

Complex Justice

Complex Justice is a recently published book about MISSOURI v. JENKINS, the controversial Kansas City desegregation case. The author, Joshua Dunn, does an excellent job of laying out the facts and provides insight into the case that spanned nearly three decades and at times put the Kansas City, Missouri School District in the national spotlight (not always in a favorable way).

Mr. Dunn begins by discussing the educational history of the state of Missouri and Kansas City in particular. For approximately one hundred years after the Kansas City, Missouri School District was founded in 1867, it was regarded as an excellent district that provided a quality education to students. One fact cited in the book worth noting is that from 1867 through 1970, the district employed only ten full time superintendents and three acting superintendents. The composition of the school board was also different, with only six board members representing the entire district. The current system of governance in which the board is comprised of nine members, six of whom are elected by sub-districts, did not go into effect until 1970.

Like most public school districts in the early part of the last century, Kansas City schools were segregated prior to 1954. When the historic BROWN v. BOARD OF EDUCATION verdict was handed down, Missouri indicated that it would comply. Mr. Dunn points out that the state's early desegregation efforts were lauded for their promptness and relatively smooth implementation. But as the author explains, ending desegregation is very different from integrating schools. Most urban areas experienced monumental demographic changes in the 1950's and 1960's, and Kansas City was no exception. White flight to the suburbs and black migration from poor, rural areas to the city meant that it was only a matter of time before most schools were predominantly comprised of one race.

To compound the problem, by the mid 1970's many Kansas City schools had fallen into a state of neglect and disrepair. Broken window panes, crumbling walls, leaking roofs, peeling paint and blocked emergency exit doors were a sad but common sight. Administrators and school board members claimed that the district did not have the funds needed to make repairs. They maintained that white, affluent taxpayers had fled to the suburbs, leading to a decline in revenue. However, Mr. Dunn points out that not everyone agreed with this assessment. Some of the populace argued that the Kansas City district still received more revenue per student than neighboring districts. They blamed decaying schools and falling academic achievement on a bloated administration and claimed that the district mismanaged its finances.

But as the schools in Kansas City became increasingly racially isolated, many individuals began to call for judicial intervention. Other cities experienced similar problems with racial isolation, and Mr. Dunn explains how Supreme Court precedents established in the 1960's and 1970's and an activist Eighth Circuit Court of Appeals required racially unbalanced school districts to do more than simply end legally imposed segregation. At the same time, however, legal options for integrating schools were becoming limited. For example, a proposal to integrate the Detroit schools by merging the city and suburban schools was rejected by the Supreme Court in 1974. By the time Kansas City was dragged into the legal fray, the district had a legal obligation to integrate its schools, but very few options were available to remedy the situation.

Hence, an ambitious plan to convert every school in the Kansas City district to a magnet school. The idea was to create a vast array of high quality, specialized theme schools. The theory then followed that these schools would so appeal to the general public that white, suburban parents would voluntarily pull their children from neighborhood, suburban schools and enroll them in the Kansas City School District, creating racial balance.

Federal district court Judge Russell Clark, who was assigned to this case, had to choose between the magnet school plan and the proposal put forth by the state of Missouri. Simply put, the plan put forth by the state suggested that a little paint and some minor building repairs were really all that was needed to remedy the situation. Judge Clark found the latter plan woefully inadequate, and approved the magnet school plan. Money was no object as he also ordered the state of Missouri to fund this plan, which would eventually end up costing taxpayers more than two billion dollars.

While the ultimate goal of the magnet school plan was to achieve racial balance, this was ironically not a priority for many black parents. One reviewer of this book, Barry N. Sweet, notes that their priority was “simply better schools.” He also notes that lead plaintiff’s counsel in the case, Arthur Benson, was “a white activist lawyer, who was obviously sincere about wanting to help black children, but he was not in synch with their parents and black leaders in the community as to how to achieve an appropriate result. Benson’s dream was integration, and the parents and the Kansas City, Missouri School District wanted resources to improve the schools.” As the number of magnet schools increased, a growing number of black parents began to oppose the magnet school program. Their opposition was in part fueled by the fact that black children were sometimes prohibited from attending the school of their choice as a result of racial quotas (magnet schools gave priority to white students in order to draw students from the suburbs and achieve racial balance—a goal that became more and more elusive). Black parents eventually began to campaign for neighborhood schools and actively sought representation on the school board.

The latter part of the book describes the near total failure of the desegregation plan. Although the district did gain several new buildings and others were the subject of significant renovations, few schools were ever filled to capacity. Two decades after Judge Clark’s initial decision and after taxpayers had spent over two billion dollars to implement the plan, the district remained segregated and student performance was abysmal. *MISSOURI v. JENKINS* became an oft cited example of why giving schools more money does not always lead to improved performance. In 1994, it was the subject of a CBS *60 Minutes* profile about good intentions gone awry. On many occasions, Judge Clark has also been held up as an example of a liberal, activist judge run amok. But Mr. Dunn points out that he really had only two legal options. Readers of this book may actually sympathize with Judge Clark; at the very least, his actions seem almost understandable.

The desegregation case officially ended in 2003, and most of the district schools have since been converted back to neighborhood schools. Unfortunately, problems within the district have not ended. Interestingly, one common thread that Mr. Dunn weaves throughout the history of the case is the perceived lack of competence with both the administration and the school board. Name calling and accusations are nothing new; they have been a continual problem for over 30 years. Also, while some people claim their ability to elect board members from the sub-district in which they reside as a democratic right, Mr. Dunn cites numerous examples of low voter turnout. He also cites problems with turnover and notes how at one point, the district actually had to resort to advertising in order to find individuals to run for the school board.

Readers of this book will find it enlightening. The questions remain, however. What can we learn from the past? What is the best remedy for this ailing, but once proud district?