

The Complex Braid of *Brown*: How Conceptualizations and Initiatives Within the African-American Community of Research, Practice and Activism Have Influenced the Advance of Knowledge and Practice in Education

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This year, 2024, marks the 70th Anniversary of the landmark court decision in education which sought to end legal segregation, *Brown v. Board of Education*. At the time, the hope was that ending segregation would address the vast and deep inequities in educational resources by race that had long been the legacy of schooling in the United States. Getting to the *Brown* decision was a long, hard battle, fought by civil rights attorneys, but also by educators, social psychologists, and members of the Black community—parents and students. And yet, despite the hopes for resource equity and higher quality education for Black students, inequities by race still plague our education system, and the promises of *Brown* remain substantially unfulfilled.

This paper is a part of a series, titled *Brown at 70: Reflections and The Road Forward*. The series consists of nine papers by leading scholars of educational equity, and each takes an honest look at the progress since *Brown*, documenting the shifts over time on key aspects of education including segregation levels of schools across the country, achievement trends in relation to policies and practices over time, the diversity of the teaching force, access to resources, the role of Black scholars and community activism, and the relationship between democracy and education. Taken together, the set of papers offers both an historical look at the impacts of the *Brown* decision, and, importantly, also offers guidance for the road ahead—promising policies, practices, and directions for the schools we need.

The cover art for this series is a reproduction of the Jacob Lawrence painting from 1960, *The Library*, which depicts the library as a vibrant learning setting for Black community members, and signifies the important of reading, learning, and education in the Black tradition.

— Na'ilah Suad Nasir, Spencer Foundation President
Linda Darling-Hammond, Learning Policy Institute President

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On this, the 70th anniversary of the *Brown v. Board of Education* decision, we have the opportunity to reflect on its significance. At least two broad reflections have been well established over these decades: (1) legally, it was historic; and (2) the specific aim of desegregation of public schooling has not been achieved. Here, however, I want to situate the *Brown* decision as a metaphor, if you will, of what I think is a revolutionary understanding of American society; that is, that peoples of African descent have from the inception of the nation been essential as powerful levers of change, compelling the nation to wrestle in dynamic ways with the complex challenges presented by our democratic system of governance. I further argue that multiple communities in the country who currently and historically have faced systemic discrimination have been positively influenced by these efforts in the African-American community; in the field of education specifically, many of the expansive goals we seek to address today have been informed by proactive work within African-American education. These goals include the pursuit of the following:

- Rights of immigrant communities
- Language rights in education
- Rights of women
- Broader policies to address health and poverty
- Attention in schooling more recently regarding
 1. Culturally relevant curriculum and pedagogy
 2. Attention to social and emotional wellbeing —the holistic development of children
 3. Community-based schooling

I seek to move in this essay beyond crying “Woe is me! We are discriminated against and disempowered!”, to assert that we are a strong, active community on whom this nation depends and to whom this nation should feel deeply indebted.

The founders who developed the Declaration of Independence and eventually the U.S. Constitution contended with many complexities. While they made a theoretical universal appeal to the idea of fundamental human rights, in practice they lived in and participated in systems that discriminated against many groups of humans. When they wrote “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,” their all men included White men with property. It did not include White indentured servants, enslaved Africans, women, or the indigenous populations whose lands they were in the process of taking.

Unfortunately, today and historically there have been very heated debates over whether these facts of our history should be taught in our schools, and over what these contradictions between the ideals articulated in our founding documents and the historical facts of discrimination and oppression say about how we see our national identity. However, these are literal facts.

The U.S. Constitution is a brilliant document. It creates structures and systems that allow for disputation across different levels of stakeholders. These disputes are reflected in relationships between the federal and state governments; among the executive, legislative, and judicial branches of government; and between majorities and minorities, as well as the rights of the individual. In the debates that fueled the writing of the document, the founders wrestled with the complexities of shared decision-making. They began as separate colonies under the rule of the British King but also including corporate capital entities such as the Virginia Company of London. They sought in what would become the Bill of Rights to identify a set of fundamental rights and built a system for making amendments. The amendment process was intentionally made difficult, with any amendment requiring approval by three-quarters of the states. Amendments to the Constitution have in many cases been deeply influenced by the political organizing of African-Americans and those who support commitments to equity; for example, the 13th, 14th, and 15th Amendments after the Civil War, and the 19th Amendment in 1920 giving women the right to vote.

Civic decision-making requires a deep understanding of the dialogues among and relationships among multiple empowered stakeholders to influence political decision making. None of the political battles we have fought has had a simple solution or achieved a straightforward outcome. Recognizing this, we understand, albeit in retrospect, that the *Brown* decision of 1954 in itself would not lead directly to desegregation of public schooling. Indeed, the political pushback from organized groups and states (not only southern states) against *Brown I* led to *Brown II* obliging states to move toward desegregation but permitting compliance under their own timelines and processes, thus severely limiting the nationwide implementation of *Brown*. Starting two decades later, a series of additional court cases allowed states to engage in practices that would inhibit full implementation of *Brown*: *San Antonio School District v. Rodriguez* (1973), *Milliken v. Bradley* (1974), *Board of Education of Oklahoma v. Dowell* (1991), and *Freeman v. Pitts* (1992).

I begin by raising this complexity of political organizing, of which the *Brown* Supreme Court case stands as a revealing exemplar, to argue that it is very important that we place these efforts as they unfold in dynamic and ecological systems—that we not see them as standalone efforts that either achieve or do not achieve targeted goals. *Brown* is both a victory and an ongoing challenge, an enigma that captures what Du Bois (1903) calls the *double consciousness* of the African-American, who seeks to integrate politically, economically, socially and indeed culturally into the broader idea of America, while at the same time recognizing the importance of maintaining traditional values, beliefs, and practices that have sustained African and African descent populations on the continent and across the diaspora. I will illustrate in this essay efforts of self-determination around schooling that we have carried out in our communities while at the same time organizing for inclusive rights in the broader structures of the country.

The NAACP decided to focus on desegregation in schools because there was a long set of case histories on this issue (Bell, 2004). What they ultimately wanted to attack was broader public accommodations, but they did not believe the Supreme Court would be open to such a wide systemic illegalization of segregation.

