking, is that Whites who have no job at all have a higher net worth than Blacks who work full-time. There is even a statistical correlation between wealth and incarceration Black youths who come from families with a net worth (not income) of about $70,0000 are more likely to experience incarceration during their lifetime than a White youth who hails from a family of low or no net worth (Darity, 2016).

Some argue that differentials in educational attainment are what drive the data in gaps of wealth. However, what the data shows in Figure 15 is that Blacks with graduate degrees who hold an average of $84,000 in wealth are outpaced by Whites who never finished college but have $86,200 in wealth It also shows that Whites who never finished high school have a higher average net worth ($34,700) than Blacks with college degrees ($23,400). In this vein, educational differences do not explain the cause of racial wealth gaps in America.
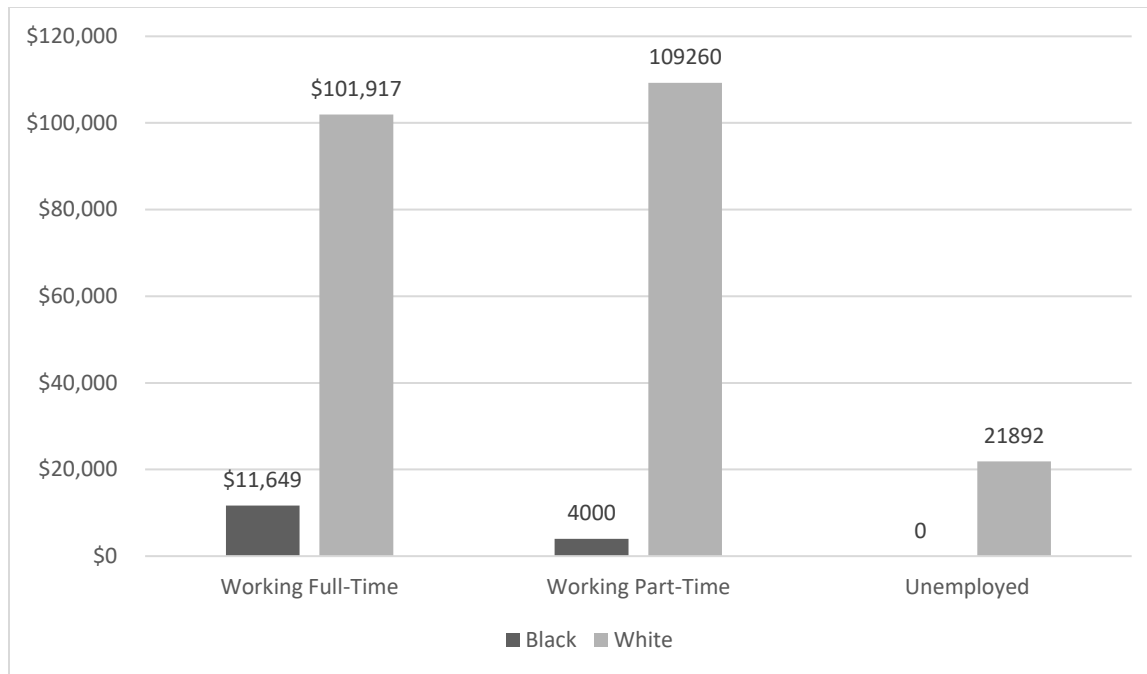
Figure 14. Median Wealth by Employment/labor force status and race, (Hamilton et al., 2015; SIPP, 2011).
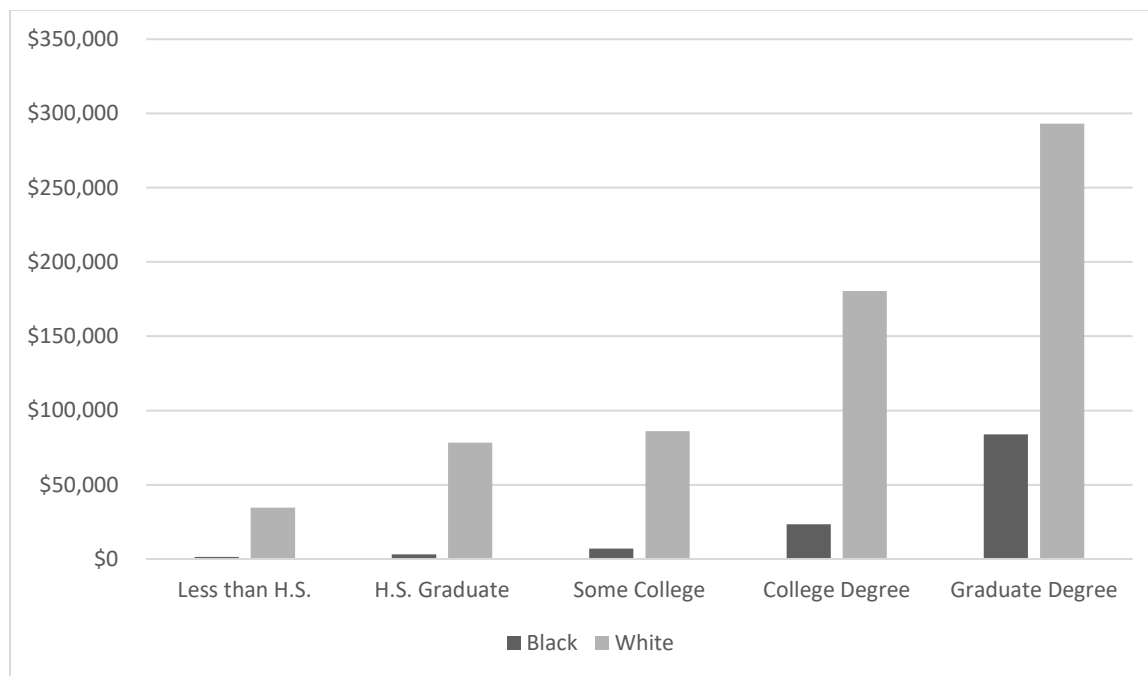

Figure 15. Median Wealth by Educational Level and Race, /(Hamilton et al., 2015; SIPP, 2011).

What these data show is that both length of time spent working and educational attainment are ineffective justifications to explain why Blacks lag behind their White counterparts in the area of wealth accumulation. Popular social notions point to Black dysfunction or indolence as rationales for this persistent and overwhelming disparity; however, Wolf & Gittleman (2000) refute this notion in a study they conducted using the Panel Study of Income Dynamics (PSID) performed in 1984m 1989, and 1994. The PSID followed approximately 5,000 families longitudinally reconstructing their paths and patterns of wealth accumulation over time. The observed increases in wealth were attributable to intergenerational transfers, savings, and the appreciation of preexisting assets (Wolf & Gittleman, 2000). Within the study, data was used to support conclusions indicating that Black and White savings rates are equivalent controlling for household income. In other words, neither educational, work nor savings can account for the dilemma of disproportion related to wealth attainment. In the research brief Bootstraps are For Black Kids (Nam et al., 2015), it is found that Black parents who provide financial support for their children to go to college have a net worth which is 1/3 of the net worth of White parents who do not provide any financial support for their children for post-secondary schooling. The narrative that Blacks are not motivated enough in the pursuit of education is negated by these findings which suggest that Blacks are more determined to send their children to colleges most probably because they do not possess levels of wealth that offer security without higher levels of education (Darity & Nicholson, 2005).

In the quest to understand how such wealth gaps came to be one must consider the historical record. In the quest to win the Civil War, the north employed the use of enslaved Africans who were offered lower pay than Whites and asked to buy their own uniforms (Clinton, 2004; Lusane, 2011). Making concessions toward Northern Whites who grew tired of the war

commitment, the Union collectively denied equal pay or fair promotions to Black soldiers,

Lincoln arguing that keeping Black pay lower "smooth[ed] the way" for White acceptance of

Blacks' presence among them within the ranks (Lusane, 2011, p. 206). The wealth Gap becomes

more of a carefully constructed game plan to maneuver money and resources away from the

hands of Blacks. Following Emancipation, a promise was made to bestow freed Africans with 40

acres and a mule to help them start new lives. Southern land was allocated to a few newly freed

Africans on the coasts of North Carolina and Georgia by Major General Sherman; however,

President Andrew Johnson, an avowed racist, and slaveholder himself, rescinded those orders

returning the land back to former plantation owners (Darity, 2016; Lusane, 2011). In fact,

President Johnson sponsored many anti-Black federal actions such as failing to intervene in the

White sponsored wholesale terrorism and victimization of freed Africans, vetoing the

reauthorization of funding for the Freedman's Bureau, and vetoing the Civil Rights Act of 1866

(Lusane, 2011). The rescinding of General Sherman's actions for redistributing land in

conjunction with other federal impasses toward freedom primed the forced exodus of many freed

Africans into slavery by another name – sharecropping.

