The New American Dilemma: Liberal Democracy and School Desegregation

Mary Jo Newborn
University of Michigan Law School

Follow this and additional works at: https://repository.law.umich.edu/mlr

Part of the Civil Rights and Discrimination Commons, Education Law Commons, and the Law and Race Commons

Recommended Citation
Available at: https://repository.law.umich.edu/mlr/vol84/iss4/41

This Review is brought to you for free and open access by the Michigan Law Review at University of Michigan Law School Scholarship Repository. It has been accepted for inclusion in Michigan Law Review by an authorized editor of University of Michigan Law School Scholarship Repository. For more information, please contact mlaw.repository@umich.edu.
On May 17, 1954, the Supreme Court of the United States ruled that the doctrine of "separate but equal" was unconstitutional in American education. The Court held that

[separate educational facilities are inherently unequal . . . To separate [children in schools] 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.]

Yet more than thirty years after Brown, segregated schools continue to pervade the American landscape. Why has America failed to follow the mandate of Brown? Why has desegregation worked well in some places and poorly in others?

Jennifer Hochschild addresses these questions in The New American Dilemma: Liberal Democracy and School Desegregation. Hochschild's book is a solid contribution to the literature on desegregation in American education, yet it is more than a narrow tract on school desegregation. Using an interdisciplinary approach, Hochschild explores the intriguing relationship between liberal democracy and racism to see how they have affected our efforts to integrate America's schools. Ultimately, Hochschild attempts to answer a very difficult question: "[W]hether the United States wishes to, and can, end racism without severe [societal] dislocation."4

The author begins by asserting that "[r]acism and liberalism are as intertwined in American history as they are antithetical" (p. 1). This is not a particularly bold statement for her to make. History speaks for itself. Nevertheless, Hochschild characterizes this history very effectively:

Since the English settled Jamestown, our politics have simultaneously affirmed the natural rights of all persons and legitimated the oppression of non-Caucasians. The plantation economy of the South flourished from the work of black slaves. Slaves produced many of the goods which

---

2. Hochschild reports that in 1980, 63% of all black students were in schools with more than half nonwhite students. P. 29. Segregation "has fallen dramatically in the South and Border states, and considerably in the Midwest and West. But it has increased in the Northeast." P. 30. Hochschild also points out that the lack of sufficient desegregation results in "second-generation discrimination," which she describes as "the fact or suspicion of inequitable disciplinary practices and of ‘tracking’ blacks into low-skill and whites into high-skill classes." P. 31.
3. Jennifer L. Hochschild is Assistant Professor of Politics and Public Affairs at Princeton University.
4. P. 8. Early in the book, Hochschild discounts two possible answers to this question. One answer is revolution, "a radical restructuring of society or a radical transformation of individual psychology." P. 12 n.*. The other answer would be "to give up any effort to eradicate racism." Id.
paid France for its invaluable help in our war for independence. The Constitution was shaped by disputes over whether slaves were persons or property. . . . We fought our only internecine, and most vicious, war partly over slavery. . . . In short, the economy of the South, the Revolution, the Constitution, the Western frontier, the Civil War, the labor movement — these facets of American history and others have been molded by the juxtaposition of racism and liberalism. [p. 1]

Yet, as Hochschild explains, liberalism and racism could scarcely be more antithetical. First, liberal democracy embodies the “unique value of all persons, political equality of all citizens, [and the] liberty of all humans” (p. 2). Under liberal democratic theory, all persons are entitled to natural rights, autonomy, opportunity, and dignity. In contrast, racism asserts the unequal worth of persons and “proclaims that some groups should not partake of liberalism’s promises” (p. 2). Racism would deny to some people political equality, dignity, liberty, and opportunity.

Early in the book, Hochschild makes a crucial distinction between racism and individual prejudice:

By racism, I do not mean personal dislike or denigration of another race or ethnic group. Individual prejudice is neither necessary nor sufficient for racism to exist. It is not necessary because of the phenomenon of “institutional racism”; a society or part of it may act in ways that severely and systematically discriminate against members of one race without anyone so intending or realizing. . . . Thus, to assert that American history and contemporary politics are deeply racist . . . is to say that our society is shaped by actions in consequence of racial differences — actions that usually elevate whites and subordinate blacks. [p. 2 n.*]

How can racism coexist with liberal democracy? Hochschild presents two possible answers. One view argues that slavery and other oppressive events are just scars on an otherwise healthy liberal democracy.5 According to this “anomaly thesis,” the connection between racism and liberalism simply reflects the failure of Americans to live up to their ideals. Proponents of this view believe that Americans can eradicate racism if they choose to do so.

In opposition to this view, others argue that “racism is not simply an excrescence on a fundamentally healthy liberal democratic body but is part of what shapes and energizes the body” (p. 5). Under this “symbiosis” thesis, our liberal democracy was founded on the backs of slaves and thrives today because racial discrimination continues.6

As Hochschild demonstrates, the distinction between the two views is more than just theoretical. Adoption of one thesis or the other has important ramifications. For example, proponents of the

5. See, e.g., G. MYRDAL, AN AMERICAN DILEMMA: THE NEGRO PROBLEM AND MODERN DEMOCRACY (1944).

6. P. 5. The major proponents of this view include both nineteenth-century Southerners and twentieth-century Marxists. Pp. 5-7.
anomaly thesis believe that racism and its consequences can be abolished through conventional forms of political action. Symbiosis theorists disagree, arguing that conventional forms merely reinforce racism and that, to eradicate racism, "we must be willing and able to change the whole shape and ecology of the American landscape" (p. 8). Hochschild examines this question by looking at the effects of conventional forms of political action on school desegregation. She concludes that history lends more support to the symbiosis thesis. According to Hochschild, our conventional allegiance to incremental change under popular control defeats our purpose of eradicating racism through school desegregation (p. 176).