It is both interesting and ironic to note the achievements made through the efforts of African-American legislators in the South during Reconstruction around segregation in public schooling. Anderson (2015) notes:

For example, in 1868, a new South Carolina Constitution was passed requiring that universities be free and open to all the children and youths of the State, without regard to race and color. The Louisiana Constitution held that “there shall be no separate schools or institution of learning established exclusively for any Race by the State of Louisiana.”...Mississippi’s Reconstruction constitutional convention barred school segregation from appearing in the state’s new constitution (p. 6).

Anderson also helps us understand the dynamic relations across the history of legislative cases with which *Brown* stands in conversation. For example, he argues, “There is a strong tendency in the historical scholarship to look to the *Plessy v. Ferguson* decision of 1896 as the precedent and even the catalyst for the kind of public school segregation and inequality that characterized the Jim Crow era...[however] the ‘separate and unequal’ school systems of the 20th-century South rested more on the disenfranchisement of the African-American population than on the *Plessy v. Ferguson* decision” (Anderson, 2015, p. 11). Just as *Plessy* had less influence than the loss of voting rights in permitting segregation, *Brown* had less ultimate effect than the Voting Rights Act of 1964 in driving desegregation. Progress is influenced not by single foci but a broader understanding of the full ecologies in which these political, economic, and social inequalities live and are sustained.

The complex relationships between federal legislation regarding voting rights and states’ rights in determining how elections are carried out have continued from Reconstruction to Jim Crow to current contestations over gerrymandering in states. Desegregation of schools, desegregation in public accommodations, and voting rights are among the dynamic ecologies that must be navigated.

Among the most interesting conundrums in these school desegregation cases centers around the conception of race. The construct of race has been a moving target in the U.S. (Blackburn, 2000). At different points in our history and in different states (e.g. California, Texas) distinctions were made between Chinese and Japanese immigrants, where at one point Japanese were considered “Mongolian” and at other points White (Williamson, Rhodes, & Dunson, 2007). These distinctions were influenced by a combination of local politics and, at times, broader international politics; some have argued that one set of conditions that influenced a more receptive audience for the *Brown* case was the attention of other nations around continued systemic racism in the United States after World War II. The Nazi government sent representatives to the United States before World War II to study how eugenics operated within this country, identifying models for the uptake of eugenics in Germany that served as public warrants for the mass killing of Jews, Romas, and homosexuals (Kuhl, 2002).

Ladson-Billings (2006) discusses how U.S. officials recognized how the persistence of legal segregation and racism was impacting the perceptions of this country around the world. After World War II, U.S. officials observed that the country’s poor race relations were affecting its international standing. As early as 1946, acting Attorney General Dean Acheson had written a letter on this subject. In 1952, in preparing for some of the pre-*Brown* discrimination cases, a Justice Department lawyer asked Acheson for an authoritative statement and Acheson replied with a letter concluding that “the undeniable existence of racial discrimination gives unfriendly governments the most effective kind of ammunition for their propaganda warfare,” a key concern during the Cold War. The letters are available with an essay “David Langart from the National Archives online, here: <https://text-message.blogs.archives.gov/2015/03/05/foreign-policy-and-domestic-discrimination/>.

The observation that segregation and racial disharmony are bad for the U.S.’s reputation and can be used for adverse propaganda remains vivid today. Claims have been made that during the 2016 and 2020 election the Russian government deployed political media ads on the internet that appealed to racial and other divisive tropes (Ribeiro et al., 2019).

Brown as Exemplar of Cross-Community Collaborations

The *Brown* case decided in 1954 grows out of a series of legal cases, some at the state level and others at the federal level, as would be expected. The *Brown* case also grows out of collaborations across multiple fields. These included the research community, specifically in psychology, with the work of Drs. Mamie and Kenneth Clark, whose well-known doll test was included in the NAACP brief and cited by the justices in the *Brown* opinion. Thirty years later, Dr. Kenneth Clark recalled in an interview:

The Dolls Test was an attempt on the part of my wife and me to study the development of the sense of self-esteem in children. We worked with Negro children—I'll call Black children—to see the extent to which their color, their sense of their own race and status, influenced their judgment about themselves, self-esteem. We've now—this research, by the way, was done long before we had any notion that the NAACP or that the public officials would be concerned with our results. In fact, we did the study fourteen years before *Brown*, and the lawyers of the NAACP learned about it and came and asked us if we thought it was relevant to what they were planning to do in terms of the *Brown* decision cases. And we told them it was up to them to make that decision and we did not do it for litigation. We did it to communicate to our colleagues in psychology the influence of race and color and status on the self-esteem of children (Eyes on the Prize, 1985).

What is interesting is that Dr. Clark says that the original intent of the work was to “communicate with [their] colleagues in psychology.” There has been much more research since the Dolls Test that has contested and complicated the findings of the Clarks, and that evolving research around racial identity has similarly informed legal cases as well as the focus on racial identity in educational practice. This evolving research in psychology and human development on racial identity has also influenced research around the construct of ethnic identity (Phinney, Cantu, & Kurtz, 1997). The connections between conceptualizations of race and ethnicity are essential to the challenges, discussed earlier, raised by Du Bois (1903) around double consciousness. Race is not a biological construct (Blackburn, 2000), but rather socially created specifically for the purposes of warranting deficit attributions to communities of humans based on melanin (Mills, 1997), and a shifting construct at that (Ignatiev, 1996). Think back to the earlier discussion of legal cases around school segregation among Asian and Latinx communities historically (Williamson et al., 2007). *Ethnicity*, on the other hand, is rooted in histories of experience, beliefs, and routine cultural practices that are real and documentable.

At the same time, ethnicity is also complicated because it can include pan-ethnicity that brings together ethnic groups that are related by geographical region but separate within nation-states inside those regions. For example, we can think about *African* as a pan-ethnic group versus *Igbo* or *Akan* as specific ethnic groups; or we can think about *Chinese* as a nationality group versus *Han* or *Uyghur* as specific ethnic groups within China. Ethnicity and nationality can overlap.

There has been much criticism of the underlying claims from the Doll Experiment, namely that it was used to argue that somehow African-American's children's sense of self worth is diminished when they are segregated. The great writer of the Harlem Renaissance, Zora Neale Hurston, wrote in an editorial in the *Orlando Sentinel* newspaper:

If there are not adequate Negro schools in Florida, and there is some residual, some inherent and unchangeable quality in White schools, impossible to duplicate anywhere else, then I am the first to insist that Negro children of Florida be allowed to share this boon. But if there are adequate Negro schools and prepared instructors and instructions, then there is nothing different except the presence of White people.