Freed Africans now were entering a new era of "freedom" without any land or financial

means with which to support themselves or their families. President Johnson, who was fully in

favor of slavery having been a slaveholder himself conspired with like-minded southerners to re-

impose free Black labor under the guise of collaboration. Sharecropping was a system in which

former enslaved Africans would be "given a share of the crop they produced on White-owned

land in lieu of wages, [which] generally kept them in perpetual debt and unable to advance

economically" (Lusane, 2011, p. 236). "Black families were forced to work without pay for

generations" (Lusane, 2011, p. 236). In fact, slavery never really ended with the advent of the

13th amendment as there were plantations who never freed Africans slaving there, and there were

abductions of freed persons and convict-leasing agreements between lawmen and plantation

owners or mining operations, for example, made to further extract free labor from African people

(Lusane, 2011).

It must be conveyed and understood that, when we attempt to drill down into the causes

of wealth gaps in America between Black and White citizens, this disproportion began logically

with the disenfranchising of freed Africans and continues under many different tactics and guises

present day. The promise of 40 acres of arable land to freed African families was not a trivial

idea as it would have provided Blacks with an opportunity to own something which could

produce a source of income that if sustained over time could produce wealth (Darity, 2016). That

land and the resulting wealth thereof could be then potentially be passed down to younger

generations transmuting their impoverished beginnings into one of intergenerational wealth.

In conjunction with many conspiratorial schemes sponsored by the federal government in

the late 19th century, including the creation of White only unions and de jure segregation, post-

World War II policies further hampered Blacks efforts to carve out any income for themselves

let alone wealth. Ira Katznelson (2005), in his book, *When Affirmative Action was White: An*

Untold History of Racial Inequality in Twentieth-Century America, chronicles the intentional

policies and practice of the Roosevelt Administration to disenfranchise African Americans from

any resource or increment that might benefit them economically. All the policies emanating out

of the Roosevelt White House were aimed directly at undergirding the White citizenry's way of

life, exemplified by this statement:

> The wide array of significant and far reaching public policies that were shaped
>
> and administered during the New Deal and Fair Deal era of the 1930's and

1940's was crafted and administered in a deeply discriminatory manner. The

impact on black workers and black veterans was devastating" (Lusane, 2011,

p. 255).

One of the major discriminatory strategies approved by the administration for hindering African

Americans included excluding whole categories of employment in which they typically worked

(e.g. maids or farm hands) "from the legislation that created modern unions, from laws that set

minimum wages and regulated the hours of work, and from Social Security until the 1950's"

(Katznelson, 2005, p. 22; Lusane, 2011, p. 255). This was devastating considering that during the

1930's when these laws were enacted, nearly 85% of Black women worked in a domestic or

farming capacity earning as little as $2.00 to $5.00 for perhaps a seventy-hour work week.

Roosevelt signed this and other bills into existence which precluded Blacks from accruing social

security on the paltry wages they had earned which affected approximately 65% of Blacks

nationally, and upwards of 80% in the South where a majority of Blacks still lived (Sterner,

1943).

After the second World War, legislation toward establishing mortgages and housing

along with the GI bill provided a floor of support to White soldiers not afforded to Black soldiers

and their families in that, "Many African American World War II veterans did not apply for

government-guaranteed mortgages for suburban purchases because they knew that the Veterans

Administrations would reject them on account of their race, so applications were pointless"

(Rothstein, 2017, p. 21). Rothstein (2017) goes on to point out that, the Black veterans were not

benefited by these policies in that they had no opportunity to "gain wealth from home equity

appreciation as did White veterans and their descendants could not then inherit that wealth as did

White veteran descendants" (p. 21). By providing these types of support to Whites only, the

United States government was strategically and heinously altering the class structure in favor of

Whites, intentionally stratifying it by race despite many amendments, Civil Rights Acts, and

Supreme Court decisions ruling against it (Darity, 2016). These circumstances all combine to

limit or prohibit African American access to wealth altogether, thereby contributing to the

Wealth Gap.

The withholding of social security benefits from Black workers and the occupations in

which they typically work was deliberate and draws on the fifth tenant of the Wizard of Oz

Effect where systems collude and work in sync to bring about the (in this case) financial demise

of Black citizens. Not only is this a social impediment to gaining income, furthering access to

things that must be purchased with money, but it further limits the children of these citizens and

access to anything tangible or intangible other than hope. It would also seem likely that

providing the formerly enslave who worked for free their entire lives with a modest plot of land

would at least offer some positive start to a new life. However, it is clear that the demise rather

than success for the African American has been an intensive structural plot which utilizes webs

of systems to bring about this desired result.

CHAPTER VIII

The Cost of Inequality: A Discussion

This chapter is intended to be a discussion on the intersection of institutional racism, education, and wealth in American society. Throughout this dissertation, countless examples of racist policies emanating from the federal governmental, state and local governments, and educational environments were enacted on citizens the constitution is sworn to protect from harm. The problem as Derrick Bell (1988) describes it, is that racism is permanent in the society. Black people progressed from slavery to Reconstruction with property and voting rights, only to see it ripped away from them in less than ten short years. It cannot be ignored that in that short time, Blacks made incredible strides in education, building businesses and becoming statesmen within the federal government. For the next 70 years, African Americans found themselves protesting and marching to gain access to fundamental rights like freedom of movement in the society and still present day have the same plight. How could a nation more than 200 years removed from its independence work overtime to devalue and curtail the freedom and independence of others?

The goal of this study was to look at the institution of education through a historical lens using written and oral histories as well as historical and legal documents to examine the dynamics of schooling and the dilemma of race therein. This study attempted to draw connections and relationships between the social and political policies which affect children and their families who, because of those policies, experience gaps in education, opportunity and wealth. This study began by asking "What are the social impediments which have contributed to the persistent Achievement Gap?" From the mid-1800's we saw how the disenfranchisement of newly freed Africans took the form of sharecropping, convict leasing, and the rolling back of

Reconstruction gains that made the future look bleak. We are forced to consider the impact of

Jim Crow policies, which grew out of the shadows of Plessy and had a tremendously adverse

effect on the lives of African Americans. They were terrorized continuously with violence and

vitriol and yet found a way to survive it. Federal policies which openly discriminated against

Black people constitute the ultimate social roadblocks toward living any semblance of a healthy

life.

This work is not about individuals, as much as it is about introspection into whole

systems run by individuals who are organized into a collective. By collectivizing themselves,

they have formed a secure, cohesive unit which, in valuing their own unity, functions to devalue

others. If a collective holds the lion share of power, wealth and influence, it will invariably and

inevitably dole out disparity as a function of its exclusivity. Though it is possible to look at the

problem of education as a class struggle between the rich, the middle class, and working poor,

the problem of race is consistently at the heart of every issue having to do with education. Race

has long since dictated how the society is stratified, and this divide has always been deeply

ingrained within the political bodies and social constructs which guide the general society. Just

what it racism? How is it defined? What do we do about it? How do we eliminate it? Do we even

want to? These are questions we must ask ourselves if we are to make progress in the

transforming of American society from one that writes, teaches and, lectures on the hallmarks of

democracy and one that actually produces it.

Brown v. Board of Education, as symbol signaling racial progress, was wholly as sterile

as the 13th amendment, insofar as its intentionally soft language which seems to have

deliberately left a massive hole of ambiguity for the citizen and legislative arms to interpret.

Implementation of desegregation by Brown, with "All deliberate speed," meant that a compelling

argument was made, but it will never be enforced. The Supreme Court perhaps realized that the

time had come to further the discussion on race but may have been unsure how to mandate angry

White Southerners to participate in that dialogue. The 13th amendment as a precursor to

subsequent race legislation functioned similarly using the term "except" as a clause taken to

mean that it is not true that slavery is abolished. Dr. King once referred to how White politicians

couch racist ideas plain language meant to confuse and convolute matters. He remarked in a

speech once about the word "Black" and its definition according to any dictionary of the day,

referring to something ugly and sinister. It seems the American government in its legislative

power has always been pointed in using language that is ambiguous, undefined, and defensible

from many angles. This can be said of the Civil Rights Bill of 1965 which does not name Blacks

as the sole beneficiaries of its remedies despite them being the sole reason the legislation came

about in the first place. The Wizard so to speak, has managed to sheath himself behind the

curtain intoxicating masses, with poison poppies or versions of the truth, and away from the

actual type of social progress that could have been made had the society not been so racialized.

