

2016

The History of Inequality in Education and the Question of Equality Versus Adequacy

Diana Carol Dominguez
University of Central Florida

 Part of the [Civil Law Commons](#), [Civil Rights and Discrimination Commons](#), [Educational Methods Commons](#), [Education Law Commons](#), [Ethics and Political Philosophy Commons](#), [Legal Commons](#), [Political History Commons](#), [Social History Commons](#), and the [United States History Commons](#)

Find similar works at: <https://stars.library.ucf.edu/honorsthesis>

University of Central Florida Libraries <http://library.ucf.edu>

This Open Access is brought to you for free and open access by the UCF Theses and Dissertations at STARS. It has been accepted for inclusion in Honors Undergraduate Theses by an authorized administrator of STARS. For more information, please contact STARS@ucf.edu.

Recommended Citation

Dominguez, Diana Carol, "The History of Inequality in Education and the Question of Equality Versus Adequacy" (2016). *Honors Undergraduate Theses*. 143.
<https://stars.library.ucf.edu/honorsthesis/143>

THE HISTORY OF INEQUALITY IN EDUCATION AND THE QUESTION OF EQUALITY
VERSUS ADEQUACY

by

DIANA C. DOMINGUEZ

A thesis submitted in partial fulfillment of the requirements
for the Honors in the Major Program in Philosophy
in the College of Arts and Humanities
and in the Burnett Honors College
at the University of Central Florida
Orlando, Florida

Fall Term, 2016

Thesis Chair: Dr. Nancy A. Stanlick

ABSTRACT

Although the U.S. Constitution espouses equality, it clearly is not practiced in all aspects of life with education being a significant outlier. In the Declaration of Independence, Thomas Jefferson wrote about inalienable rights to life, liberty, and the pursuit of happiness. These two theories are related to education through educational adequacy and equality. Sufficiency, or educational adequacy, says that what is important is that everyone has “good enough” educational opportunities, but not the same ones. Egalitarianism, or educational equality, says that there is an intrinsic value in having the same educational opportunities and only having good enough opportunities misses something important, which causes problems for those who have not had the same opportunities. I will argue that the latter theory of egalitarianism, or educational equality is a better approach to the education system in America than sufficiency because every child deserves an excellent education and equal access to opportunities regardless of irrelevant factors.

DEDICATION

First and foremost, to the educators who work endlessly to better the education system to provide better opportunities for students, and also to the students who use education as a tool to create a better life for themselves and others.

For my mentor, Nancy A Stanlick., and my committee members, Robert Cassanello, and Jonathan Beever, for the guidance, advice, and encouragement.

For my fathers, Patrick, for being my greatest supporter and giving me unconditional love and support, and Esteban, for your love and the sacrifices you made to give me the tools to succeed.

And most importantly for my mother, Delly. A strong woman who has always given me the love, confidence, and strength to pursue my dreams, no matter how big they are. You are my best friend, and I will always cherish having you in my life.

TABLE OF CONTENTS

INTRODUCTION	1
HISTORICAL IMPLICATIONS	3
The U.S. Education System Prior to Brown v. Board of Education Ruling.....	3
<i>Creation and Upkeep of Colonial Native American Schools.....</i>	<i>3</i>
<i>“Separate, but Equal” Institutions become Legalized</i>	<i>9</i>
The U.S. Education System for Minority Students after the Brown v. Board of Education Ruling.....	17
<i>Changes in the System and The Pursuit of Equality.....</i>	<i>17</i>
<i>The Gradual Shift towards Adequacy instead of Equality: How Does the Current System Leave our Children?</i>	<i>19</i>
RESULT OF OUR CURRENT SYSTEM & SOLUTION	22
<i>How History Has Shaped Us Today:</i>	<i>22</i>
<i>What is the Current Approach Toward Inequality in Education and Opportunity?</i>	<i>24</i>
<i>Why Educational Equality over Educational Adequacy?.....</i>	<i>26</i>
<i>The Effects.....</i>	<i>32</i>
CONCLUSION.....	37
REFERENCES	43

INTRODUCTION

Although the U.S. Constitution espouses equality, it clearly is not practiced in all aspects of life with education being a significant outlier. In the Declaration of Independence, Thomas Jefferson wrote about inalienable rights to life, liberty, and the pursuit of happiness. In reality, the inalienable rights were at the time and for many years after available only to free, white males, which engrained a sense of privilege and superiority into our national male identity.

Today, there is a vast inequality in educational outcome in America, and this is a problem because many people consider education to be a means to improve their social and economic status and to enhance the quality of their lives. Depending on their race, students may experience a relative advantage or disadvantage later in their lives. For this reason, I place significant emphasis on the historical disadvantages minority racial groups have experienced in America. The result of inequality in the quality of education that certain racial groups have received suggests that the inequality in outcome is due to the inequality in opportunities that are available to them.

In the sections that follow I will look at the causes of inequality in educational opportunity in order to put forth a framework for an ethical approach towards education. The framework approach will take a closer look at the philosophical theories that are used to support two approaches towards education: educational adequacy and educational equality. The philosophical theories that are used in support of both approaches are sufficientarianism and egalitarianism. These two theories are related to education through educational adequacy and equality. Sufficientarianism, or educational adequacy, says that what is important is that everyone has “good enough” educational opportunities, but not the same ones. In this theory,

equality is not intrinsically valuable, or good in itself, but has the possibility of being instrumentally valuable for another purpose. It places importance on everyone having a sufficient amount or enough of some good or opportunity, but not an equal amount. Egalitarianism, or educational equality, says that there is an intrinsic value in having the same educational opportunities and only having good enough opportunities misses something important, which causes problems for those who have not had the same opportunities.

I will argue that the latter theory of egalitarianism, or educational equality is a better approach to the education system in America than sufficientarianism, or educational adequacy.

In the past, our education system used the educational equality system, which closed disparities that were created before the landmark cases like *Brown v. Board of Education of Topeka*. However, in the late 1900s the shift towards educational adequacy began to occur and the result was a wide gap in educational opportunities for disadvantaged minority students. Movements such as the Civil Rights Movements of 1964, and court cases that were meant to end inequality and segregation in public policy began to inadvertently affect education. The changes that occurred in the education system after these developments have had lasting effects that can be seen today. Today, they are seen in the wake of the quality of education that minority students receive through issues like median income, employment level, and educational attainment of students.