For this reason, I regard the ruling of the U.S. Supreme Court as insulting rather than honoring my race. Since the days of the never-to-be-sufficiently-deplored Reconstruction, there has been current the belief that there is no greater delight to Negroes than physical association with Whites...

It is well known that I have no sympathy nor respect for the “tragedy of color” school of thought among us, whose fountain-head is the pressure group concerned in this court ruling. I can see no tragedy in being too dark to be invited to a White school social affair. The Supreme Court would have pleased me more if they had concerned themselves about enforcing the compulsory education provisions for Negroes in the South as is done for White children. The next 10 years would be better spent in appointing truant officers and looking after conditions in the homes from which the children come. Use to the limit what we already have.

Thems my sentiments and I am sticking by them. Growth from within. Ethical and cultural desegregation. It is a contradiction in terms to scream race pride and equality while at the same time spurning Negro teachers and self-association (Hurston, 1955).

Hurston's comments reflect this theme of double consciousness and the dilemma that underlies the complexity of the *Brown* case, its legal precedents and legal decisions and policies that have followed. Is school desegregation truly in the best interests of African-Americans? Is it in the best interests of the nation?

The work building towards *Brown* also included activist work of Black educators on the ground. Ironically, one of the most significant downsides to the *Brown* decision was the loss of Black teachers and principals in schools, especially across the South. Vanessa Siddle Walker (Walker, 2005) offers extensive documentation of work by African-American educational organizations from the late 1800s through the Jim Crow era to advocate for school facilities, professional working conditions, transportation, and antiracist curriculum, among others. Black teacher organizations across the south actively pushed for educational equality and collaborated with organizations like the evolving NAACP. Not only were there statewide professional associations of Black teachers, but conferences, such as the 1901 Negro Common School Conference where the following report was produced: *The Negro common school* report of a social study made under the direction of Atlanta University, together with the proceedings of the sixth Conference for the Study of the Negro Problems, held at Atlanta University, on May 28th, 1901 edited by W.E. Burghardt Du Bois (Du Bois, 1901; Du Bois & Dill, 1911).

The Howard University Law School was also an essential partner with the NAACP in helping to drive legal research and planning (Dark, 2004). Thurgood Marshal, who led the NAACP legal team arguing the *Brown* case who would go on to be the first Black Supreme Court judge was a faculty member in the Law School, among others. Many of the lawyers on the legal defense team of the NAACP led *Brown* case were alumni of the Howard law school. Charles Hamilton Houston who assumed the role of Dean of the law school in 1929 is credited with laying the groundwork for the legal theory for *Brown*. In addition, a number of the specialists who were called on to testify in the *Brown* case were Howard University faculty in other departments.

Some have argued that collaboration between the legal community working toward dismantling the U.S. system of discrimination and the labor movement was also important to *Brown*. The Brotherhood of Sleeping Car Porters and Maids was founded in 1925, the first all-Black union recognized by the American Federation of Labor. The labor efforts of the Brotherhood helped to position workers as powerful enough to gain collective bargaining rights from corporations as big as the Pullman Company. A. Philip Randolph, one of the powerful leaders of the Brotherhood, was also intimately involved in leadership roles within the broader civil rights movement. In addition to the Black Labor movement, the United Auto Workers donated \$75,000 to support the efforts of the NAACP. This kind of cross-community collaboration, reflected as well in the history of legal antisegregation cases led by different ethnic communities, is an important story in terms of *Brown*.

The Legacy of Parallel Paths

From the Holocaust of African Enslavement through the Civil War, from Reconstruction through Jim Crow and after, African-American communities have followed parallel paths that reflect Du Bois' "double consciousness." African-American communities have historically sustained cultural beliefs, practices, valued relationships and creation of community-based organizations that in many respects maintain what we think of as African diasporic values (Boykin, Jagers, Ellison, & Albury, 1997; A.G. Hilliard, 1995; A. G. Hilliard, 1998; Karenga & Carruthers, 1986). These include communalism, respect for elders, valuing of extended family, and the essentiality of communal relationships. While we have developed and sustained these relationships and communal systems, we have simultaneously organized resistance through efforts to change laws and social practices of the nation-state, organizing efforts that have benefited the African-American community as well as other communities experiencing systemic inequities. This is the light in which, I am arguing, we should think about the meaning and impact of *Brown*.

During the Holocaust of Enslavement it was illegal for enslaved African-Americans to learn to read or write. However, stories abound—mirroring the adage "each one teach one"—of enslaved Africans hiding books beneath the floors of slave quarters and literally risking their lives and harsh physical punishments for teaching one another (Cornelius, 1983; Gundaker, 2007; Span & Anderson, 2005). Directly after the Civil War, as Anderson (1988; 2023) documents, the newly freed African-Americans in the South made independent decisions to establish their own schools, some 1,500 church-run and 500 community-run schools. He describes how, directly after the Civil War, representatives from the Freedman's Bureau came to the South to initiate efforts to establish education for the freedmen and women, but found to their utter surprise that Black people had already established their own schools. What is important about the proposition of parallel paths—the idea that as African-Americans work independently and internally to develop resources to support the uplift of our community we simultaneously organize efforts that benefit the broader community and nation at large. In the former confederate states, Black educators pushed local districts and states to fund public education, which at that time was not widely available even to poor Whites in the south. Du Bois (W. E. B. DuBois & Dill, 1911) credits these efforts of Black educators with the expansion of publicly funded education for all, although ironically as public funding became available, there were standardized inequalities in the distribution of resources to Black segregated schools. In many respects, we can think about these initial efforts after the Civil War as paving the path for the *Brown* case, even before *Plessy vs Ferguson*, which was about public accommodations more broadly.

Anderson (1988) goes on to document the independent spirit of African-Americans around education during the Jim Crow era. He discusses how philanthropists like the Rosenwald Foundation went into small Southern school districts and offered money if they would abandon their curriculum in favor of curriculum focused on preparing Black children for low-income labor. Anderson (1988) documents how many of these districts refused the bribe and continued to primarily finance the education of their children on their own—building schools, providing community supports, etc. The Rosenwald Foundation is known for its contributions to the construction of segregated school buildings; less is known about the price exacted for such efforts.