The Supreme Court ruled in Brown that: "To separate them [Black children] from others

of similar age and qualifications solely because of their race generates a feeling of inferiority as

to their status in the community that may affect their hearts and minds in a way unlikely ever to

be undone" Brown v. Board of Education (1954, p. 1). The underlying connotation rarely

discussed is the clarification of who "the community" actually is, and more importantly, who

controls and dominates this "community" such that Blacks have to work so hard to fit into it.

Curiously, the premise here is that Black children or Black people in total are found to be so

detrimentally affected by separate schooling owing to the lack of White presence, which

invariably supplies a more beneficial and wholesome effect to the lives of Blacks. Was it ever

considered that the problem might not be one of proximity, but merely one of access to resources? Would Plessy have worked if the resources allocated to White schools was the same as that to the Blacks? Would separate Black and White-water fountains be as evil if they were all the same height, just as clean and supplied the same water? Would a society where a Black man receives the same pay, benefits, and healthcare as anyone else with similar qualifications, performing the same job have been able to maintain Plessy? Is there a way, present day, to ensure that groups other than Whites can build and maintain wealth, free from the tactics of redlining or predatory lending? Would Blacks be satisfied with separate communities if theirs could flourish unencumbered by unfair tax burdens and the threat of it being burned to the ground over a rumor? The answers to these questions are likely to be no. This is not an advocacy for segregation as much as it is a call to cogently sift through and understand that the cost of inequality is inferiority, but for a different reason than stated in Brown. It is the undignified position of being captive and spoken about, not speaking for oneself. It is the position of being decided on rather than doing the deciding for oneself. It is the position of asking, marching, pleading rather than reasoning and negotiating. White imperialism, bolstered by capitalism has made these inferior positions possible and runs countercurrent to the freedoms and equal protection of any group outside of its collective.

Obvious disparities in the way schools are funded cuts directly across racial strata in a noticeable fashion. This is one of the more significant social impediments which hinders educational achievement. Although the Plessy Doctrine of "separate but equal" was struck down in the path of Brown, many would argue that its spirit still lives on in American schooling, and by default the larger society (Bell, 1988; Ladson-Billings, 2004). While African American parents present day still fight and even go to jail for the right to access better schools, these

schools are more segregated now than they ever were. The idea of school choice is thought by

some to be another method middle income parents use to maintain segregation in schools where

their children attend (Ladson-Billings, 2004).

There is an apparent and discursive disconnect between what is learned or taught in

higher education pertaining to the field of education and how it manifests itself in K-12

environments. In looking at the data presented from the 1970's Drug War era, we see the

groundwork laid for creating an increasingly aggressive police state which was not only set to

criminalize adults, but children as well. While consistency in the way that students of different

races have been punished, suspended or expelled is essential to note, it is equally important to

investigate the reasons for such alarming statistics. However, getting to core reasons for this

disparity might prove difficult using traditional methods investigation. Surveying teachers, staff,

and administration who refer students to discipline offices, subjectively or objectively is not

likely to yield accurate results mainly because of political and social correctness. In short, it is

not probable that any school employee would readily admit to discriminating against their Black

students (Skiba et al., 2002). Perhaps we cannot explicitly know what drives the alarming

statistics behind student discipline referrals, but the research associated with racial imbalances

definitively points to an intentional effort to punish African American students with alarming

regularity for less palpable reasons than White students are punished. (Noguera, 2003; Skiba et

al., 2002, 2011).

From gaps in education to gaps in opportunity, how could it be that African Americans,

who have done arguably more labor in the effort to build America than others, notwithstanding

the labor that they were precluded from doing through discrimination, be the victim of such

extensive and disproportional gaps in wealth? It is not lack of education alone that threatens

poverty, but the lack of education plus opportunity that ignites the prospect of never having

wealth. Even the two together don't promise wealth since wealth is not income. It is the

accumulation, maintenance, and growth of income over time. Statistically, race and class

continue to be reliably strong predictors of achievement despite gender disparity shrinkage,

where both race and class are tied to average annual earnings and wealth accumulation (Altonji

& Doraszelski, 2005; Margo, 1990). A closer look shows that in 1940 what Black men earned on

average annually was about 48% of what White men earned (Margo, 1990). In 1993, the median

Black male earned 74% as much as the median White male (Ladson-Billings, 2006a). Both the

earning potential and the ability to grow and bequeath amassed wealth are a direct result of

political policies enacted by federal, state and local government. Even when we look at the

decade that was the 1970's one has to ask: how could Black men and their families have any

semblance of a chance to gain or maintain wealth with their young men off to war, some never to

return?

Many local and national policies have been constructed in an attempt to constrict the

continuing wealth gap hoping it will shrink significantly. Raising the income of African Americans such

that it competes with the income of Whites, in theory, may seem like a straightforward prospect.

However, African Americans have historically encountered blatant issues of discrimination in the areas

of real estate, investment opportunities, as well as mortgage and small business lending, and continue

to face various barriers to entry when it comes to closing gaps in wealth (Darity, 2016; Gittleman &

Wolff (2004).

Many conclusions can be drawn about the cost of inequality in America. One of the most glaring

deductions is the existence of an intentional effort to deny African Americans remedy for past injustices.

Righting those wrongs would undermine all of the unfair and unearned advantages White individuals

have gained over centuries of overt, intentional discrimination. It is this that threatens to expose the

deeply rooted racism embedded within two of the nation's most important institutions: education and the criminal justice system (Bell, 1988). These are the gatekeepers to prosperity and wealth for Whites. If the preschool to prison pipeline can ensure that kids do not learn, the "justice" system is ready and willing to criminalize them when they do not succeed. This is the Wizard of Oz Effect. That a socio-political system could create, over time, this concerted system of racism, discrimination and the hoarding of wealth, which has thousands of working parts that function in sync with one another. Bell (1988) is useful in demonstrating this point:

> Caught in the vortex of this national conspiracy that is perhaps more effective because it apparently functions without master plans or even conscious thought, the wonder is, not that so many blacks manifest self-destructive or non-functional behavior patterns, but that there are so many who continue to strive and sometimes succeed, despite all (p. 776).

He remarks candidly about the conundrum which must exist so starkly in the minds of the most observant. That wonder is not that so many African Americans are caught in a vicious cycle of existential disparity and self-inflicting injury, but yet, that they still struggle to march, to protest and be tested, endeavoring to succeed against the odds, despite the odds.

The intersection between race, education, and wealth lies in our ability to be honest about where we are and where we want to go. Through historical inspection it can be tangibly concluded that educational attainment is not directly proportional to wealth attainment as evidenced by the fact that an unemployed White person can have a higher net worth than that of an African American with an undergraduate degree. In any regard, if the path to either education or opportunity is blocked, then creating wealth is not likely to be an outcome. The question we must ask is, "what remedies could be used to close the different gaps discussed here?" It is not

clear that there is one answer. It is a perplexing reality that in 2018, we would even still be

discussing and debating on such wide gaps in achievement, opportunity, and wealth.

History teaches us that one cannot legislate morality. However, just because we don't know the

answers does not mean we shouldn't ask the questions. The harsh tactics used to undermine

schools where African Americans attend, may be a measured response to the fear of shifting

populations, where in California for example, the White population is predicted to shrink to a

third by 2025 (Ladson-Billings, 2006). "What White Americans have never fully understood—

but what the Negro can never forget—is that White society is deeply implicated in the ghetto.

White institutions created it, White institutions maintain it, and White society condones it"

(Kerner Report, 1967, p. 1). America began with slavery, feigned democracy, and capitalism. It

is hinged on the need to have someone doing the work, and a distinctively different individual

reaping the rewards. Nestled within the relationship between modern education reforms and

inequality, there persists a contentious, hot-button issue rooted deeply in something more than

disparities in testing. The divide we face is not about assessments. It is cultural, and

unfortunately, it is mostly racial. This is the elephant in every room we enter. Until we open up,

owning up to real actions and measures that establish equality, there will always be division.