HISTORICAL IMPLICATIONS

In order for us to decide which approach could fix or alleviate the problems that exist in the U.S. Education System, we have to look critically at its history. The historical aspect of the education system will help us explain why it is structured the way it is today, and what changes can be made to create a better quality of education for all students. This section of the thesis will look at the causal contributions of the education system in two subsections. The first subsection will look at the education system for minority students in the United States before the *Brown v. Board of Education of Topeka* ruling, and the second subsection will look at how the education system changed after the ruling in 1945.

The U.S. Education System Prior to Brown v. Board of Education Ruling

Creation and Upkeep of Colonial Native American Schools

When America gained its independence from Britain, colonists created schools within their colonies for their own children and also for Native American children¹. In the 1700s, different religious groups all educated and treated Native Americans in their own unique way, and this has shaped education that Native American children receive today. The education that they have received has developed over time from being provided on tribal land, mission schools, and finally to boarding schools.

Native Americans have their own philosophical views, which greatly influenced the way that they taught their children. From a young age they were taught survival techniques, which

¹ The use of Native American is used in the same way as American Indian or Indigenous people, it is used to describe the indigenous people of North America.

could be seen in the most appalling example where they would cut off their children's air supply as infants if they cried because it would teach them to not reveal their tribe's whereabouts.²

However, once European settlers came to America, Native American children no longer learned those techniques that were necessary for their survival from their own family or elders in their tribe.

The first teachers of Native American children were religious white people who often had no knowledge of Native American customs, especially of child rearing practices. Due to the fact that the majority of people who taught Native American children did not study their customs beforehand, they just wanted to transform their culture. A main criticism held by teachers was that their children were not disciplined enough, which they saw as a hazard because it made them believe that correcting them at a later age would be harder. This could be one of the reasons there was abuse in boarding schools, or schools that were not located on Indian Reservations, or on tribal land. However, if the teachers studied Native American culture or child rearing practices, they would have known that the reason that children were not disciplined, especially in a physical manner, was because a sign of maturity was to endure pain without showing emotion. Native Americans believed that discipline in a physical manner would make their children lose their courage. Instead, the tribe disciplined children by ostracizing or ridiculing their children, and using supernatural beliefs.

The main goal of missionaries was to convert Native Americans to their religious sect, but the exception to that was the Quakers. They considered Native Americans as their equals

² Jon Reyhner and Jeanne Eder, *American Indian Education: A History* (Norman, Oklahoma: University of Oklahoma Press, 2004): 14.

spiritually, although they did not consider them equal when it came to their cultural differences so they pushed them to assimilate to European cultural norms in different aspects of their lives just as other religious sects did. Although religious groups wanted to make Native American children assimilate to their own ideals, it was difficult to accomplish because parents held more influence than missionaries did. That is one of the reasons that students were separated from their parents and were placed in boarding schools because it made it easier for missionaries to convert them to their religion.³

The different ethnic groups of colonists in America viewed Native Americans in different ways. The English viewed them as obstacles to settlement, and the French and Spanish viewed them as cheap sources of labor. Because they were considered cheap labor, the Spanish colonial government introduced the *encomienda* system. This system required Spaniards owning more than fifty Native Americans to abide by the *encomienda* system, which required them to provide for the “salvation of their souls... and the conservation of their lives.”⁴ However, Native Americans were perceived as savages by colonists, so they were not treated well even with the introduction of the *encomienda* system, which was meant to improve their treatment. This mistreatment of Native Americans by colonists grew worse and allowing colonists to heavily influence and control their religious education would eventually turn into the control of their regular formal education.

³ Jon Reyhner, Jeanne Eder, *American Indian Education: A History* (Oklahoma: University of Oklahoma Press, 2004): 16.

⁴ Shirley Brice Heath, *Telling Tongues: Language Policy in Mexico— Colony to Nation* (New York: Teachers College Press, 1972): 8.

An estimated twelve million Native Americans died due to being overworked and mistreated just in the first fifty years of the Spanish Conquest.⁵ Due to the fact that Native Americans were misused as cheap labor, King Charles V of Spain entrusted Catholic clergymen with the responsibility of being in charge of educating them. Many educators of Native Americans did not learn indigenous languages or customs, so they taught them their own language. For example, Spanish friars taught Native Americans Spanish, and sought to exterminate indigenous languages to promote unity. This is one mode of assimilation of which Native Americans were forced be a part at the expense of their cultural identity, and this form of forced assimilation was used equally among Spanish and White European colonies.

The first Protestant colonists began to convert Native Americans as early as 1606, and the mission to convert them was even included in many of the colonies' charters. An example is the Massachusetts Bay Colony charter, which stated that their purpose was to "win and incite the natives of that country to the knowledge and obedience of the onlie true God and Savior of mankind, and the Christian Fayth."⁶ In 1631, Reverend John Eliot began his missionary efforts of teaching Native Americans about Christianity. He forced Native Americans to give up their traditional lifestyle, which included the length of hair for both sexes, the way they dressed, and other behaviors and customs specific to their group. Although he changed their traditional

⁵ Batrolome de Las Casas, *The Devastation of the Indies: A Brief Account*, 1542.
<http://www.swarthmore.edu/SocSci/bdorsey1/41docs/02-las.html>. Web.

⁶ V. J. Vogel, *This Country Was Ours: A Documentary History of the American Indian* (New York: Harper & Row, 1972): 46.

lifestyles, he still continued to provide education to Native Americans, but he did not view them as equals.⁷

His efforts and teachings were important in getting support from the countries that ruled the colonies for the education of Native Americans, which eventually led to the creation of many universities today that are considered “Ivy League.”⁸ In fact, two Ivy League schools, Harvard and Dartmouth College, were actually opened to provide education to Native American youths. One prominent Native American student, Samson Occom, helped raise the money that was used to open Dartmouth. Occom even traveled to Europe to garner the support needed to raise the money, and sadly, was tricked into believing that Dartmouth’s purpose was to educate Native Americans. In fact, the majority of students who attended were white students. Even today, both Harvard and Dartmouth educate a relatively small number of Native American students given their history together.

However, more significant than using Native American Education as the main reason to open Harvard and Dartmouth College, Eliot left his historical mark in the way that he reformed Native American Education. He was one of the first people to transform missionary schools into boarding schools for Native American children.⁹ The main purpose of missionaries going to teach the children of different tribes, and creating boarding schools and colleges for them to

⁷ Margaret Connell Szasz, *Indian Education in the American Colonies, 1607-1783*, (Albuquerque: University of New Mexico Press, 1988). Even then they received less pay than whites for similar work.