Siddle Walker (1993; 1996, 2000) has conducted extensive research documenting the education of Blacks in the Jim Crow South. Siddle Walker (2018) explains how Lucy Laney, a Black educator from Georgia, pronounced at an NAACP meeting in 1919: "We are going to start anew in a way we know is going to be effective. We are going to start at the bottom with the children. We'll teach them history, vote, government" (p. 154). This was part of strategic efforts in Black segregated schools in the Jim Crow South to integrate African-American history and culture as standards in Black schools, despite efforts—similar to what is happening today—to exclude any references to the history of racism in textbooks (codified by Mildred Lewis Rutherford in her 1920 pamphlet for the United Confederate Veterans, *A Measuring Rod to Test Text Books*, advocating textbooks that celebrated the Confederacy). In 1915, Carter G. Woodson established the Association for the Study of Negro Life and History, working closely with Black educators to integrate Black history and culture in the curriculum of schools. By 1926 they created National Negro History Week, which would go on to become Black History Month in 1976 (in the midst of the Black Power and Black Arts Movements). Woodson's 1933 classic *The Mis-Education of the Negro* continues to serve as a blueprint for the centrality of inclusion of African-American history and culture into the school curriculum. We have similar foundational arguments by Horace Mann Bond (1935, 1966, 1976) and Mary McLeod Bethune (1939, 1996) and more recently Barbara A. Sizemore (2007; 1973), to name only a few.

Siddle Walker (Siddle Walker, Anderson, Williamson-Lott, & Lee, 2020) offers this rich description of how instruction on the ground in Black segregated schools in the Jim Crow south saw education as a resource for resilience and preparing leaders:

In a third, equally significant strategy, Black educators built students who had the resilience to counter oppression. In English classes, teachers appropriated European poetry such as “If” or “Invictus” and insisted that Black children across the South memorize these and other poems with similar ideas. Lines such as “keeping [their] heads when all around them were losing [theirs] and blaming it on [them]” or being victimized by the “bludgeonings of chance” but having an “unconquerable soul” helped build students whose heads might later be “bloody, but unbowed” (Walker, 2018, pp. 155–156). As far as White school boards could discern, the teachers were teaching poetry. Yet the teachers themselves reportedly gave messages to students that told them to make sure they were listening to the words.

The intentioned messaging also appeared in assemblies and widely-embraced Black teacher beliefs. Inside and outside classrooms, principals and teachers taught the students to aspire and to believe they could be anything they wanted to be, despite the truth that segregation confined their job opportunities (Siddle Walker, 2018). At assemblies, one principal reminded students that they needed to “love themselves” as Black people, notwithstanding the negative images they encountered in White America (Siddle Walker, 2018, p. 153). He told them they were more than the Little Black Sambo character that the Julius Rosenwald Foundation, through its library fund, first put into Black schools, and that indeed the pharaohs of Egypt looked like him, like them. In his words and the many replications in the other mandatory assemblies that comprised part of the curricula of Black schools, teachers and principals intentionally prepared the students to have the confidence to create and live in a world the educators fully expected would one day be created. As one president of the teachers’ organization explained at a teachers’ meeting in 1944, the job of the Black educator was to prepare the children “for the world of tomorrow” (Siddle Walker, 2018, p. 153).

There is a similar complex history in the evolution of historically Black colleges, navigating between the promise of financial rewards for focusing on labor preparation that would feed the labor needs of the southern economy, versus preparing students to be competitive for professions beyond manual labor working for Whites. This was a period which had shifted from slave and sharecropping agricultural labor to an industrial base, but an industrial base for which White corporate interests sought a Black labor force. This shift in the south involved moving from manually picking cotton to use of the cotton gin and technical tools, but still requiring low-wage manual labor.

These debates over the goals of education for Blacks is apparent in the history of the Tuskegee Institute, founded by Booker T. Washington, and in the historic debates between Washington and W. E. B. Du Bois. Du Bois (1903) argued the need for an intellectually rich education in order to prepare African-Americans to compete in the larger economy and that education should prepare African-Americans to resist racism and segregation. Washington, on the other hand, argued for practical technical education and not as preparation for active resistance to racism.

These debates over the goals of education for African-Americans has been connected to how African-Americans have considered their relationships with Africa and what such relationships mean for our senses of identity, reflected in DuBois’ 1903 articulation of double-consciousness.

This movement to recognize and build upon historical and cultural relations across communities of African descent from the continent itself to the diaspora historically goes back to the 1800s. One thread of the abolitionist movement involved the proposition that because of systemic racism in the United States, Black people should engage in efforts to return to Africa. The founding of Sierra Leone in 1787 and Liberia in 1847 are direct outgrowths of these efforts. Each, however, has its individual history, as they were initiated as sites for repatriated formerly enslaved Africans from the Caribbean, the United States, and indeed Great Britain. The Pan African Congresses were international meetings, held mostly in Europe, starting in 1900. Leaders from the continent and diaspora met to discuss and plan on how to resist the vestiges of racism and colonialism experienced as an outgrowth of the philosophy of White Supremacy.

- 1900 in London
- 1919 in Paris
- 1921 in Brussels, London and Paris
- 1923 in Lisbon and London
- 1927 in New York City
- 1945 in Manchester
- 1974 in Dar es Salaam
- 1994 in Kampala
- 2014 in Johannesburg

From 1919 forward, the NAACP was intimately involved in these conferences, with Du Bois as a major figure—the same NAACP that led the efforts to initiate the *Brown* case. It is noteworthy that at the 1945 conference, Du Bois met Kwame Nkrumah, then a student at Lincoln University in the U.S. Nkrumah, of course, would go on to lead efforts to free Ghana, the first of the British colonial territories to gain its independence, and became the first President of an independent Ghana in 1957, three years after the initial *Brown* decision. More recently, the African Union (descended from the Organization of African Unity [1963-1999]) established the Diaspora Division with the following charge:

The Diaspora Division serves as the focal point and hub for implementing the African Union decision to invite and encourage the African Diaspora to participate in the building and development of the African continent. Its main task, therefore, is to serve as a catalyst for rebuilding the global African family in the service of the development and integration agenda of the continent. (See the webpage of CIDO, the Citizens and Diaspora Organizations Directorate, at the African Union website, <https://au.int/en/diaspora-division>).