REFERENCES

Acts Passed by the General Assembly of the State of North Carolina at the session of 1830-31.

> Retrieved from http://digital.ncdcr.gov/cdm/ref/collection/p249901coll22/id/175790

Adalist-Estrin, A. (1986). Parenting from behind bars. *Family Resource Coalition Report*, *1*, 12-

> 13.

Adler, P. S., & Kwon, S. W. (2002). Social capital: Prospects for a new concept. *Academy of*

> *Management Review*, *27*(1), 17-40.

Alexander, M. (2012). *The new Jim Crow: Mass incarceration in the age of colorblindness*. The

> New Press.

Alter, J. (2006). *The defining moment: FDR's hundred days and the triumph of hope*. Simon and

> Schuster.

Altonji, J., & Doraszelski, U. (2005). The role of permanent income and demographics in

> Black/White differences in wealth. *Journal of Human Resources, 40*, 1-30.

Amar, A. R. (1992). The bill of rights and the fourteenth amendment. *Yale Law Journal*, 1193-

> 1284.

Anderson, J. D. (1988). *The education of Blacks in the South, 1860-1935*. University of North

> Carolina Press.

Anyon, J. (1980). Social class and the hidden curriculum of work. *Journal of Education, 162*, 67-

> 92

Arsenault, R. (2007). *Freedom riders: 1961 and the struggle for racial justice*. Oxford

> University Press.

Asante, M. K., (1991). The Afrocentric idea in education. *The Journal of Negro Education,*

> *60*(2), 170-180.

Ballard, A. B. (2004). *The education of Black folk: The Afro-American struggle for knowledge in White America*. iUniverse.

Barsky, R., Bound, J., Charles, K., & Lupton, J. (2001*). Accounting for the Black-white wealth gap: a nonparametric approach* (No. w8466). National Bureau of Economic Research.

Baum, D. (1996). *Smoke and mirrors: The war on drugs and the politics of failure*. Boston, MA: Little, Brown.

Baum, L. F. (2000). *The wonderful wizard of Oz*. Oxford University Press, USA.

Beckett, K., & Law, S. (2008). Race and drug law enforcement in Seattle. *ACLU Drug Law Reform Project and The Defender Association.*

Beckett, K., Nyrop, K., & Pfingst, L. (2006). Race, drugs, and policing: Understanding disparities in drug delivery arrests. *Criminology*, *44*(1), 105-137.

Bell Jr, D. A. (1980). Brown v. Board of Education and the interest-convergence dilemma. *Harvard Law Review*, 518-533.

Bell, D. (1988). White superiority in America: Its legal legacy, its economic costs. *Villanova Law Review, 33*(5), 767-779.

Bell, D.A., Jr. (1992). *Faces at the bottom of the well*. New York: Basic Books.

Bell, D. (2004). *Silent covenants: Brown v. Board of Education and the unfulfilled hopes for racial reform*. Oxford University Press.

Bilchek, S., Seymour, C., & Kreisher, K. (2001). Parents in prison. *Corrections Today 63*(7), 108-113.

Biondi, M. (2012). *The Black revolution on campus*. University of California Press.

Bohning, D. (2005). *The Castro Obsession: U.S. Covert Operations Against Cuba, 1959–1965*. Washington, D.C.: Potomac Books, Inc.

Bourdieu, P. (2000). Cultural reproduction and social reproduction. In R. Arum & I. Beatti

(Eds.), *The Structure of Schooling: Readings in the Sociology of Education.* New York:

McGraw-Hill.

Boykin, A. W., & Noguera, P. (2011). Creating the opportunity to learn: Moving from research

to practice to close the achievement gap. ASCD.

Boynton v. Virginia (1960). Retrieved from

https://supreme.justia.com/cases/federal/us/364/454/case.html

Brockmore, E.B., (2015). How Texas teaches history. New York Times. Retrieved from

http://web.jerichoschools.org/hs/teachers/pgulitti/How%20Texas%20Teaches%20History

%20-%20The%20New%20York%20Times.pdf

Browder v. Gayle, 142 F. Supp. 707 (1956). Retrieved from

https://law.justia.com/cases/federal/district-courts/FSupp/142/707/2263463

Brown, M. R. (2007). Educating all students: Creating culturally responsive teachers,

classrooms, and schools. *Intervention In School and Clinic, 43*(1), 57-62.

Brown-Jeffy, S. & Cooper, J. E. (2011). Toward a conceptual framework of culturally relevant

pedagogy: An overview of the conceptual and theoretical literature. *Teacher Education

Quarterly, 38*(1), 65-84.

Brown v. the Board of Education, 347 US 483 (1954)

Brown v. Board of Education of Topeka, 349 U.S. 294 (1955)

Bureau of Justice Statistics (BJS), (2003). *Sourcebook of Criminal Justice Statistics*. Table 1.65.

Bureau of Justice Statistics (BJS), (2006). *Sourcebook of Criminal Justice Statistics.* Table

4.10.2006, Retrieved from http://www.albany.edu/sourcebook/pdf/t4102006.pdf

Bureau of Labor Statistics (BLS), (2018). *Labor force statistics. Household data annual averages: Employed persons by detailed occupation, sex, race, and Hispanic or Latino ethnicity.* Retrieved from https://www.bls.gov/cps/cpsaat11.htm

Burt, J., Ortlieb, E.T., & Cheek Jr., E. H. (2013). An investigation of the impact of racially diverse teachers on the reading skills of fourth grade students in a one race school. *Reading Improvement*, *50*(4), 205-216.

Carson, C. (2001). *The Autobiography of Martin Luther King, Jr*. Hachette UK.

Carter, D. T. (1996). *From George Wallace to Newt Gingrich: Race in the Conservative Counterrevolution, 1963-1994*. LSU Press.

Carter, D. T. (2000). *The politics of rage: George Wallace, the origins of the new conservatism, and the transformation of American politics*. LSU Press.

Carter, P. L. (2005). *Keepin' It Real: School Success Beyond Black and White*. Oxford University Press.

Carter, P. L. & Welner, K. (2013). *Closing the opportunity gap: What America must do to give every child an even chance.* NY: Oxford University Press.

Carter, R. L. (1968). The Warren Court and Desegregation. *Michigan Law Review*, *67*(2), 237-248.

Charles, K. K., & Hurst, E. (2002). The transition to home ownership and the black-White wealth gap. *Review of Economics and Statistics*, *84*(2), 281-297.

Civil Rights Act of 1866 (2016, 04). Retrieved from http://legisworks.org/sal/14/stats/STATUTE-14-Pg27.pdf

Civil Rights Act of 1968, (1968). Retrieved from https://legcounsel.house.gov/Comps/civil68.pdf

Clark, E. C. (1995). *The schoolhouse door: Segregation's last stand at the university of Alabama*. Oxford University Press.

Clark, K. B. & Clark, M. P. (1950). Emotional factors in racial identification and preference in Negro children. *The Journal of Negro Education, 19*(3), 341-350.

Clark, Kenneth B. and Clark, Mamie P. (1947). "Racial identification and preference among negro children." In E. L. Hartley (Ed.) *Readings in Social Psychology*. New York: Holt, Rinehart, and Winston.

Clinton, C. (2004). *Harriet Tubman: The road to freedom*. Little Brown & Company.

Cook, P. J., & Ludwig, J. (1998). The Burden of "Acting White": Do Black adolescents disparage academic achievement? In C. Jencks and M. Phillips (Eds.), The Black-White Test Score Gap (pp. 375-400). Washington, DC: The Brookings Institution

Cookson, P. W., & Persell, C. H. (1991). Race and class in America's elite preparatory boarding schools: African Americans as "Outsiders within". *Journal of Negro Education, 60*(2), 219-228.

Cregor, M., & Hewitt, D. (2011). Dismantling the school-to-prison pipeline: A survey from the field. *Poverty & Race*, *20*(1), 5-7.

Cross, J. E. Jr. (1991). *Shades of Black: Diversity in African American identity*. Philadelphia: Temple University Press.

Delgado Bernal, D. (2002). Critical race theory, Latino critical theory, and critical raced-gendered epistemologies: Recognizing students of color as holders and creators of knowledge. *Qualitative Inquiry 8*(1), 105-126.

Dallek, R. (2003). *An Unfinished Life: John F. Kennedy, 1917-1963*. Little, Brown.

