

should proceed with “all deliberate speed” have led to vague and unclear directions for addressing segregation.

Despite this vagueness and the problems it has created for the Court, many school districts in the 1960s did successfully achieve “unitary” status: a school system “without racially identifiable schools” (73). Melnick shows how an unlikely partnership between a weak Office of Civil Rights (OCR) and the Fifth Circuit Court of Appeals, whose jurisdiction covered much of the Deep South, created a breakthrough in school desegregation in 1966–67. In 1965 and 1966, the OCR issued a robust set of desegregation guidelines that did not have much power of enforcement until the Fifth Circuit endorsed them and used its authority to enforce them. In 1965, 6.1% of Black children in the South attended schools with some white students. By 1970, the figure had increased to 85.9% (83). The drastic increase is attributed to the active interventions of the courts in desegregation cases in the South.

However, the success of these efforts began to wane in the 1970s because of several political factors. Melnick discusses how the critical partnership between the OCR and the Southern courts broke down after Nixon’s election. Nixon, who did not want his administration to be involved in and “blamed” for school desegregation in the South, fired OCR director Leon Panetta because Panetta refused to wind down the agency’s role in desegregation efforts. Additionally, the growing controversy over busing in the 1970s led to declining political support for desegregation in cities and states.

Another factor was opposition from Black communities. In chapter 6, Melnick describes a growing lack of support from Black communities for three key reasons: a desire among Black parents to send their children to their neighborhood schools, the growth of Black political power in cities, and the cost that desegregation imposed on Black communities that, among other trends, led to a significant decrease in the number of Black teachers, particularly in the South. As Black communities gained political control of mayors’ offices, city councils, and school boards in many cities, some Black leaders were reluctant to support metropolitan desegregation plans that threatened to dilute Black political power.

As a result of these political factors, as well as the increase in the number of conservative judges on the federal courts—who have generally been less involved with and indeed more hostile to desegregation efforts—activists and elected officials have pursued efforts to address racial educational inequality beyond the courts. Melnick concludes the book by analyzing the Elementary and Secondary Education Act of 1965 (ESEA) and Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, or national origin in programs or activities that receive federal financial assistance. Presidential administrations, particularly the Obama and Biden administrations, have relied on these federal policies,

including their funding and regulatory provisions, to attempt to address enduring obstacles to educational opportunity in communities of color.

Melnick correctly points to efforts outside the courts, like ESEA and Title VI, as important government policies to address education inequality. However, the politics of these measures also merit further scrutiny. Although these federal initiatives brought in additional resources to districts in need of financial support, they also instituted an oversight regime that emphasized “standards” as a key to addressing educational inequality. Three decades into these standards, we have seen how teachers have become targets of the reforms and how communities have been disempowered by removing locally elected school boards and closing schools. These initiatives have contributed to the separation of communities from their schools while failing to achieve sustainable educational improvement.

Melnick concludes the book with a statement that aptly summarizes a main argument in *The Crucible of Desegregation*: “In the long struggle over school segregation, two central features of American political life collided: our creedal commitment to equality of opportunity and our decentralized educational institutions. Compared to other advanced liberal democracies, Americans are more accepting of large inequalities of income and wealth. For most Americans, what counts is not equal results but equal opportunity to achieve the ‘American Dream’ of upward mobility” (251).

Although it remains true that Americans largely express a “creedal commitment to equality of opportunity” and support for public education (252), *The Crucible of Desegregation* gives us reason to question just how shared such a commitment to equal opportunity in education really is. Through a rich analysis of the deliberative process of federal judges and their court decisions over a 70-year period, Melnick offers valuable insights into how the lack of “all deliberate speed,” the failure to produce a coherent definition of “desegregation,” and the adoption of “colorblind” jurisprudence are all part of a broader logic to deny equality of opportunity to Black people and other people of color while maintaining a rhetorical commitment to equality. This notion of a collective American belief in equality of opportunity, especially educational opportunity, deserves greater scrutiny.