Of course, most people associate Pan-Africanism in the United States with the *United Negro Improvement Association* (UNIA) established by Marcus Garvey in 1914 (1969). But focusing on relationships between African-Americans (and other persons of African descent across the Diaspora) and Africa has been deeply embedded in African-Diasporic communities since the Holocaust of Enslavement. As early as 1858, Richard R. Wright, principal of Augusta, Georgia's "Colored High School" (later renamed E.A. Ware High School), appears before the U.S. Senate Committee on Health, Education, Labor & Pensions. As Siddle Walker notes (Siddle Walker et al., 2020), at the Senate Committee hearing, when asked about "the race question" Wright said:

It is generally admitted that religion has been a great means of human development and progress, and I think that all the great religions which have blest this world have come from the colored races—all. In other words, what is called the Aryan race has not originated a single great religion. I believe, too, that our methods of alphabetic writing all came from the colored race, and I think the majority of the sciences in their origin have come from the colored races...Now I take the testimony of those people who know, and who, I feel are capable of instructing me on this point, and I find them saying that the Egyptians were actually woolly-haired negroes. In Humboldt's *Cosmos*... you will find that testimony, and Humboldt, I presume, is a pretty good authority. The same is stated in Herodotus, and in a number of other authors with whom you gentlemen are doubtless familiar. Now if that is true, the idea that this negro race is inherently inferior seems to me to be at least a little limping (Blair, 1885, p. 813).

This commentary by Blair is evidence of not only how African-Americans recognized their historical and cultural connections to the continent of Africa, but how such recognition entailed critical analyses of the deficit warrants that provided the rationale for racism, slavery and later colonialism.

Many people do not know that the area known as Wall Street in New York City where the civic center presently stands there was an African burial ground where enslaved Africans buried their dead in the 17th and 18th centuries. Around 1990, the Schomburg Center for Black Culture organized community efforts to get the federal government to identify the African Burial Ground initially as a recognized landmark (designated 1993) and eventually as a national monument (designated 2007). There is a beautiful monument at the site in memory of those buried. The Schomburg Center also worked with archeologists from Howard University to dig up remains from the burial site. To no surprise, they found clear evidence of ill health. However, they were surprised to find that these enslaved Africans buried their dead with amulets, markings on the body and in positions that essentially said, "I am Yoruba," "I am Igbo," "I am Akan." In other words, they buried their dead to tell whoever would discover their bodies that they did not see themselves as slaves, as property, but as human beings with ethnic identities that they never gave up, despite every effort by the slave system to destroy their identities, rituals, belief systems and practices as Africans. The Schomburg Center itself has a rich history. It is part of the New York City public library system. It grew out of efforts in the 1920s and 1930s to establish public libraries in Black urban communities, including Harlem, when Black people did not have access to public libraries. Similar efforts took place across cities where Black people took the lead to make sure that books were readily available to Black communities. For example, founded in 1833 and incorporated in 1836, the Philadelphia Library Company of Colored People established a site for African-Americans to have free access to books and other literacy artifacts. Porter (1936) documents the history of these early associations. In the case of the Schomburg Center, Arturo Schomburg, of Black and Puerto Rican ancestry, amassed a huge collection of artifacts of Black history and culture. The National Urban League helped to convince the Carnegie Foundation to purchase Schomburg's collection in 1926 and donate the collection to the Harlem branch library that would go on to be named after Schomburg. Schomburg served as the curator for the collection between 1932 and his death in 1938.

As we move into the late 1960s and early 1970s we find the development of the African-centered education movement. This movement was influenced by the Black Power movement (Carmichael & Hamilton, 1967; Madhubuti, 1973) and the Black Arts movements (Bracey et al., 2015), both of which highlighted the need for Black empowerment through independent community building and international relationships with African descent communities around the world.

The African-centered school movement sits inside this history of Pan-Africanism. The Council of Independent Black Institutions was established in 1972, representing independent Black schools across the country, in New York, Washington, D.C., Chicago, Detroit, Los Angeles, Atlanta, New Orleans, Philadelphia, and others (King, 1990; C. D. Lee, 1994; Carol D Lee, Lomotey, & Shujaa, 1990; Lomotey & Brookins, 1988; M. Shujaa, 1994; M. J. Shujaa & Afrik, 1996). Among the oldest of African-centered independent schools is New Concept School in Chicago, established in 1972 and still running under the aegis of the *Institute of Positive Education* (IPE, <https://www.ipecl.org/>). The Black Panther Party ran the Oakland Community School, 1971 to 1982. In the early 2000s, some independent African-centered schools transformed into charter schools in order to take advantage of public funding, no longer requiring that they charge tuition. The Betty Shabazz International Charter School network is probably the oldest of these independent schools transitioning to charter, an outgrowth of New Concept School and the Institute of Positive Education, established in 1998 and still in operation (<https://www.bsics.org/>). Parallel efforts in establishing community-based programs, outside of formal schooling, develop during the civil rights and Black Power movements; for example, the Student Nonviolent Coordinating Committee's Freedom Schools during the summer of 1964 in Mississippi (Payne, 2007). Siddle Walker and colleagues (Siddle Walker et al., 2020) note:

“The Freedom Schools blended the teaching of traditional academic subjects and what they called a “Citizenship Curriculum” with the explicit purpose of “train[ing] people to be active agents in bringing about social change” (Mississippi Freedom School Curriculum—1964, 1964/1991, p.9). Charles Cobb, an architect of the schools, argued, ‘If we are concerned with breaking the power structure, then we have to be concerned with building up our own institutions to replace the old, unjust, decadent ones which make up the existing power structure’ (Cobb, 1963/1991, p. 36). Students were expected to use their newfound knowledge to force changes in their formal schools and work for racial equity inside and outside the classroom.

Warfield-Coppock (1992) has documented community based rites of passage programs, with similar goals, across the country during this period. These programs recruited young people, largely adolescents, and taught African and African-American history, included classes in the arts (African dance, drumming, and culturally inspired visual arts) and performances. The goals of these programs was to socialize positive identities among these young people as persons of African descent and to inspire a sense of purpose to support the African-American community, reminiscent in some ways of DuBois' (1903) vision of a talented tenth of educated African-Americans who were active in community organizing.