Darity Jr, W., & Nicholson, M. J. (2005). Racial wealth inequality and the Black family. *African American family life: Ecological and cultural diversity*, *78*, 85.

Darity, W. H. (2016). *Wealth and structural racism. Brown University*. Retrieved from https://www.youtube.com/watch?v=W-cQBOd-3VQ

Darling-Hammond, L. (2007). Race, inequality and educational accountability: The irony of 'No Child Left Behind. *Race, Ethnicity, and Education, (10)*3, 245-260.

Darling-Hammond, L. (2010). *The flat world and education: How America's commitment to equity will determine our future.* Teachers College Press.

Delpit. L. (1995). *Other People's Children.* New York, NY: The New Press.

Demerath, P., Lynch, J., Milner IV, H. R., Peters, A., & Davidson, M. (2010). Decoding Success: A Middle-Class Logic of Individual Advancement in a US Suburb and High School. *Teachers College Record*, *112*(12), 2935-2987.

Dixson, A. D., & Rousseau, C. K (2006). *Critical race theory in education: All God's children got a song*. New York: Routledge.

Dotterer, A. M., McHale, S. M., & Crouter, A. C. (2009). Socio-cultural factors and school engagement among African American youth: The roles of racial discrimination, racial socialization, and ethnic identity. *Applied Developmental Science, 13*(2), 61-73. doi:10.1080/10888690902801442

Douglass, F. (1852). What to the Slave is the Fourth of July? *The Heath Anthology of American Literature*, *1*, 1818-1836.

Dudziak, M. L. (2011). *Cold War civil rights: Race and the image of American democracy*. Princeton University Press.

Durham, R. B. (2014). *False Flags, Covert Operations, & Propaganda*. Lulu. com.

Duster, T. (1987). Crime, youth unemployment, and the black urban underclass. *Crime &*

    Delinquency, *33*(2), 300-316.

Earp, Brian D. (2013). Early academic self-concepts and the racial achievement gap.

    Journal of Social & Psychological Science, 6(1), 3-26

Edsall, T. B., & Edsall, M. D. (1992). *Chain reaction: The impact of race, rights, and taxes on*

    American politics. WW Norton & Company.

Ellsworth, S. (1992). *Death in a promised land: The Tulsa race riot of 1921*. LSU Press.

Elwood, W. N. (1994). *Rhetoric in the war on drugs: The triumphs and tragedies of public*

    relations. Greenwood Publishing Group.

Engerman, K., 2006, Family decision-making style, peer group affiliation and prior academic

    achievement as predictors of the academic achievement of African American Students.

    The Journal of Negro Education,75, 443-457.

Eskew, G. T. (1997). *But for Birmingham: The local and national movements in the civil rights*

    struggle. University of North Carolina Press.

Federal Bureau of Investigation (FBI), (September 2007). *Crime in the United States, 2006*.

    Table 29. Retrieved from http://www.fbi.gov/ucr/cius2006/data/table_29.html

Fellner, J. (2009). *Decades of disparity: drug arrests and race in the United States*. Human

    Rights Watch.

Plessy v Fergusson, 1896. Retrieved from http://caselaw.findlaw.com/us-supreme-

    court/163/537.html

Fisher, Ericka, J., 2005, Black Student Achievement and the Oppositional Culture Model, The

    Journal of Negro Education, Summer2005, Vol. 74 Issue 3, p.201-210.

Fisk (2017). *Fisk University history.* Retrieved from https://www.fisk.edu/about/history

Fordham, S. (1988). Racelessness as a strategy in Black students' school success: Pragmatic

strategy or Pyrrhic victory? *Harvard Educational Review, 58*(1), 54-84.

Fordham, S. (1996). *Blacked out: Dilemmas of race, identity, and success at Capital High*.

Chicago, IL: University of Chicago Press.

Fordham, S., & Ogbu, J. (1986). Black students' school success: Coping with the "burden of

"acting White". *Urban Review, 18*(3), 176-206.

Friere, P. (1993). *Pedagogy of the oppressed (New rev. 20th Anniversary ed.)* New York:

Continuum.

Fuller, N. (1964). *The United-independent compensatory code/system/concept: A

textbook/workbook for thought, speech, and/or action, for victims of racism white

supremacy.* CR Publishers.

Gabel, K., & Johnston, D. (Eds.). (1995). *Children of incarcerated parents*. Lexington books.

Galton, F. (1904). Eugenics: Its definition, scope, and aims. *American Journal of Sociology*,

10(1), 1-25.

Garrow, D. J. (2015). *Bearing the cross: Martin Luther King, Jr., and the southern Christian

leadership conference*. Open Road Media.

Garrow, D. J. (Ed.). (1989). *Birmingham, Alabama, 1956-1963: The Black Struggle for Civil

Rights* (8). Carlson Publications.

Gay, G. (2002). Preparing for culturally responsive teaching. *Journal of Teacher Education,

53*(2), 106-116.

Gillis, V. (2014). Disciplinary literacy. *Journal of Adolescent & Adult Literacy*, *57*(8), 614-623.

Gittleman, M., & Wolff, E. N. (2004). Racial differences in patterns of wealth accumulation.

Journal of Human Resources, *39*(1), 193-227.

Goldsmith, A. H., Veum, J. R., & Darity, W. (1997). The impact of psychological and human

       capital on wages. *Economic inquiry*, *35*(4), 815-829.

Goldstein, H., (2012). Francis Galton, measurement, psychometrics and social progress.

       *Assessment in Education: Principles, Policy & Practice, (19)*2, 147–158.

Gower, C. W. (1976). The Struggle of Blacks for Leadership Positions in the Civilian

       Conservation Corps: 1933-1942. *The Journal of Negro History*, *61*(2), 123-135.

Grantham, D. W. (1992). *The life and death of the Solid South: A political history*. University

       Press of Kentucky.

Greenwood, D. T., & Wolff, E. N. (1992). Changes in wealth in the United States, 1962–1983.

       Journal of Population Economics, *5*(4), 261-288.

Haas, S. M., (2005). *West Virginia Drug and Violent Crime Control Task Force: Presentation to*

       Senate Judiciary Subcommittee C. Retrieved from

       http://www.google.com/search?q=cache:jAExeYczYrkJ:www.wvdcjs.com/statsanalysis/

       Presentations/DVCCTF%25200304%2520Report%2520Presentation.ppt+Drug+%26+Vi

       olent+Crime+Control+Task+Force+Report,+2003-2004&hl=en&ct=clnk&cd=1&gl=us

Hairston, C.F., Rollin, J., Jo, H. (2004). Family connections during imprisonment and prisoners'

       community reentry. *Research brief: Children, families, and the criminal justice system*.

       Chicago: University of Illinois.

Halliburton Jr, R. (1972). The Tulsa race war of 1921. *Journal of Black Studies*, *2*(3), 333-358.

Hamilton, D., Darity Jr, W., Price, A. E., Sridharan, V., & Tippett, R. (2015). *Umbrellas don't*

       make it rain: Why studying and working hard isn't enough for Black Americans. New

       York: The New School.

Hansberry v. Lee, 311 U.S. 32 (1940). Retrieved from

> https://supreme.justia.com/cases/federal/us/311/32/

Harlan, L. R. (1972). *Booker T. Washington: The making of a Black leader, 1856-1901*. Oxford

> University Press.

Holmes, P. (1935). *A tercentenary history of the Boston Public Latin School, 1635-1935* (Vol.

> 25). Harvard University Press.

Home Owners' Loan Corporation, (1937). Residential security map and area descriptions,

> Hartford-West Hartford-East Hartford, Connecticut. Record group 195: Records of the
>
> federal home loan bank board. http://digitalrepository.trincoll.edu/cssp_archives/14/.
>
> Retrieved from https://epress.trincoll.edu/ontheline2015/chapter/federal-lending-and-
>
> redlining/#footnote-220-5

Howard, T. C. (2001). Telling their side of the story: African American students' perceptions of

> culturally relevant teaching. *Urban Review, 33*(2), 131-149.

Howard, T.C. (2003). Culturally relevant pedagogy: Ingredients for critical teacher reflection.

> *Theory Into Practice, 42*(3), p. 195-202.

Howard, T., & Terry Sr, C. L. (2011). Culturally responsive pedagogy for African American

> students: Promising programs and practices for enhanced academic performance.
>
> *Teaching Education*, *22*(4), 345-362.