After adroitly defining the limits of her discussion, the author presents a systematic account of thirty years of desegregation since Brown. Her analysis of desegregation contains cogent argument, polished writing, and sound methodology.

For example, in Chapter Five, Hochschild examines the anomalist argument that "the more popular control there is, the better desegregation will be" (p. 93; emphasis in original). After surveying the (admittedly "skimpy") data on the subject from school districts that have employed "citizen planning groups" (pp. 96-97), the author concludes that such groups have minimal impact on desegregation and may even cause great harm (p. 97). Citizen groups have helped school boards to stall, or worse, to become the tool of desegregation opponents, and they have absorbed criticism rightfully due school boards. Furthermore, citizen groups often mirror the inequality in a community. Hochschild points out:

In Boston, for example, minority parents were less effective in citizen advisory groups than Anglos partly because they aroused mistrust in educators (and vice versa), behaved differently from middle-class parents and school staffers, faced logistical problems of transportation and day care, had less prior information and fewer political skills, and in some cases spoke poor English. [pp. 98-99]

In this and other sections of the book, Hochschild uses the available data very effectively. She uses statistics only so far as necessary to make her point and then moves on to the next argument. Chapter Five also contains an excellent summary of judicial involvement in school desegregation. This section should be of particular interest to law students and law professors.7

Hochschild's last chapter is entitled, "Where Do We Go From Here?" She concludes that the history of school desegregation provides much more support for the symbiosis thesis than for the anomaly thesis. She then discusses three possible courses of action (pp. 149-98): (1) do nothing to desegregate schools; (2) continue to muddle

7. Her footnotes, pp. 228-41, provide an excellent compilation of the latest literature on this subject.
along in a weak effort; and (3) implement desegregation, “full speed ahead” (p. 177). The author embraces the third alternative, offering four principles to guide future efforts to desegregate schools:

1. Whenever possible, desegregate a metropolitan region.

2. In designing a plan, do not worry about minimizing busing times or distances; the plan should pursue desirable outcomes and let the mechanics of busing be a residual concern.

3. Change practices, personnel, and presumptions within the schools.

4. National, local, and especially school leaders must lead.

[p. 190-94; emphasis deleted]

These principles, she stresses, should not be implemented gradually and should not be subjected to the whims of a population that lacks the dedication necessary to abolish racism. “Only substantial change authoritatively imposed has a chance to vanquish the well-fortified citadel of institutional racism” (p. 204).

In the final analysis, the author concludes that “[w]e can, if we choose, significantly change our racial and class structure in a peaceful, evolutionary fashion” (p. 204). For all of the book’s strengths, this conclusion is its major flaw. The conclusion is not consistent with Hochschild’s arguments throughout the book. She presents strong data demonstrating the pervasive nature of racism and classism in American society. She has made it clear that liberal democracy (as we know it in America) feeds on racism. Furthermore, the author has demonstrated that white Americans as a group are extremely ambivalent about eradicating racism. After all, they are its primary beneficiaries. In light of the entrenched nature of racism and white ambivalence, even resistance, to eliminating it, Hochschild’s hopes for peaceful, evolutionary change may be unwarranted. Perhaps Hochschild is correct. Nevertheless, her tidy conclusion is unpersuasive and detracts from the force of her earlier arguments.

Another major flaw of the book is Hochschild’s failure to give ade-

---

8. Admittedly, Hochschild intends by “peaceful, evolutionary” change something far removed from popular incrementalism. Her examples of past “bold and sweeping action” by the American government, however — homefront mobilization during the Second World War and the space program, p. 205 — fail to supply an adequate guide to how desegregation could be imposed authoritatively by a ruling elite in a “peaceful, evolutionary” fashion.

9. Hochschild quotes Charles Silberman:

The tragedy of race relations in the United States is that there is no American dilemma. White Americans are not torn and tortured by the conflict between their devotion to the American creed and their actual behavior. They are upset by the current state of race relations, to be sure. But what troubles them is not that justice is being denied but that their peace is being shattered and their business interrupted.

P. 156 (quoting C. SILBERMAN, CRISIS IN BLACK AND WHITE 9-10 (1964)).
quate treatment to black concerns and opinions regarding desegregation. The text of the book only contains a dozen pages devoted to black opinions.10 Black people have been major actors in the desegregation story. Their contributions, actions, and scholarship deserve more than a cursory discussion. Although her footnotes do contain a substantial amount of black scholarship (pp. 244-50), the absence of the full range of black thought in the text lends a tone of paternalism to Hochschild’s work.

This thought-provoking book provides an excellent perspective on the thirty years of desegregation since Brown. Can America end racism without severe societal dislocation? Hochschild fails to provide all the answers. Nevertheless, she provides a firm foundation for further scholarship in the hope that a clear answer may be found.

— Mary Jo Newborn

10. See pp. 160-72. Hochschild discusses black opposition to desegregation as it has been implemented. However, this is the only part of the text in which she gives black viewpoints sufficient treatment.