Black schools run by African-Americans have a rich history in this country. From the segregated schools in the Jim Crow South to the African-centered school movement from the late 1960s forward, they have filled an important role around the conception of *education for self reliance*, articulated by Julius Nyerere (President of Tanzania, in 1968). In 1935 W. E. B. Du Bois said, about what Black run schools can do:

Separate schools for Black youth are needed just so far as they are necessary for the proper education of the Negro race. The proper education of any people includes sympathetic touch between teacher and pupil; knowledge on the part of the teacher, not simply of the individual taught, but of his surroundings and background, and the history of his class and group; such contact between pupils, and between teacher and pupil, on the basis of perfect social equality, as will increase this sympathy and knowledge. If this is true, and if we recognize the present attitude of White America toward Black America, then the Negro not only needs the vast majority of these schools, but it is a grave question if, in the near future, he will not need more such schools (Du Bois, 1935, p. 328).

I raise this history because it is an interesting dynamic evolving in the same history as the efforts to desegregate schools and public accommodations highlighted by the *Brown* decision. I think this dual history embodies the dilemma raised by Du Bois's concept of double consciousness, and that the *Brown* case is a metaphor for a history of intertwined webs of activity. One thread captures independent activity within the African-American community to sustain and uplift itself through sustenance of communal values and identities and collaborations across community institutions; the other thread captures efforts within the African-American community to politically and economically organize and appeal to the political system to change laws and systemic practices that constrain life course opportunities for African-Americans and other disenfranchised communities. It is this dynamic space that I argue should be highlighted and celebrated on this, the 70th anniversary of the *Brown* decision.

The Dilemma of *Brown*

The legal argument presented in the *Brown* case has a fundamental flaw, namely that African-American students' suffered a negative sense of identity because they attended segregated schools. On the one hand, the *Brown* case represents a monumental legal shift in declaring segregation in schools illegal. On the other hand, it represents an unfortunate warrant underlying its legal argument.

There is an underlying dilemma in the logic used to argue the *Brown* case. Ladson-Billings (2018) summarizes the dilemma as follows:

The experts for the plaintiffs argued that Black inferiority was exacerbated by segregation and that was the primary reason to overturn the separate but equal principle. By pathologizing the plaintiff instead of addressing the underlying pathology of the defendant—White Supremacy—the ruling and its implementation were limited. Instead of seeing the ruling as something the nation was doing to live up to its own promise, it ultimately became something Whites were doing for Blacks. Thus, the failure of Blacks to achieve in school is read as their inability to take advantage of the opportunity benevolent Whites provided them (p. 311).

Margaret Beale Spencer, an emeritus professor of Human Development at the University of Chicago, has replicated the Clarks' Dolls Test (Spencer, 2008). In the replication, her conclusions about the student population was informed by her theoretical framing in the *Phenomenological Variant of Ecological Systems Theory* (PVEST). PVEST (Spencer, 2006; Spencer, Dupree, & Hartmann, 1997) argues that resilience is not predictive simply from the experience of challenge. What matters is not simply the objective obstacles one faces, but rather the relationship between the sources of support available and those obstacles. The relationships between challenge and support then influence how people experience what she calls net stress, which then influences coping strategies that over time become internalized as part of one's emergent identity. In these processes, what she calls reactive coping strategies can be adaptive or maladaptive, leading to differential life course outcomes. These processes are developmental in that challenge and supports shift across the life course (Bowman, 1989).

In the replication, Spencer administered the Dolls Test to two age cohorts of Black children, young and middle childhood. Within the young cohort, she worked with one group of children in an African centered educational program and the other in a program that did not emphasize the development of a positive sense of Black identity. As predicted from the Clark experiment, the young children not in the culturally focused program did identify the Black doll as the beautiful doll, but she documents how they did not internalize that observation as reflecting anything about them.

Basically, Spencer argues, as is well established in the child development literature, that these very young children are essentially egocentric. They understood that there is a social norm out in the world around whiteness as beauty, but because of their natural egocentrism, did not internalize that this social norm had anything to do with them. The Black children in the African centered school, on the other hand, identified the Black doll as the beautiful doll. They were learning from their social environment that Black is indeed beautiful. Among the most interesting findings from Spencer's replication is her video footage showing that when she asked the older Black children about the dolls, their facial features clearly showed they were wrestling with the decision. Spencer argues that these older children are at a point in their development where, like the younger children, they recognize that there is a societal norm regarding whiteness as beauty, but in contrast to the younger children they realize that this deficit norming might now apply to them. Their ego protection makes the decision difficult.

This replication is vital to the dilemma of *Brown* and to Du Bois' discussion of double consciousness in the African-American community. First, the legal argument made in the *Brown* case that Black children experience a sense of inferiority *because of racial segregation* is not true and overly simplistic. Second, it is clear that historically the African-American community has intuitively understood the need for supports within the community, across multiple levels of our internal ecological system, to acknowledge, reinforce and indeed embody our positive sense of ourselves as humans. These internal practices which I have briefly reviewed in this chapter serve as testimony. I think back to Zora Neale Hurston's 1928 admonition, published in her essay "How It Feels To Be Colored Me":

But I am not tragically colored. There is no great sorrow dammed up in my soul, nor lurking behind my eyes. I do not mind at all. I do not belong to the sobbing school of Negrohood who hold that nature somehow has given them a lowdown dirty deal and whose feelings are all but about it. Even in the helter-skelter skirmish that is my life, I have seen that the world is to the strong regardless of a little pigmentation more or less. No, I do not weep at the world—I am too busy sharpening my oyster knife.

In the spirit of Zora, the fields of Black Psychology and Human Development have contributed substantively to how we understand concepts like identity in relation to constructions of race and ethnicity. Racial identity is multidimensional (R. Sellers et al., 1998), deeply contextualized (R. M. Sellers, Copeland-Linder, Martin, & Lewis, 2006), and heterogeneous. There are well established measures of racial identity (Sellers et al., 1998). In learning environments, perceptions that learners have about themselves, the tasks, and the settings can influence how, for example, racial stereotypes are perceived and responded to (Steele, 2011). Very importantly, current research has documented relationships between positive senses of racial identity and academic outcomes (Chavous et al., 2003).

In one of my own studies, we designed a literature curriculum to address the dual aims of developing strategic skills in literary reasoning and supporting a positive sense of racial identity through a literature curriculum rooted in African-American literature. The 3-year longitudinal study took place in an urban high school located in a low income neighborhood with African-American students living in low income neighborhoods. We found positive correlations among measures of their skills in literary reasoning, their epistemological orientations toward reading literature (as personally meaningful), their sense of self-efficacy and ability to cope, their perceptions of instructional experiences and their sense of positive racial identity (C.D. Lee, 2016). A similar small scale study was carried out in mathematics with similar results (Leatherwood, 2022).