⁸ These schools include Harvard, Yale, Princeton, Columbia, Dartmouth, Cornell, Brown, and the University of Pennsylvania. The term “Ivy League” characterizes the group of schools listed earlier, and they have high academic and social prestige.

⁹ Jorge Noriega, *American Indian Education in the United States: Indoctrination for Subordination to Colonialism, State of Native America: Genocide, Colonization, and Resistance*, ed. M. Annette Jaimes (Boston: South End, 1992): 373.

learn, was to “civilize them.” It is one of the main reasons that treaties and charters for colonies included conditions for providing education to Native American children.¹⁰ Those provisions eventually developed into the creation of the Office of Indian Affairs in 1824, later renamed the Bureau of Indian Affairs (BIA), whose main function was monitor and provide education for them. The material that students learned shifted from a religious focus to a more structured, regimented labor-intensive focus.

Almost a hundred years after the creation of mission schools, when the OIA was created, Native American communities began to see the negative impact the isolated education system had on their culture and their children. As a result, the voluntary attendance of Native American children in boarding schools reduced dramatically. This led to a strain between the U.S. Government and Native American tribes, who were threatened through penalties like reduced rations and incarceration.¹¹ Overall, the consequences that boarding schools have had on Native American communities have been evident since the creation of the first missionary schools. The approach was admirable by missionaries because they attempted to provide education that was similar to their European counterparts. However, over time their education system gradually became worse along with the treatment of the children attending the schools.

Some critics of the Native American education system have said that the negative impacts have engrained themselves into their collective identity and have become a reflection of

¹⁰ Nizhone Meza, “Indian Education: Maintaining Tribal Sovereignty through Native American Culture and Language Preservation,” *Brigham Young University & Law Journal* (2015) Issue 1, 353-66, 353.

¹¹ Nizhone Meza, “Indian Education: Maintaining Tribal Sovereignty through Native American Culture and Language Preservation,” *Brigham Young University & Law Journal* (2015) Issue 1, 353-66, 359.

their cultural group. Once children returned from boarding schools they became alienated and stuck between two cultures, their Native American culture and Western culture, which left them with a loss of identity because they could not fully identify with either. This might have been avoided if teachers of Native American students had studied their culture beforehand because Native Americans have a different philosophical view from traditionally held Western views.¹²

Traditionally, Western society is very individualistic, and individual-centric, but Native American society is very group oriented.¹³ Because this is the case, Native Americans tend to identify with where they were born, and where they live becomes a part of their identity. They also view self-determination differently by feeling the need to be able to make decisions for themselves and their community, and not to be forced into ways of living, being and doing by others. As we can see there are major differences between Western and Native American philosophy in many aspects. This disconnect in similarities and prior knowledge of their culture led to the loss of distinctive culture and lasting effects that can be seen today.¹⁴

“Separate, but Equal” Institutions become Legalized

The problem with the quality of education that children receive has not been limited to Native Americans, but it has also affected other minority groups, especially African

¹² Anne Waters, American, “Indigeneity, Self-Determination, and Sovereignty” The American Philosophical Association 2.1 (2002): 9.

¹³ The comparison is used philosophically speaking, where the tendency with respect to rights has led Western identity to be more individualistic, and Native American to be characterized as more group-oriented. It is not a sweeping generalization to describe either society socially or culturally.

¹⁴ The issue of the effects of Western education on Native Americans is discussed more in depth later in this chapter.

Americans.¹⁵ Although there are differences between the education that Native Americans received compared to African Americans, who were prohibited from being taught how to read or write in the past, it has still had deep, lasting effects.¹⁶ Since the 1700s through most of the 1800s, African Americans were not allowed to receive an education. One of the main reasons during the period when slavery was legal was that it was seen as a mode for slaves to set themselves free, speak out against their owner, gain power and escape to the North to become free. However, most states even had Anti-Literacy Statutes, which imposed penalties like fines, hard labor, or even death on people who taught African Americans who were slaves or free.

Some states like North Carolina created literacy laws that allowed slaves to be taught arithmetic solely because it benefitted slave owners who were in trades that required the slaves to make business transactions.¹⁷ Despite being allowed to learn arithmetic in some states, there was still opposition to the education of African Americans that was not just limited to the South. In

¹⁵ Although the use of the term African American normally narrowly used to describe the descendants of slaves, I use the term to encompass descendants of slaves as well as Black Americans whose ancestral roots may be from other areas of the world such as the Caribbean rather than Africa.

¹⁶ The following states had Anti-Literacy Statutes: *Alabama*, Section 10 and 11 from the Acts at the Thirteenth Annual Session of the General Assembly of the State of Alabama (1831), Acts of the General Assembly of Alabama (1856), *Georgia*, Section 10 (1829), Georgia Penal Code Section 18 (1833), *Louisiana*, Section 1-3 from the Acts at Second Session of the Ninth Legislature of the State of Louisiana (1830), *Mississippi*, Article 3, Section 2, Code of Mississippi (1823), *Missouri*, Law of the State of Missouri Passed at the First Session of the Fourteenth General Assembly (1847), *North Carolina*, Acts Passed by the General Assembly of the State of North Carolina at the Session of 1830-31, *South Carolina*, Act of 1740, Chapter 5 Acts and Resolutions of the General Assembly of the State of South Carolina (1834), *Virginia*, Revised Code of 1819, Chapter XXXIX- An Act to Amend the Act Concerning Slaves, Free Negroes, and Mulattoes Acts passed at the General Assembly of the Commonwealth of Virginia (1831), Acts of the General Assembly of Virginia (1849).

¹⁷ Georgia Penal Code, Section 18, 1833 said that slaves were not allowed to make business transactions for their owners.

fact, the town of New Haven, Connecticut declined to make a college for African Americans because it was “incompatible with the prosperity if not the existence of Yale College, and the city’s other educational institutions.”¹⁸

Missionaries once again played an important role in the education of African Americans because they taught them how to read and write on Sundays.¹⁹ Most African Americans took advantage of Sundays in order to educate themselves as much as they could. Ironically, just as the Quakers built schools for Native Americans, they also built a school to teach African American students in Connecticut. Although it was not successful because angry townspeople burnt it down, it again showed that some religious groups had the right intentions when they built schools for minority students.²⁰ This battle for African Americans to access education continued up to the Civil War when the Emancipation Proclamation freed slaves in the South. The Emancipation Proclamation and the Civil War empowered slaves to push for an education for themselves and for their communities. Many slaves went to enlist in the Union Army²¹ where they were introduced to literate slaves and chaplains who taught them at night when they were not in battle. This opportunity for African Americans to get an education led the soldiers to push

¹⁸ John W. Cromwell, *The Early Negro Convention Movement* (Washington DC: American Negro Academy, 1904): 7.