Human Rights Watch, (1996). *Race and drug law enforcement in the state of Georgia. Vol. 8*(4).

> Retrieved from http://www.hrw.org/reports/1996/Us2.htm.

Human Rights Watch, (2002). *Collateral casualties: Children of incarcerated drug offenders in

> New York, Vol. 14*(3), Retrieved from http://www.hrw.org/reports/2002/usany/.

Human Rights Watch (HRW) (2008). *Targeting blacks: Drug law enforcement and race in the*

    United States. Human Rights Watch.

Ihle, E. L. (1990). Free Black Adult Education before the Civil War.

Jencks, C. & Phillips, M. (1998). The Black-White test score gap: An introduction. In C. Jencks

    & M. Phillips (Eds.). *The Black-White test score gap*. Washington: Brookings Institution

    Press.

Johnson, D., & Johnson, F. (2003). Joining together: Group theory and group skills, 8th ed.

    Allyn and Bacon.

Johnson, T. J., Wanta, W., Boudreau, T., Blank-Libra, J., Schaffer, K., & Turner, S. (1996).

    Influence dealers: A path analysis model of agenda building during Richard Nixon's war

    on drugs. *Journalism & Mass Communication Quarterly*, *73*(1), 181-194.

Johnson, U. (2013). *Psycho-academic holocaust: The special education & ADHD war against*

    Black boys. Prince of Pan-Africanism Publishing.

Kamp, A. R. (1986). The history behind Hansberry v. Lee. *UC Davis L. Rev.*, *20*, 481.

Kao, G., & Thompson, J. (2003). Racial and Ethnic Stratification in Educational Achievement

    and Attainment. *Annual Review of Sociology, 29*, 417-442.

Karabel, J. (2006). *The Chosen: The Hidden History of Admission and Exclusion at Harvard,*

    Yale, and Princeton. New York: Houghton Mifflin Company**.**

Kardiner, A & Ovesey, L. (1951). *The mark of oppression: Explorations in the personality of*

    the American Negro. New York: World Publishing Company.

Katznelson, I. (2005). *When affirmative action was White: An untold history of racial inequality*

    in twentieth-century America. WW Norton & Company.

Kennedy, J. F. (2004). *State of the Union Addresses*. 1st World Publishing.

Kilpatrick, J. (2010). *Test, punish, and push out: How zero tolerance and high-stakes testing funnel youth into the school to prison pipeline.* The Advancement Project.

King, M. L. (1967a). *Poor people's campaign speech.* Retrieved from https://www.youtube.com/watch?v=aBwKnnZN52U

King, M. L. (1967b). *The Martin Luther King, Jr. Research and Education Institute: Major King events chronology: 1929-1968.* Retrieved from https://kinginstitute.stanford.edu/king-resources/major-king-events-chronology-1929-1968

King Jr, M. L. (2010). *Stride toward freedom: The Montgomery story* (Vol. 1). Beacon Press.

King, R. S., & Mauer, M. (2002). *Distorted priorities: Drug offenders in state prisons*. Sentencing Project.

Klarman, M. J. (1994). How Brown changed race relations: The backlash thesis. *The Journal of American History*, *81*(1), 81-118.

Kluger, R. (2011). *Simple justice: The history of Brown v. Board of Education and Black America's struggle for equality*. Vintage.

Kotz, N. (2005). *Judgment Days: Lyndon Baines Johnson, Martin Luther King, Jr., and the Laws That Changed America*. HMH.

Kozol, J. (2005). *The shame of the nation: The restoration of Apartheid schooling in America.* New York: Crown Publishers.

Kerner Report (1967). *Report of the national advisory commission on civil disorders.* New York: Bantam Books.

Ladson-Billings, G. (1994). *The Dreamkeepers: Successful teachers of African American children*. San Francisco: Jossey-Bass Inc.

Ladson-Billings, G. (1995). Toward a theory of culturally relevant pedagogy. *American*

   Educational Research Journal, *32*, 465-491.

Ladson-Billings, G. (1998). Just what is critical race theory and what's it doing in a nice field

   like education? *International Journal of Qualitative Studies in education, 11*(1), 7-24

Ladson-Billings, G. (2000). Racialized discourses and ethnic epistemologies. In N.K. Dentin &

   Y. S. Lincoln (Eds.), *Handbook of qualitative research* (2nd ed., pp. 257-277). Thousand

   Oaks, CA: Sage.

Ladson-Billings, G. (2004). Landing on the wrong note: The price we paid for Brown.

   Educational Researcher, 33(7), 3-13.

Ladson-Billings, G. (2006a). From the achievement gap to the education debt: Understanding

   achievement in US schools. *Educational Researcher, 35*(3), 3-12.

Ladson-Billings, G. (2006b). It's not the culture of poverty, it's the poverty of culture: The

   problem with teacher education. *Anthropology & Education Quarterly*, *37*(2), 104-109.

Ladson-Billings, G., & Tate, W. F. (1995). Toward a critical theory of race in education.

   Teachers College Record, 97, 47-68.

Lareau, A. (2011). *Unequal childhoods: Class, race and family life.* Berkeley: University of

   California Press.

Lewis, D. L. (1995). *W. E. B. DuBois: Biography of a race*, 1868-1919.

Library of Congress (LOC) (2017 (a)). *Declaration of Independence.* Retrieved from

   https://cdn.loc.gov/service/rbc/bdsdcc/02101/02101.pdf

Library of Congress (LOC) (2017 (b)). *Dred Scott v. Sanford, (1856).* Retrieved from

   https://www.loc.gov/resource/llst.022/?sp=18

Library of Congress (LOC) (2017) (c)). *38th Congressional Hearing 1865.* Retrieved from

   https://memory.loc.gov/cgi-bin/ampage

Ling, P. J. (2015). *Martin Luther King, Jr*. Routledge.

Lipsitz, G. (1995). The possessive investment in Whiteness: Racialized social democracy and the

    "White" problem in American studies. *American Quarterly*, *47*(3), 369-387.

Lurigio, A. J., Harkenrider, M., & Loose, P. (2005). *The disproportionate incarceration of*

    African Americans for drug crimes: The Illinois perspective. Illinois Criminal Justice

    Information Authority.

Lusane, C. (2011). The Black history of the white house. San Francisco, CA. City Lights Books.

Lytle, M. H. (2005). *America's uncivil wars: The Sixties era from Elvis to the fall of Richard*

    Nixon. Oxford University Press.

Massey, D. S., & Denton, N. A. (1993). *American apartheid: Segregation and the making of the*

    underclass. Harvard University Press.

Matsuda, M. J. (2008). Are we dead yet? The lies we tell to keep moving forward without

    feeling. *Connecticut Law Review, 40*(4), 1035-1043.

McDermott, R., & Varenne, H. (1995). Culture as disability. *Anthropology & Education*

    Quarterly, *26*(3), 324-348.

McPhail, I. P. (1999). *I've Known Rivers: Reflections on Self-Education and the Cornell*

    Experiment, 1966-1970. Lecture

McWhirter, C. (2011). *Red summer: The summer of 1919 and the awakening of Black America*.

    Henry Holt and Company.

Milner IV, H. R. (2012). Beyond a test score: Explaining opportunity gaps in educational

    practice. *Journal of Black Studies*, *43*(6), 693-718.

Milner IV, H. R. (2013). Why are students of color (still) punished more severely and frequently

    than White students? *Journal of Urban Education, 48*(3), 483-489.

Mitchell, T. W. (2001). From reconstruction to deconstruction: Undermining Black

    landownership, political independence, and community through partition sales of

    tenancies in common. *Northwestern University Law Review, 95*(2), 505-580.

Morgan v. Virginia, 328 U.S. 373 (1946). Retrieved from

    https://supreme.justia.com/cases/federal/us/328/373/case.html

Morrison, T. (1992). *Playing in the dark: Whiteness and the literary* imagination. Cambridge,

    MA: Harvard University Press.

Mumola, C. (2000). Incarcerated parents and their children. *Bureau of Justice Statistics Special

    Report.* Retrieved from http://www.ojp.usdoj.gove/bjs.

Nadal, K. L., Wong, Y., Griffin, K. E., Davidoff, K., & Sriken, J. (2014). The adverse impact of

    racial microaggressions on college students' self-esteem. *Journal of college student

    development*, *55*(5), 461-474.