So I think it is not the case that Black children need to sit beside White children in order to learn. Rather, the promise of school integration is its gift to the broader nation. And as Du Bois argued back in his 1960 essay “Whither Now and Why” (Du Bois, 2016), school integration should not mean that Black students must lose institutional supports for studying African-American and African diaspora culture and history in favor of studying curriculum that is Eurocentric and only addresses knowledge that has emerged from Europe and its diaspora. Keep in mind, these battles go back at least to the early 1900s and get revisited over and over again. Racial integration in public schooling is a gift to the nation in that it increases the likelihood that children and adolescents from very different backgrounds can learn to respect and empathize with one another. Mutual respect and the ability to empathize with others are essential to sustaining our democratic experiment. At the same time, to achieve such aims, the curriculum itself should be integrated, incorporating the contributions across cultural communities to knowledge across the academic disciplines.

The dilemma of *Brown* raises a question about what quality and focus of education does the nation require for all of its children, and for what purpose. Historically, Black educators in schools serving Black students and community-based supports for education have demonstrated our ability to provide quality education to our children, where quality means addressing the holistic needs of children and preparing children with the technical skills to navigate workforce challenges. I should add here that the criteria for excellence in schooling have shifted as public education has evolved in the 20th and 21st centuries. Keep in mind that prior to the late 1800s there was not a ubiquitous public education system across the nation, even for White children. Thus it is important to place the current data around discrepancies in educational outcomes in their historical context. The data on which we draw today to characterize Black children as failing has its own set of challenges. I am not arguing that our current challenges around achievement are not real, but they do not tell the full story. And we have much to learn today about the history of an internal, communal self-reliance that we do not have enough of today. This includes Wilson’s (1987) warnings about class segregation in the Black community.

While there have always been class distinctions and tensions within the Black community, during the period of Jim Crow they were not as stark. There is an interesting story of how Ida B. Wells decided to host a program to support poor Black people migrating up from the South to Chicago during the Great Migration at a site where her middle class neighbors resisted her efforts. The resistance of her Black middle class neighbors is an illustration of how class divisions have existed within the Black community. They did not want poor Blacks in their middle class neighborhood.

The Struggle for *Brown's* Contributions to Priorities in Education Today

I started this essay arguing that many of the priorities over which we wrestle today as goals in public education can be historically linked to the community organizing and political efforts that have been the foundation of the evolution of the *Brown* case. These include:

- Rights of immigrant communities
- Language rights in education
- Rights of women
- Broader policies to address health and poverty
- Attention in schooling more recently regarding
 1. Culturally relevant curriculum and pedagogy
 2. Attention to social and emotional wellbeing—the holistic development of children
 3. Community based schooling

Williamson and colleagues (2007) have documented the history of legal cases around segregation in public schooling initiated within Latin and Asian American communities that the NAACP lawyers would have drawn on, all unfolding with parallel cases being brought by African-Americans. These cases have highlighted how delicate and contextualized are constructions of race, who gets to be White when and under what circumstances.

Among the issues around inequity in education is that of language. The cases Williamson and colleagues reference include questions about the language rights of students. These include not only issues of bilingual education but also attention to African-American English, as was taken up in federal district court for the Eastern District of Michigan as *Martin Luther King Junior Elementary School Children, et al., v. Ann Arbor School District Board*, 473 F. Supp. 1371 (E.D. Mich. 1979) which came to be known as the “Black English” case (Smitherman, 2004). In the King case, plaintiffs argued that African-American children in the school who spoke Black English were being denied adequate supports for learning to speak and read Standard English. While there were and are controversies over recognizing Black English as a valid dialect of English, the question was and remains how it should be viewed and recruited to support learning in the academic content areas. The contribution of the King case was legal recognition that Black English had the status of a legitimate language variety that the school district was required to address, and in particular that it not be viewed as a deficit to be overcome.

Prior to the King case, the *College Composition and Communication Conference* (CCCC) a division of the National Council of Teachers of English issued the following proclamation—Students Right to Their Own Language:

We affirm the students' right to their own patterns and varieties of language—the dialects of their nurture or whatever dialects in which they find their own identity and style. Language scholars long ago denied that the myth of a standard American dialect has any validity. The claim that any one dialect is unacceptable amounts to an attempt of one social group to exert its dominance over another. Such a claim leads to false advice for speakers and writers and immoral advice for humans. A nation proud of its diverse heritage and its cultural and racial variety will preserve its heritage of dialects. We affirm strongly that teachers must have the experiences and training that will enable them to respect diversity and uphold the right of students to their own language.

Nearly 20 years later, the Oakland School District in 1996 issued a “Resolution on Ebonics,” deciding that African-American English should be addressed in schools serving Black students in their district (Smitherman, 2004). Addressing Black English or *African-American English Vernacular* (AAVE) has included supporting students in engaging in multiple features of the language in classroom discourse (e.g. rhyme, rhythm, overlapping talk), in explicit efforts to translate oral and written language from AAVE features to standard academic English. Lee (C. D. Lee, 1995, 2005, 2007) has built a long term program called Cultural Modeling in which an AAVE genre of talk called signifying—e.g. ritual insult—(Smitherman, 1977, 1994) is scaffolded to support literary reasoning around figuration; and in which the rhetorical features of AAVE are recruited to support engagement in classroom discussions. Smitherman (Smitherman, 2000) conducted a longitudinal study of student writing from the National Assessment of Educational Progress and found positive correlations between use of features of African-American English and the quality of student writing.

The point of these examples of legal efforts influencing classroom pedagogical practices that positively engage AAVE is that they align with other efforts to recognize and support bilingualism in schools (see Williamson et al. 2007 for exemplary cases). The debates over whether the home languages of immigrant students should be maintained in schools and how those home languages can serve as positive resources for academic learning parallel similar debates around AAVE.

With regard to the rights of women, Black women have been intimately involved in that movement from its earliest instantiations. Sojourner Truth, known for her admonition “Ain’t I A Woman?” was as both an abolitionist and a fighter for women’s rights. Her explicit efforts in the abolitionist movement to free African-Americans from slavery was intimately connected to her understanding of the systemic discrimination against women in the U.S. These collaborations of Black women deeply engaged in the politics of liberation within the African-American community with political organizing for women’s rights has a long history. Wells participated in the first parade advocating women’s rights in 1913, as the only Black member of the delegation from Illinois. She persisted in this support despite the fact that she was asked to move to the back of parade. Wells would go on to serve as one of the founders of the N.A.A.C.P. along with W.E.B. DuBois and others.