¹⁹ Heather Andrea Williams, *Self-Taught: African American Education in Slavery and Freedom* (North Carolina: The University of North Carolina Press, 2005): 21.

²⁰ Heather Andrea Williams, *Self-Taught: African American Education in Slavery and Freedom* (North Carolina: The University of North Carolina Press, 2005): 17.

²¹ Ira Berlin et al., *The Black Military Experience* (New York: Cambridge University Press, 1982): 13-15. The Emancipation Proclamation allowed former slaves to escape Confederate states to be free in Union states, which made the military an escape for slaves who enlisted in record numbers, 5% of the black men in the country resided in Kentucky, and of the 5% more than 13% of the men that enlisted nationwide were from Kentucky with more than half the men between 18 and 45 years old.

for more access to education, for themselves and for communities with large African American presence. Because they lacked access to education when they were enslaved, they viewed education as a way to get involved in the political arena, or voice their opinions better in order to change the system. The changes they wanted to make were to make education accessible and attainable for African Americans even though those enlisted in the Union army only learned sporadically.

Once the Civil War ended, Union soldiers who were former slaves returned to Confederate states and handed out public appeals for African American civil rights. At that point, they had gone from being seen as “their owners’ inventory for tax assessment or as a percentage of a man for political apportionment” to being free people and `having the ability to appeal to government officials for more rights as equal people. This civil rights movement was smaller than the one in 1964, but in this movement African Americans’ main push was for the right to education, which was a radical notion at the time. The reason that the push for education for African Americans was so radical was because not even all white people had access to education; only wealthy, white people who could afford to send their children to school were educated, and less well-off white people sporadically attended schools just like African Americans in the military did. At the time of this push for civil rights, the Federal and State governments did not provide any assistance or type of public schooling.

The problem that arose in the period after African Americans became free people was the power shift that was supposed to occur. Prior to the civil war, white people in the North and South had wielded the power, but after, the power had to be divided with everyone. When African Americans began asking for civil rights it was a hard battle because although they were

technically free, white people still controlled towns and were the ones who had to help provide access to education. However, getting white people to agree to provide education was not the only problem that African Americans encountered. Apart from that, the intervention of different missionary groups, struggles over what kind of education should be available, and overall opposition to education for African Americans created more problems that needed to be overcome.

Despite the obstacles that African Americans faced in obtaining an education for themselves and for their children, they still pushed forward and began to teach other African Americans as best as they could. This was considered an act of rebellion, especially in the South, because “black teachers were not only the messenger; they were also the message”²² because it went against the norm that African Americans were to stay in the same uneducated state of slaves. Both African Americans and whites viewed education as a way that gave and took power from people; for African Americans, they had less power when they were kept illiterate, and for white people, they had less power when their slaves and former slaves gained the knowledge and ability to voice their opinions to change public policy.

The education movement for African Americans was a slow process, but in the 1860s schools for African American children had shifted to more normalized, common school systems. Prior to this, Freedpeople Schools, which were funded by northern states and organizations and predominantly white teachers, are what African American children and adults attended in order to learn. However, the fight for education accessibility for African Americans also created the

²² Heather Andrea Williams, *Self-Taught: African American Education in Slavery and Freedom* (North Carolina: The University of North Carolina Press, 2005): 17.

opportunity of education for poor white people. The same white people who prior to the civil war could not afford to attend schools, began to attend schools because they did not want black students to be more educated than they were.

Many former slaves had used their newfound freedom as a result of the Emancipation Proclamation and the Civil War to get an education for themselves and their children. However, the problem that has presented itself in the history of education for African Americans is that both African Americans and white people, especially southerners, saw education as a form of social and political advancement, which was not the outcome that southerners wanted. The main reason for not wanting that kind of social and political advancement was because of how history shaped the social dynamic between both ethnic groups, which created complete opposition by white southerners to have the group of people who once served them to receive what only wealthy, white children could. An African American woman from Georgia testified against the Klu Klux Klan after they beat her, and she commented that “release from slavery had not granted them the freedom to educate themselves, nor had it freed them from displaying deference to white people.”²³ This is because African Americans were threatened by violence for carrying or owning books, having scholars in their classes, being well dressed, or showing in any form that they were not subservient to white people.

In addition to the threat of violence and harm, discrimination also started occurring through legislation once the Reconstruction Era ended. Before Reconstruction ended there was underfunding in school systems for both African American and white children. However, after

²³ Testimony of Caroline Smith, Ku Klux Klan Reports, October 21, 1871, Georgia Klan Testimony, I: 400-403.

the northerners stopped providing assistance in the education system and in legislation, southerners gained control of the decision making for funding. Once they were in control of the funding for the school systems, clear disparities in African American and white education were created. For years after this, state governments did not stop the losses that occurred as a result, like losses in African American education and political gains. Over time, the differences like educational disparities between African American and white schools turned into institutional segregation.²⁴

Many states began to create statutes that allowed them to treat African Americans and whites unequally.²⁵ For example, Mississippi law established separate schools for black and white students and allowed teachers to be paid differently. Once again, these disparities and segregation created more social and political losses for African Americans. They began to lose political offices they once held, which hurt them further because they lost their ability to provide input about the educational policies and laws that affected their children. Once there was a loss of incentive like funding for African American schools, white people and especially teachers lost interest in teaching in their schools. This led to African American schools only having undertrained teachers because high wages from white schools drove white teachers away. This disparity between African American and white schools increased in the late 1800s to the point that schools' terms, facilities and salaries were extremely different because the court system had

²⁴ James D. Anderson, *Education of Blacks in the South, 1860-1935*, (Chapel Hill: University of North Carolina Press, 1988): 1-3.