Nam, Y., Hamilton, D., Darity Jr, W., & Price, A. (2015). Bootstraps are for black kids: Race,

    wealth, and the impact of intergenerational transfers on adult outcomes. *The Insight

    Center for Community Economic Development, Duke University Consortium on Social

    Equity, and The New School*.

National Association for Advancement of Colored People (NAACP) Legal Defense Fund,

    (2018). *Brown at 60: The doll test.* Retrieved from http://www.naacpldf.org/brown-at-60-

    the-doll-test

National Association for Educational Progress (NAEP), (2018). *The nation's report card.*

    Retrieved from https://www.nationsreportcard.gov/reading_math_2015/#?grade=4

National Association of Secondary School Principals, (February 2000). Statement on civil rights

implications of zero tolerance programs. Testimony presented to the United States

Commission on Civil Rights, Washington, DC.

National Center for Education Statistics (NCES) (2010). *Status and trends in the education of*

racial and ethnic groups. Retrieved from https://nces.ed.gov/pubs2010/2010015.pdf

National Center for Education Statistics. (2013). *Digest of Education Statistics.* Retrieved from

https://nces.ed.gov/programs/digest/d13/tables/dt13_209.10.asp

National Center for Education Statistics (NCES), (2015a). *Fast Facts. Race/Ethnicity of College*

faculty. Retrieved from https://nces.ed.gov/fastfacts/display.asp?id=61

National Center for Education Statistics (NCES), (2015b). *Racial/Ethnic Enrollment in Public*

Schools. Retrieved from

https://nces.ed.gov/programs/coe/pdf/Indicator_CGE/coe_cge_2015_05.pdf

National Center for Education Statistics (NCES) (2017). *The condition of education*. Retrieved

from https://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2017144

National Center for Education Statistics (NCES), (2018). *Percentage enrolled in private school*

by race. Retrieved from https://nces.ed.gov/programs/coe/indicator_cgc.asp

Nelson, A. K. (2001). Operation Northwoods and the Covert War against Cuba, 1961–1963.

Cuban Studies, *32*, 145-154.

Nickerson, J. (2011). Mom accused of stealing education. *Stamford Advocate*. Retrieved from

https://www.stamfordadvocate.com/news/article/Mom-accused-of-stealing-education-

pleads-guilty-3349999.php

Noguera, P. A. (2003). Schools, prisons, and social implications of punishment: Rethinking

disciplinary practices. *Theory into Practice*, *42*(4), 341-350.

Nunn, K. B. (2002). Race, crime and the pool of surplus criminality: or why the war on drugs
     was a war on blacks. *J. Gender, Race & Justice*, *6*, 381.

Oakes, J., McGerr, M., Lewis, J. E., Cullather, N., Boydston, J., Summers, M. & Towsend, C.
     (2013). Of the people: A History of the United States. Oxford University Press.

Ogbu, J. U. (1993). Differences in cultural frames of reference. *International Journal of
     Behavioral Development, 16*(3), 483-506.

Ogbu, J. U. (2003). *Black American students in an affluent suburb: A study of academic
     disengagement. A volume in the socio-cultural, political, and historical studies in
     education series.* New Jersey: Lawrence Erlbaum Associates.

Ogbu, J. U. (Ed.) (2008). *Minority status, oppositional culture, & schooling*. New York:
     Routledge.

Ogbu, J. U., Simmons, H. D. (1998). Voluntary and Involuntary Minorities: A Cultural-
     Ecological Theory of School Performance with Some Implications for Education.
     Anthropology & Education Quarterly, 29, 155-188.

Oliver, M. L., & Shapiro, T. M. (2006). *Black wealth, White wealth: A new perspective on racial
     inequality*. New York, NY: Taylor & Francis.

Omi, M., & Winant, H., 1994. *Racial formation in the United States: From the 1960's to the
     1990's*. New York, NY: Routledge Press.

Oppenheimer, D. B. (1992). Martin Luther King, Walker v. City of Birmingham, and the Letter
     from Birmingham Jail. *UC Davis L. Rev.*, *26*, 791.

Oppenheimer, D. B. (1994). Kennedy, King, Shuttlesworth and Walker: The Events Leading to
     the Introduction of the Civil Rights Act of 1964. *USFL Rev.*, *29*, 645.

Orfield, G. (2013). Housing segregation produces unequal schools: Causes and solutions. In

    Carter, P.L. & Welner, K. G. (Eds). Closing the opportunity gap: What America must do

    to give every child an even chance, (pp. 40-60).

Orfield, G. (1969). The Reconstruction of Southern Education: The Schools and the 1964 Civil

    Rights Act.

Orlando, J. (2011). Criminal penalties for falsely claiming residency within a school district.

    OLR Research Report. Retrieved from https://www.cga.ct.gov/2011/rpt/2011-R-

    0214.htm

Paige, J. C. (1985). The Civilian Conservation Corps and the National Park Service, 1933-1942:

    An Administrative History.

Parenti, C. (2000). *Lockdown America: Police and prisons in the age of crisis*. Verso.

Patterson, J., & Kim, P. (1991). *The day America told the truth: What people really believe about

    everything that really matters*. NAL Trade.

Patterson, J. (2002). *Brown v. Board of Education*. Oxford University Press, United Kingdom.

Peters, G. & Woodley, J. T. (1968). Lyndon B. Johnson: Letter to the Speaker of the House

    Urging Enactment of the Fair Housing Bill. Retrieved from *The American Presidency

    Project*. http://www.presidency.ucsb.edu/ws/?pid=28785.

Peterson-Lewis, S., Bratton, L., 2004, Perceptions of "acting Black" among African American

    teens: Implications of racial dramaturgy for academic and social achievement, *The Urban

    Review, 36*(2), 81-100.

Philipsen, D. (2003). Investment, obsession, and denial: The ideology of race in the American

    mind. *Journal of Negro Education*, 193-207.

Phinney, J. S. (1993). A three-stage model of ethnic identity development. In M. B. Spencer &

   G. Knight (Eds.), Ethnic identity: Formation and transmission among Hispanics and other

   minorities (pp. 61 – 79). Albany: State University of New York Press.

Ravitch, D. (2009). The Death and Life of the Great American School System: How Testing and

   Choice Are Undermining Education. Philadelphia: Basic Books.

Reed, D. F., & Reed, E. L. (1997). Children of incarcerated parents. *Social Justice*, *24*(3 (69),

   152-169.

Reese, William J. (2006). America's public schools: From the common school to "No Child Left

   Behind." *The Journal of American History 93*(3): 904.doi: 10.2307/4486505

Reeves, R. (1994). *President Kennedy: profile of power*. Simon and Schuster.

Rose, D. R., & Clear, T. R. (1998). Incarceration, social capital, and crime: Implications for

   social disorganization theory. *Criminology*, *36*(3), 441-480.

Rothstein, R. (2015). The racial achievement gap, segregated schools, and segregated

   neighborhoods: A constitutional insult. *Race and social problems*, *7*(1), 21-30.

Rothstein, R. (2017). *The color of law: A forgotten history of how our government segregated

   America*. Liveright Publishing.

Saito, N. T. (2002). Whose liberty-Whose Security-The USA PATRIOT Act in the context of

   COINTELPRO and the unlawful repression of political dissent. *Or. L. Rev.*, *81*, 1051.

Substance Abuse and Mental Health Services Administration (SAMHSA), Results from the 2006

   National Survey, Detailed Tables, Table 1.19A.

Sampson, D.& Garrison-Wade, D. F. (2010). Cultural vibrancy: Exploring the preferences of

   African American Children toward culturally relevant and non-culturally relevant

   lessons. *Urban Review, 43*, 279-309.

Sanders, M., (1997). Overcoming obstacles: academic achievement as a response to racism and

    discrimination, *The Journal of Negro Education, 66*, 83-93.

Saxe, L., Kadushin, C., Beveridge, A., Livert, D., Tighe, E., Rindskopf, D., ... & Brodsky, A.

    (2001). The visibility of illicit drugs: implications for community-based drug control

    strategies. *American Journal of Public Health*, *91*(12), 1987-1994.

Scales, P.C. & Leffert, N. (1999). *Developmental Assets*. Minneapolis, MN: The Search Institute.

Scott, P. D., & Marshall, J. (1998). *Cocaine politics: Drugs, armies, and the CIA in Central

    America*. Univ. of California Press.