**Response to Domingo Morel’s Review of *The Crucible of Desegregation: The Uncertain Search for Educational Equality***

doi:10.1017/S1537592724000720

— R. Shep Melnick

I thank Domingo Morel for his accurate summary of the main arguments of *The Crucible of Desegregation*. Only in

his final paragraph do I find anything with which to disagree. There he claims that the policy flaws that I describe reflect a “broader logic to deny equality of opportunity to Black people ... while maintaining a rhetorical commitment to equal opportunity.” This unduly pessimistic conclusion not only overlooks the momentous accomplishments of southern desegregation but also ignores a central theme of my book—that “desegregation” came to mean many different things to people in widely varying school districts. To evaluate the success of “desegregation,” we must first distinguish among its many meanings and forms.

The first phase of desegregation was a stunning success. Southern desegregation not only undermined the vicious Jim Crow system but also substantially improved the educational achievement and life chances of millions of minority children. What Gary Orfield has aptly described as “the reconstruction of southern education” went well beyond mere rhetoric.

Outside the South, however, desegregation orders produced few benefits. It is essential to recognize how much these enterprises differed. In the north and west of the United States, there was no state-mandated racial segregation, no thoroughgoing Jim Crow system. What became known as “racial isolation” was the result of residential segregation, which in turn was the product of a complex combination of government policies, red-lining, social norms, economic class divisions, and individual choice. These proved to be much more difficult obstacles to overcome. In the South, inner cities and suburbs were often in the same school district. In the North, they were not, which vastly complicated the politics of integration. Initially, desegregation could be viewed in simple Black/white terms, but as the campaign moved north and west, this binary paradigm became inadequate. For these reasons, and many more, the task of integrating schools outside the South was far more daunting and the results correspondingly meager.

Morel ends his review by writing, “This notion of a collective American belief in equality of opportunity, especially educational opportunity, deserves greater scrutiny.” What the history of school desegregation shows is that although the American *commitment* to equal education opportunity remains strong, our understanding of *how to achieve it* remains inadequate. Grandiose plans and dubious testimony from self-proclaimed “experts” led many well-meaning judges to impose disastrous desegregation decrees.

Not only does educational opportunity depend on many factors outside the schoolhouse but also what happens inside the classroom is hard to observe, evaluate, or control from above. The post-2001 “standards” regime that Morel criticizes in his book, *Developing Scholars*, provides at least a starting point for figuring out which

incremental reforms help reduce the racial achievement gap. That is why so many civil rights organizations have supported it.

In the end, the greatest failure of the desegregation effort was the unwillingness of judges, litigants, expert witnesses, and academic commentators to define with precision and appropriate humility what they were trying to achieve and how they expected to reach those goals. Judges spoke in legal abstractions disconnected from the day-to-day realities of the “street-level bureaucrats” we call teachers. Too many others were happy to follow along with those glib generalizations. The central problem was not racism but a stunning lack of knowledge, intellectual honesty, and realism about what could effectively promote racial equality in America’s schools.

### **Developing Scholars: Race, Politics, and the Pursuit of Higher Education.**

By Domingo Morel. New York: Oxford University Press, 2023. 242p. \$99.00 hardcover, \$27.95 paper.

doi:10.1017/S1537592724000689

— R. Shep Melnick, *Boston College*  
shep.melnick@bc.edu

The Supreme Court’s 2023 affirmative action decision made the question of how colleges can identify, attract, and retain minority students all the more urgent. In *Developing Scholars: Race, Politics, and the Pursuit of Higher Education*, Domingo Morel addresses this issue by focusing on the University of Rhode Island’s “Talent Development” (TD) program. Because Morel was both a TD student and employee, this is in part a participant-observer study. He supplements his detailed history of the TD program with an intriguing look at what he calls “secondary admissions criteria”; that is, barriers to enrolling in majors that provide entry to teaching, nursing, and other professions.

Morel presents three major arguments. The first is that improving the educational opportunities of minority students requires much more than affirmative action in the admissions process. He approvingly cites Nicholas Lemann’s argument that, by itself, affirmative action is a “low-cost patch solution” to the inferior education that has been offered to minority students for decades (20).

The strength of the TD program is that it seeks “to provide the academic tutoring and support to ensure that students would be successful at the University, despite the high school shortcomings” (67–68). Thrust into an unfamiliar environment without the academic background of students admitted through the regular process, TD students needed help not just in choosing classes, managing their finances, structuring their time, and writing college-level papers but also in learning how to overcome subtle cultural differences and so better connect with other students and faculty members.