This problem continues today due to the presence of conflicting goals of white Americans and African Americans during the formative years of public education in America

²⁵ C. Vann Woodward, *Strange Career of Jim Crow* (New York: Oxford University Press, 1974): 7, 27.

allowed a “separate but equal” approach to continue. This was allowed to continue by the ruling from the famous case, *Plessy v. Ferguson*, in 1896 when the Supreme Court ruled that state-sponsored segregation, like the Missouri statutes, did not violate the Fourteenth Amendment.²⁶

After the Plessy ruling, in 1901 at Fisk University W.E.B. DuBois studied schools in states that kept Jim Crow laws. He uncovered and discussed what problems were occurring and affecting African Americans in the education system. First, the majority of black children did not attend school, and it was due to a lack of facilities, poverty, and ignorance by their parents. Second, many students had undertrained, underpaid teachers, and school terms varied between three and six months. Third, the schoolhouses and equipment in African American schools were inadequate. Fourth, African American schools received little attention from school superintendents and other authorities. Finally, he concluded that the result and one of the objectives of disfranchisement was to reduce school funds for black schools, and lower the pay of teachers so they would become uninterested in teaching in African American schools. The reason is that they had pushed for local school taxes, better schools, consolidation of schools and facilities, and transportation for whites only. He even found that African Americans were being taxed for the improvement of white schools, while their own children’s schools were inadequately funded. The educational progress that had been attained in the south was only limited to white students.

However, the Plessy ruling was not successfully challenged until almost a hundred years later in another famous U.S. Supreme Court case, *Brown v. Board of Education*. This case shed

²⁶ *Plessy v. Ferguson*. United States Supreme Court. 18 May 1896. ITT Chicago-Kent College of Law at Illinois Tech. N.p., n.d. Web.

light on the disparities in the quality of education that African American and white children received. As I stated earlier, white schools had well-trained teachers due to the resources to which they had access in order to bring in more teachers, and they also received more funding than African American schools. The disparities grew exponentially between the time it took for *Brown v. Board of Education* to reach the Supreme Court to discuss the how the Plessy ruling had exacerbated the problems that were already happening in the school system.

The U.S. Education System for Minority Students after the *Brown v. Board of Education* Ruling

Changes in the System and The Pursuit of Equality

After the *Brown v. Board of Education* ruling, the flaws in the “separate but equal” approach were brought to light. The reason that this case was brought to attention was because many states fully enforced separate institutions, but did not make them equal compared to white institutions. The problems that occurred after the Reconstruction Era ended that created inequality between African American and white education were made even worse after the Plessy ruling allowed the inequality to continue. Although the intention of the Plessy ruling was not to allow racial inequality to be a part of institutions, it allowed conditions to worsen, and advances that had been made began unraveling.

Before the Civil War, African Americans were not even counted as complete humans compared to white Americans.²⁷ The war gave them hope that they could enjoy the same

²⁷ Article I, Section 2 of the United States Constitution
“Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by

freedom and rights as their previous owners had enjoyed. However, the power dynamic took years to shift in order for them simply to receive an education. Even after they were allowed to receive an education, it became a competition and a way for white Southerners to show their dominance by not allowing African Americans to have the same quality of facilities and teachers that their children had. Despite the high hopes that access to education would improve the quality of learning and opportunities that would be available for African Americans after the Brown ruling, unanticipated backlash and changes disrupted the positive change that needed to be made. After segregation was deemed unconstitutional and schools were desegregated, many white families moved away from areas where African American children were allowed to go to school. This became known as “White Flight” and began occurring across America, which caused *de facto* segregation rather than *de jure*, or institutionalized segregation.²⁸ This shift in how inequality has persisted in American society has been happening since the Civil War ended, so it has evolved into different forms today.

Once desegregation began in the South, Jim Crow laws, violence, and intimidation tactics were used to frighten African Americans into feeling subordinate or powerless in their push towards equality. In the North, different tactics like gerrymandering and redistricting of schools²⁹ were used to keep African American and minority students out of predominantly white schools. Another result of the backlash of desegregation from the North can be seen today in low-income

adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.”

²⁸ There was a shift from *de facto* to *de jure* segregation, which today has returned to *de facto* segregation. While there are laws in place against segregation some behaviors are different.

²⁹ Gerrymandering creates districts that disadvantage a particular racial group by making them minorities in areas that they are majorities in. It is done by splitting up majority minority racial groups into smaller groups in districts to intentionally give another group an advantage.

areas or projects that have schools with low funding, outdated institutions and under-trained teachers. Today, many social service programs like Teach for America and AmeriCorps have been created in order to alleviate the shortage of teachers that our country is having in low-income or at-risk communities.

The Gradual Shift towards Adequacy instead of Equality: How Does the Current System Leave our Children?

In the 1960s and 1970s, there was a movement for equality between African American and white education. The reason that equality was heavily pursued in that time period was because white people began to see the progress for blacks as less of a burden, and also better for the economy and society as a whole. However, when taxes began to increase and progress stopped increasing when education was equalized, many people began to think that their contributions were going to waste. Once President Reagan took office, there was less support for equality and more support for adequacy, and taxpayer frustration eventually turned into rejection of any increases for education.³⁰ The focus shifted from society or communities to a more individualistic outlook on how education could affect people. Because of the loss of support in

³⁰ Gary K. Clabaugh, *The Cutting Edge: The Educational Legacy of Ronald Reagan*, *Educational Horizons* 82.4, (2004): 256-59, 257. During his campaign he “called for the total elimination of the U.S. Department of Education, severe curtailment of bilingual education, and massive cutbacks in the federal role in education. Upon his election he tried to do that and more.” Joel Spring, *The American School: 1629–2004* (Boston: McGraw-Hill, 2004). Federal funds that had flowed directly to local districts were redirected to state government. Moreover, federal monies were provided to beef up education staffing at the state level. The result was to seriously erode the power of local school districts. Over his eight years in office he diminished it by half. When he was elected the federal share of total education spending was 12 percent. When he left office it stood at just 6 percent.

equality, research from the 1990s showed that there was strong progress for white students across metropolitan areas, and severe losses for minority students in access, opportunity, and success.³¹

The effects of desegregation in the 1960s began resurfacing in the 1990s through high unemployment rates and poverty rates for African Americans.³² This was a direct result of the discrimination that was allowed through lack of funding in the school system, as well as the *de facto* segregation of minorities and whites. Some examples of the discrimination include when African American families tried to go to middle-class cities and apply for low-cost mortgages and were subsequently denied, and how some cities would refuse to hire African American teachers. Even in the 1990s, African American teachers were still paid less than white teachers, which is what had become a problem after the Reconstruction Era when white southerners gained control of funds. The small things that had set back African Americans achievements in the later 1800s began to take place again in the 1990s, which shows how deeply engrained the problem has become.