Seaton, E. K., Scottham, K. M., Sellers, R., 2006. The Status Model of Racial Identity

    Development in African American adolescents: Evidence of structure, trajectories, and

    well-being. *Child Development, 77*(5), pp 1416-1426.

Seiler, G. (2001). Reversing the ''standard'' direction: Science emerging from the lives of

    African American students. *Journal of Research in Science Teaching, 38*(9), 1000–1014.

Sellers, R. M., Smith, M. A., Shelton, J. N., Rowley, S. A. J. & Chavous, T. M.

    (1998). Multidimensional Model of Racial Identity: A reconceptualization of African

    American racial identity. *Personality and Social Psychology Review, 2*(1), 18-39.

Serrano v. Priest, (1975). Retrieved from https://law.justia.com/cases/california/supreme-

    court/3d/20/25.html

Shapiro, T. M. (2004). *The hidden cost of being African American: How wealth perpetuates

    inequality*. Oxford University Press, USA.

Shapiro, T., Meschede, T., & Osoro, S. (2013). The roots of the widening racial wealth gap:

    Explaining the black-White economic divide. *Research and policy brief*.

Shaw University: The First Historically Black University in the South. (2004). *Documenting the*

        American South. The University Library, The University of North Carolina at Chapel

        Hill.

Sheets, R. H. (1996). Urban classroom conflict: Student-teacher perception: Ethnic integrity,

        solidarity, and resistance. *The Urban Review*, *28*(2), 165-183.

Shelley v. Kraemer 334 U.S. 1 (1948). Retrieved from

        https://supreme.justia.com/cases/federal/us/334/1/case.html

Skiba, R. J., Horner, R. H., Chung, C. G., Rausch, M. K., May, S. L., & Tobin, T. (2011). Race

        is not neutral: A national investigation of African American and Latino disproportionality

        in school discipline. *School Psychology Review*, *40*(1), 85.

Skiba, R. J., Michael, R. S., Nardo, A. C., & Peterson, R. L. (2002). The color of discipline:

        Sources of racial and gender disproportionality in school punishment. *The Urban Review*,

        34(4), 317-342.

Smith, D. L. (1997). What is Black culture? In W. Lubiano (Ed.), *The house that race built* (pp.

        178-194). New York: Vintage Books.

Solorzano, D. G., & Bernal, D. D. (2001). Examining transformational resistance through a

        critical race and LatCrit theory framework: Chicana and Chicano students in an urban

        context. *Urban education*, *36*(3), 308-342.

Sterner, R. (1943). *The Negro's share: a study of income, consumption, housing and public*

        assistance (Doctoral dissertation, Harper & Brothers).

Stovall, D. (2005). A challenge to traditional theory: Critical race theory, African-American

        community organizers, and education. *Discourse: Studies in the Cultural Politics of*

        Education, 26(1), 95-108. doi:10.1080/01596300500040912

Survey of Income and Program Participation (SIPP) Data, (2011). Retrieved from

https://www.census.gov/sipp/

Tate IV, W. F. (1997). Chapter 4: Critical race theory and education: History, theory, and

implications. *Review of Research in Education, 22*(1), 195-247.

Tatum, B. D. (2017). *Why are all the Black kids sitting together in the cafeteria?: And other

conversations about race*. Basic Books.

Taylor, M. C., and Foster, G. A. (1986). Bad boys and school suspensions: Public policy

implications for black males. *Sociological Inquiry* 56: 498–506.

Terry, W. (Ed.). (1985). *Bloods: An oral history of the Vietnam War* (Vol. 31197). Presidio

Press.

The state of racial diversity in the workforce, (2016). Retrieved from

https://www2.ed.gov/rschstat/eval/highered/racial-diversity/state-racial-diversity-

workforce.pdf

Theoharis, A. G. (1999). *The FBI: A comprehensive reference guide*. Greenwood Publishing

Group.

Tonry, M. (1995). *Malign neglect: Race, crime, and punishment in America*. Oxford University

Press.

Tonry, M. Minnesota drug policy and its disastrous effects on racial and ethnic minorities, in the

appendices of Council on Crime and Justice, "Justice, Where Art Thou," p. 63, citing

research by University of California at Berkeley sociologist Loic Wacquant. Retrieved

from

http://www.crimeandjustice.org/researchReports/FINAL%20REPORT%2010.4.07.pdf

Torreon, B. S. (2015). *US periods of war and dates of recent conflicts*. Congressional Research

Service.

Turner, R. H. (1969). The public perception of protest. *American sociological review*, 815-831.

Turow, S. (2017). *Surviving justice: America's wrongfully convicted and exonerated*. Verso

Books.

U.S. Department of Education Office of Civil Rights, (2014). *Civil rights Data collection. Data

snapshot: School discipline.* Retrieved from https://ocrdata.ed.gov/downloads/crdc-

school-discipline-snapshot.pdf

United States Constitution (2018). Retrieved from

https://constitutioncenter.org/media/files/constitution.pdf

US Census Bureau, (April 2003). The Black population in the United States: March 2002, Figure

2, p. 2, Retrieved from http://www.census.gov/prod/2003pubs/p20-541.pdf

US Census Bureau, (2005). Retrieved from

https://www.census.gov/population/www/documentation/twps0076/DCtab.pdf

US Census Bureau, (2008). Statistical abstract of the United States: 2008, Table 6, p. 9,

Retrieved from http://www.census.gov/compendia/statab/

Virginia, (2017). Brown v. Board of Education 341: Virginia responds. Retrieved from

http://www.lva.virginia.gov/exhibits/brown/index.htm and

http://www2.vcdh.virginia.edu/xslt/servlet/XSLTServlet?xml=/xml_docs/solguide/Essays

/essay13a.xml&xsl=/xml_docs/solguide/sol_new.xsl&section=essay

Warikoo, N., & Carter, P. (2009). Cultural explanations for racial and ethnic stratification in

academic achievement: A call for a new and improved theory. *Review of Educational

Research, 79*(1), 366-394.

Wallace, G. (2000). *Settin' the woods on fire* [Video file]. Retrieved from

    http://www.pbs.org/wgbh/americanexperience/wallace/peopleevents/pande05.html/

Washington, B. T. (September 1895). *Atlanta Compromise Speech. In Cotton States and*

    International Exposition in Atlanta. Georgia (Vol. 18).

Washington, H. A. (2006). *Medical apartheid: The dark history of medical experimentation on*

    Black Americans from colonial times to the present. Doubleday Books.

Watkins, W. H. (2001). *The White architects of Black education: Ideology and power in*

    America, 1865-1954. Teachers College Press.

Webb, D. (2012). Wallace in the schoolhouse door: Marking the 40th anniversary of Alabama's

    Civil Rights standoff. *NPR. org. Retrieved from*

    http://www.npr.org/2003/06/11/1294680/wallace-in-the-schoolhouse-door

Weinburg, M. (1977). A chance to learn: A history of race and education in the United States.

    Cambridge, Ma: Cambridge University Press.

Wells, A. S., Duran, J., & White, T. (2008). Refusing to leave desegregation behind: From

    graduates of racially diverse schools to the Supreme Court. *Teachers College*

    Record, *110*(12), 2532-2570.

Wildeman, J., Costelloe, M., & Schehr, R. (2011). Experiencing wrongful and unlawful

    conviction. *Journal of Offender Rehabilitation*, *50*(7), 411-432.

Williams, J. (2011). *Thurgood Marshall: American revolutionary*. Three Rivers Press.

Wilson, A. N. (1978). *The developmental psychology of the Black child*. Africana Research

    Publications.

Wilson, A. N. (1992). *Awakening the natural genius of Black children*. Afrikan World

    InfoSystems.

Wilson, W. J. (2009). *More than just race: Being black and poor in the inner city (issues of our time)*. WW Norton & Company.

Winfield, A. G. (2007). *Eugenics and education in America: Institutionalized racism and the implications of history, ideology, and memory* (Vol. 18). Peter Lang.

Wood, P. C., Hillman, S. B., & Sawilowsky, S. S. (1996). Locus of control, self-concept, and self-esteem among at-risk African-American adolescents. *Adolescence*, *31*(123), 597-604.

Woodson, C. 1933. *MisEducation of the Negro*. Trenton, NJ: Africa World Press.

Young, I. M. (2011). *Justice and the Politics of Difference*. Princeton University Press.

Zinn, H. (1995). *A people's history of the United States*. Boxtree.