Drawing from the work of Siddle Walker (1993, 1996), Givens (2021), and others (Foster, 1997; Gay, 2000; Hollins, 1996; Ladson-Billings, 1994), it is clear that in the Black segregated schools of the Jim Crow South collaboration among school, community and family were essential, that teachers and schools were attuned to the holistic needs of children, and that curriculum that was explicit about teaching, in this case, African-American history and culture were the foundation of what schooling meant. It was commonplace for schools in the Jim Crow South that Black children would daily sing “Lift Every Voice and Sing,” now known as the Black national anthem. The active push against restrictive teaching of history by Black educators has been going on since the early 1900s, and goes on as we revisit these questions today. Be clear, I am not naively arguing that these segregated schools did not have both internal and external problems. But it is equally clear that these strengths—school community partnerships; attention to holistic development, integration of African-American history and culture—have not transferred to public schooling that most African-American students experience today.

My point here is that *Brown* is not just a legal case that came before the Supreme Court in 1954, where the plaintiffs won and segregation in public schooling was officially made illegal. To conceive of this as the only significance of *Brown* leads to a sense of despair, as the goal of full integration has never been achieved, and because of the years of systematic decisions by the courts, Congress, and state legislators across the country to impede such desegregation. Rather, I see *Brown* as a metaphor, a symbolic act at a point in time that embodies all the community action, internal to the Black community and collaboratively across communities, that has been engaged to push the arc of justice slowly forward. As a metaphor, a symbolic act, we understand its power. We understand our own power. We understand the possibilities of this democratic experiment.

Wrestling with the possibilities and complexities of this democratic experiment at this, the 70th anniversary of the *Brown* decision, is as important as it has ever been. We face challenges today that in some ways we have experienced before, but unprecedented in other ways. We continue to wrestle disputations over race, class and gender. However, not since the Civil War have we experienced such a direct attack on the processes of governance as occurred on January 6, 2021. One of the lessons of *Brown* and its history is that African-Americans and other communities that have experienced persistent intergenerational discrimination have largely worked within the system of democratic decision-making to push for goals of equality.

This leads to my closing challenge, namely: What is the role of public education in preparing young people to engage in civic reasoning, problem solving and discourse? The history I have recounted is replete with contestations over race, ethnicity, class and gender. Considering these persistent challenges, the question we face is what does these challenges mean for curriculum, for teaching, for who teaches, and for the integration of students from across different backgrounds?

The National Academy of Education report *Educating for Civic Reasoning and Discourse* (C.D. Lee, White, & Dong, 2021) offers some responses. The U.S. Constitution is a complex document. The founders debated vehemently about their differences. They wanted a nation, but were an evolving confederation of colonies that would become states. They had differences over slavery, with the irony that many of the original signers of the Declaration of Independence and authors of the Constitution thought they owned human beings. That contradiction has in so many ways been the foundational dilemma around which the nation has always been torn. And that underlying logic of a presumed White Supremacy has bled out to infiltrate immigration policies, the eugenics movement in this country which the Nazi government officially studied as a model (Kuhl, 2002), discriminatory policies against virtually every group except White men with property. The current fights over how history is taught in our schools is fueled by a fear that if our children learn this history (Ward, 2007), they will not love America (see also PEN America’s recent report at <https://pen.org/report/book-bans-pressure-to-censor/>). But those communities who have indeed been discriminated against persistently and historically show clear evidence that we do love America.

Our Constitution was designed to accommodate difference, to create a system that was sufficiently elastic, that had sufficient checks and balances that over time we could figure out ways to accommodate our differences, with democratic values and a sense of morality that would place the boundaries past which difference could not be accommodated (e.g., the adage that you can’t falsely yell fire in a crowded theater—the limitations of free speech). You have the right as an individual to have racist, sexist, homophobic beliefs and negative beliefs against different religions. However, you don’t have the right to act on them in ways that harm others. Still, even that becomes complicated if one thinks about the many legal cases that have tested that premise.

The NAEed report argues that civic reasoning entails the following:

- Knowledge—conceptual and procedural, related to the topics that are addressed in the civic problem
- Epistemology—valuing complexity, resisting simplistic solutions to complex problems
- Ethics—values that are informed by not only perceptions of one’s own needs, but also the needs of others; empathy for others; a belief in fairness; a desire for the health, happiness and well-being of others
- Dispositions—to question, to weigh multiple points of view, to value evidence, to listen to others, to empathize with others

The report further argues that these dispositions can only be taught in public schooling, as the government cannot require families or private institutions to do so (Gutmann, 1999). The report further argues that these dispositions, because of their complexity and their developmental dimensions (young children versus adolescents, for example), must be taught across PreK–12 grades, and within and across school subject matters. The report argues that the problems with which we wrestle in the public realm entail relevant conceptual knowledge across academic domains (e.g. knowledge of viral mutations related to COVID-19 in science; knowledge of mathematical displays used to understand distributions of public problems; knowledge of constitutional rights, of course, and of how literature offers opportunities to interrogate the human experience in ways that support empathy for others). The report offers illustrations of what such teaching can look like.

This civic challenge raises the further question: What are the civic demands of public education, and in this year of the 70th anniversary of *Brown*, what is the role of integration and what should integration entail?

I believe that children need to learn to interact with, learn from, play with children with whom they share much and who are different in many ways as well. I believe that all children deserve the benefit of interrogating the full breadth of knowledge accumulated across human civilizations and times, and should not be constrained by restrictive conceptions of the history and evolution of knowledge. We are an interconnected world in which human communities have always interacted, learned from and contributed to one another; and no human community has the sole or primary claim to knowledge. I believe that all children should have access in their schools to infrastructures that create schools as robust learning communities.

We continue to have inequities in terms of funding of public schools, in the distribution of professional training among educators in different districts and different schools within districts, in the uptake of robust pedagogies. Residential and class segregation, particularly in urban school districts, contribute to these inequities.

As we move forward, we must continue to struggle to address these inequities. But in so doing, as African-Americans we must always acknowledge our power (W. B. DuBois, 1935). We must always continue along the dual path, the dynamic threads between internal development and external organizing. *Brown* epitomizes this dual path, the history I have tried to inadequately describe captures the internal development thread, and the legal cases leading to and following *Brown* capture the external organizing. We need both.

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