This inequality has not only affected African American communities and children, but other minorities as well. The fight for education was not about desegregation, but for the equality between children of different races. In the 1990s, more than half of all of children in African American, Native American, and Hispanic families lived below the poverty line, which could be seen as a way that inequality in access to education affected them.³³ Many studies have been

³¹ Faith G. Paul, "Access to College in a Public Policy Environment Supporting Both Opportunity and Selectivity," *American Journal of Education* 98.4 (1990): 387.

³² This was a result of the Reagan Presidency where funding for schools was reduced drastically,

³³ Carol A. Miller, "Minority Student Achievement: A Comprehensive Perspective," *Journal of Developmental Education* 13.3 (1990): 6.

done that have looked more in-depth at the educational opportunities and conditions for minority students. The disadvantages that students faced in their primary and secondary education have continued well into the postsecondary system. The number of college-aged minority students is increasing, but their participation in postsecondary education has been declining. As recently as 2013, the enrollment rate of 4.5% for African American males at institutions of higher learning was still at the same level as 1976.³⁴

The effect of the Reagan presidency as well as the complacency of tax payers has continued to adversely affect students today. There is a gap between majority and minority students in the attainment of higher education degrees, and minority students are also at a higher risk of leaving post-secondary education compared to majority students. In a study done by The Pathways to College, groups of individuals in their late twenties were compared, and more than one-third of whites had at least a bachelor's degree, but only 18 percent of African Americans and 10 percent of Hispanics had attained bachelor's degrees.³⁵ Disparities between majority and minority students embody the problem with the education system. The basis of college admissions is the foundational education students receive in primary and secondary school, and if students are receiving unequal education then this inequality will persist in different aspects later on in their lives. Therefore, two contrasting views must be examined in order to select the one that will be most effective in creating equal opportunities for students so inequality will not continue to adversely affect their lives.

³⁴ Jameel A. Scott, Kenneth J. Taylor and Robert T. Palmer, " Challenges to Success in Higher Education: An Examination of Educational Challenges from the Voices of College-Bound Black Males," *The Journal of Negro Education* 82.3 (2013): 288-99.

³⁵ Pathways to College Network. "A Shared Agenda: A Leadership Challenge to Improve College Access and Success." Washington, D.C.: Pathways to College Network, 2003.

RESULT OF OUR CURRENT SYSTEM & SOLUTION

In this section, I will discuss how the history of education has shaped educational opportunities for students today, I will also take a look at broader philosophical concepts and questions which will help us see the improved view of educational opportunity. The general philosophical concepts of sufficientarianism and egalitarianism provide the framework for the solution of the American education system, which is educational equality. These two concepts are used as the basis for the positions of two philosophers, Brighthouse and Swift, who advocate for educational equality and the work of two other philosophers, Anderson and Satz, who take an opposing view of educational adequacy.

How History Has Shaped Us Today:

Previously, I discussed how inequality in education has been prevalent in American society since we gained independence from Britain. However, this inequality was supposed to be alleviated after the *Brown v. Board of Education* ruling, which illegalized the separate but equal doctrine. I gave a historical overview of the education that certain racial groups received in America, which included Native Americans and African Americans. Despite heavy reliance and focus on these two racial groups, to create a solution to the problem of our current system we must familiarize ourselves with the new cultures that have become a part of American society today. Before exploring a possible solution, I will discuss the educational experiences of other races such as Hispanics. This chapter will look at more long term consequences rather than how inequality became integrated into the American education system throughout the course of history, and how we can fix the problems that have become deeply rooted.

The reason that I have introduced the role of other minority races in a separate

chapter is to create a representation not only of how our education system normally teaches students, but also to signify how commonly other minority races are overlooked. For example, the *Brown v. Board of Education* may be seen as a landmark case because of the stark contrast it had against the earlier doctrine of separate but equal institutions. The problem with it being seen as a landmark case is that it was not the first case of its kind to strike down the separate but equal policy in schools. In fact, almost a decade earlier, the case of *Mendez v. Westminster School District* ended segregation in all of California's public schools. This was due to the Hispanic battle for their children to receive equal education. However, the most significant part of this case is not just that it was an early example of the "separate but equal" doctrine being struck down, but also that Thurgood Marshall used the framework of Mendez to provide support for a nationwide end of segregation in schools in *Brown v. Board of Education*.

In *Mendez v. Westminster*, Sylvia Mendez was turned away from a public school that was deemed to be solely for white students. Thurgood Marshall used social sciences research to provide evidence used in support of ending segregation in schools, which was trailblazing because only once before had a plaintiff attempted to present such evidence before the court. A social science testimony from *Briggs v. Elliot* was used in support of ending segregation. The testimony was done by leading child psychologists, such as Dr. Kenneth Clark, who used a doll study to show that inferiority negatively affected the self-esteem and psyche of African American children.³⁶ The feeling of inferiority was said eventually to lead to a reduced ability to be productive in society, so the court ordered California school districts to cease discriminatory

³⁶ National Archives: Order of Argument in the Case, *Brown v. Board of Education*, <https://www.archives.gov/education/lessons/brown-case-order>.

practices. Not only did the Mendez case set a precedent or a foundation for the argument used in Brown, but it also made California the first state officially to desegregate public schools. Although measures like enforcing desegregation through *Brown v. Board of Education* and *Mendez v. Westminster* were realized, students continue to be left at disadvantageous positions compared to their white counterparts. Today, this is evident through inequality of outcome, which is a consequence of the inequality in opportunities provided through education. Inequality of opportunity has adversely affected minority students. Below I will explain how the effects of inequality of educational opportunity for minority students has played a role in the median income, employment level, and educational attainment that they have achieved.

What is the Current Approach Toward Inequality in Education and Opportunity?

The use of educational adequacy—which creates a minimum standard for children of diverse backgrounds to meet—is currently the standard in American classrooms. In the 1960s and 1970s, the American education system had begun to use the standard of educational equality, but it shifted to the adequacy standard. A case that most embodied this shift from equality to adequacy was *Milliken v. Bradley*. The shift towards adequacy was a result of Reaganomics and an increased reliance on taxpayer money from more well-off citizens. In the years that the equality standard was used, the disparity in higher education in minority students had almost been closed, and attitudes, policies, and social conditions had also changed. However, in the 1990s the shift towards adequacy had started and almost entirely reversed the progress that had

been made.³⁷ At this time, the negative consequences of desegregation from *Brown v. Board of Education* became more prominent because educational equality had just begun fixing the consequences of decades of inequality.

As noted in the last section, although African Americans were allowed to receive an education with white students after the *Brown v. Board of Education* ruling, there was unintended backlash. I discussed the occurrence of “White Flight,” where white families moved away from areas into which African American families were moving in order to send their children to better quality schools, the shift from de jure to de facto segregation.³⁸ These negative effects were eased in the 1960s and 1970s when taxes were used to create an equal education for all students in varying geographical and income areas of the country. In the late 1970s as more cities pushed for equality, a city in Michigan advocated for a desegregation plan so students in their area would have equalized education and access to opportunities. The plan in the city, Milliken, was to bus white suburban students to majority black schools because of the disproportion in their area schools. They wanted this desegregation to occur because zoning regulations created their district to be racially isolated and segregated. The case was brought before the Supreme Court in 1974 where it was deemed unconstitutional, but the main point that should be taken away from this case is what it signified.

The verdict of the case signified that the goal for educational opportunities was beginning to shift from equality to adequacy. Today, economic disparities between races is a main reason

³⁷ Faith G. Paul, "Access to College in a Public Policy Environment Supporting Both Opportunity and Selectivity," *American Journal of Education* 98.4 (1990): 387.

³⁸ Patterson, James T., *Brown v. Board of Education: A Civil Rights Milestone and Its Troubled Legacy* (Oxford, Oxford University Press, 2001), 176.

that I have introduced *Milliken v. Bradley*. Disparities are a result of not allowing desegregation to occur, not just in schools, but also in school districts where a lack of mixed racial representation was present. The differences in the quality of education that the students receive—whether it be the curriculum they are taught, level of education of their teachers, or amount of funding that they receive—have contributed to these disparities. If *Milliken v. Bradley* had been deemed constitutional, then our education system and schools today would have more equality present. This requires us to take a closer look at the inequality of opportunity that students have received in schools following the shift and after the rulings of both *Brown v. Board of Education* and *Milliken v. Bradley*.

Why Educational Equality over Educational Adequacy?

There has been debate in public policy about the type of education to which students are entitled. Two philosophical principles can be used to explain the two types of educational approaches. The philosophical principles are sufficientarianism, which values what is sufficient and not equal and is the foundation for educational adequacy; and egalitarianism, which values giving people what is the same, but not necessarily what is enough, and it is the foundation for educational equality.

Although sufficientarianism does not value complete equality, it is important to note that this doctrine values giving people what is “enough” to bring them over the threshold for a decent life. The value is placed on bringing as many people as possible over the minimum threshold, so it merges with egalitarianism in that it would allow a transfer of resources from better off to worse off people if it would increase the total number of people who achieve sufficiency. Instead

of focusing on the inequalities present or making the situation of the worse off better, it aims to bring as many people as possible past the minimum threshold. When the sufficientarian principle is applied to education it means that the state is obligated to supply students with an adequate education. As a result of providing an adequate education, any disparities that occur above the minimum threshold are not considered unjust.

Debra Satz and Elizabeth Anderson advocate for educational adequacy whereas Harry Brighthouse and Adam Swift support educational equality. The American education system has tried implementing both educational policies, which is why it is important to look at the effects both have had in order to determine which has created more equality and positive effects in the education system. Brighthouse and Swift critique the views held by Satz and Anderson, who say that there is no place for educational equality in the education system to support the use of educational adequacy.

The current school system and funding distribution is led by the “adequacy movement,” which Satz and Anderson both support. However, arguments in support of adequacy presume there would be no difference for the disadvantaged if equality were used, but our society today values higher education because of the commonality of high school diplomas. If the majority of well-off people have college degrees, then what separates them is higher educational attainment. Thus, if inequality in education and opportunity are the barriers between less well-off people and higher educational opportunities, then this would improve the lives of disadvantaged people.

Removing barriers would provide students the same opportunity for equal achievement obviating the need to feel inferior. If you level the playing field, there is no reason for someone to feel inferior because they are given equal access to the tools that are needed to succeed. The

claim by supports of adequacy is that students would continue to feel inferior even with an equality standard. As stated earlier, the social science used in support of desegregation showed that inferiority has a harmful effect on the psychology of children, which the court even said has the ability to “affect their hearts and minds in a way unlikely to ever be undone.”³⁹ By using an adequacy standard, we continue to let inequality occur such as the differences in higher educational attainment. However, if they are given equal opportunities to achieve what others are enabled to achieve, then it would empower them rather than create a feeling of inferiority.

Both Satz and Anderson believe that levelling down— or taking from higher classes or more talented people— should be rejected because it would take away from the development of human talent. They view the development of talents to be intrinsically good, which would make it good within itself and for others, and also because more educated people would be able to serve others in more demanding or philanthropic positions.⁴⁰ Although Brighthouse and Swift do not argue that it is not an intrinsic value, they do argue that priority should be given to improving the talents of those whose prospects are the least.⁴¹ They also contend that just because more educated people would better be able to serve others does not mean that they will, which is why equality is important. With the adequacy movement, many people who are well-off are equipped

³⁹ *Brown v. Board of Education*, 347 U.S. 483 (1954). Record Group 21, Records of the U.S. District Court of Kansas, National Archives – Central Plains Region, Kansas City, MO.

⁴⁰ Elizabeth Anderson, “Fair opportunity in education: A democratic equality perspective,” *Ethics* 117 (2007): 595–622, 615.

⁴¹ Richard Arneson, “Against Rawlsian Equality of Opportunity,” *Philosophical Studies* 93 (1999): 77–112 and Matthew Clayton, “Rawls and Natural Aristocracy,” *Croatian Journal of Philosophy* 3 (2001): 239–59. Harry Brighthouse and Adam Swift, “Equality, Priority, and Positional Goods,” *Ethics* 116.3 (2006): 471-97. People who are less have more immediate needs, it includes children who are not wealthy because children who live in poverty should be given priority when it comes to being given opportunities for improvement

to help others, but their ability to serve others still does not justify that. The only reason that well-off people are more well equipped to help others is due to the opportunities that they have enjoyed as a result of unequal education. If there was not inequality in education or opportunity, then they would not need to help the less advantaged, and would not be more well equipped.

The solution to inequality in the system is to follow educational equality in all aspects of the education system because that is the only way to rid it of the inequalities that have grown. In contrast to educational adequacy, educational equality views inequality past the threshold as unjust for students. It is viewed as unjust because education is used as a positional good, or a good that affects societal standing. This is the also the main reason why inequality in education should be solved through the use of educational equality because the opportunities that students are afforded affect them when it comes to getting jobs, gaining access to higher education, etc.

As I stated earlier, educational equality is closely related to egalitarianism. However, egalitarianism has many subtypes because it encompasses various forms of equality. In order for educational equality to work in our society it should adopt the Rawlsian view of equality of opportunity. The reason that we should specifically look at John Rawls' view on equality of opportunity because he created a theory that encompasses "fair equality of opportunity." This theory promotes a universal education system that is meant to counteract social circumstances like class, race, etc. through the use of the veil of ignorance. The veil of ignorance is meant to be used when making decisions by creating an ignorance towards the constraints of things like class or gender.

Rawls introduced the concept of the veil of ignorance in his seminal work, *A Theory of Justice*, as a means by which to create conditions in which fair equality of opportunity would be

made possible in existing political institutions. Unlike traditional contract theories of government designed for revolutionary change in politics in which systems of government currently in place are replaced by something “new” and different, Rawls is arguing for change inside government to guarantee “justice as fairness” at least by removing bias and unfairness from decision-making procedures. This is done by “original contractors” who are attempting to derive principles of justice upon which to organize their social and political arrangements to make decisions on such principles by working from the point of view that they have no knowledge of contingent circumstances of their lives such as age, race, disability status, economic status, educational attainment level, religious affiliation, and so on. For Rawls, making decisions on principles of justice to use in the well-ordering of a fair and just society requires the use of the “veil of ignorance” so that no one is disadvantaged (or advantaged) due to circumstances and positions in life that are not relevant to their status as human beings with interests that ought to be taken into account regardless of the contingencies of their lives.

So if we use the veil of ignorance in determining the theory of education to apply to the American educational system, , then we would be making fair decisions because we would not allow irrelevant external factors to influence our decisions. The Rawlsian education system is created to counteract social circumstances, so educational achievement is solely a function of innate talent and effort, and not a consequence of social or personal advantages or disadvantages. The use of his veil of ignorance to reach fair equality of opportunity evens out the barriers that normally affect people.⁴²

⁴² John Rawls, *A Theory of Justice*, (Cambridge MA: Belknap Press of Harvard University Press, 1971): 66, 72-73.

An argument of egalitarianism that provides support for the use of educational equality because it reinforces how the adverse effects of educational disadvantages that students face influences their lives. Luck egalitarianism is similar to equality of opportunity in the sense that they distinguish between circumstances that can adversely affect someone (e.g., “brute luck” and “option luck”). “Brute luck” describes circumstances that are not reasonably avoidable, which, similar to equality of opportunity, are factors like class and race. Luck egalitarianism pushes for compensation for people who have suffered “brute luck” because it is bad for someone to be worse off due to circumstances that are out of their control unlike “option luck,” which are outcomes to which people purposely subject themselves.⁴³ Both of these doctrines should be integrated into the equal education system due to the fact that we could create a system that created equal opportunities for all students, but if people subject themselves to “option luck” then it should not be considered inequality anymore. Luck egalitarians hold the belief that people ought to be responsible for the consequences of their bad option luck. The reason that these two doctrines are mentioned is that the solution to educational disparities should be alleviating the circumstances that are unavoidable and that have lasting effects past education into adulthood and future generations.

The problem with our education system today is that it does not use principles similar to those for which Rawls advocates, so it does not counteract the adversity that many students face.

⁴³ Ronald Dworkin, *Sovereign Virtue* (Cambridge MA: Harvard University Press, 2000): 73. “Option luck is a matter of how deliberate and calculated gambles turn out—whether someone gains or loses through accepting an isolated risk he or she should have anticipated and might have declined”; Brute luck is “a matter of how risks fall out that are not in that sense deliberate gambles.” For example, developing a disease as a result of a genetic predisposition is an indication of bad brute luck, but winning something by chance is option luck.

This in turn effects their performance in school, which is a direct result of the disadvantages they have experienced. Although Rawls did not explicitly argue for educational equality we can conclude that his argument as justice as fairness would support educational fairness. Therefore, egalitarianism is related to Rawls' because adequacy would be viewed as unfair and as a result would not be chosen through the use of the Original Position.

The Effects

There are disadvantages to educational adequacy like allowing inequality to pervade past the threshold of what is considered adequate education. Despite the disadvantages that it has had, education was still improved for worse-off children. Although such improvements have provided benefits there are still major problems that need to be addressed and resolved, and more work that needs to be done.

Milliken v. Bradley was brought to the court to equalize education for black students, but after the court deemed it unconstitutional, parents and local leaders were left to think of other ways to equalize it. Forty years after the ruling, there is more local control, more school choice, and more neighborhood schools for families to enroll their kids. However, as a result of the Michigan desegregation plan being deemed unconstitutional, there is reason to look into the educational equality that children receive. The result of the case was to allow cities to create school districts that segregated students by race, which could be compared to gerrymandering in politics where boundaries for electoral districts are drawn to favor a certain party or class. In the case of education, zoning regulation and racially isolated cities cause segregation of school districts in the same way that gerrymandering creates an unfair favor for a certain group in

politics. The separation of school districts by races, intentionally or not, has created an unfair advantage for well-off students who gain from this separation. Less well-off students become disadvantaged because they are placed in schools with low funding and poorly motivated teachers, among other problems generated by these conditions.

As I stated previously, *Milliken v. Bradley* signified the beginning shift away from equality towards adequacy when it did not help equalize education for black students. The results of allowing the segregation or almost complete racial isolation to continue in schools put minority students at a disadvantageous position compared to their white counterparts. *Brown v. Board of Education* enforced desegregation because segregation instilled a sense of inferiority, which had a detrimental effect on the education and personal growth of African American children.⁴⁴

Today, there are still factors that have created a sense of inferiority for many minority students, which in turn has adversely affected the height of their educational attainment and personal growth. Although the intent of desegregation was to eliminate the adverse effects on minorities, the reality is that certain problems still continue today that are not directly related to institutional racism. This illustrates how the root of the problems continue to pervade our education system in ways that are not as blatant as institutional racism.⁴⁵ However, before we

⁴⁴ *Brown v. Board of Education of Topeka*. United States Supreme Court. 17 May 1954. ITT Chicago-Kent College of Law at Illinois Tech, n.d. Web.

⁴⁵ Frances Henry and Carol Tator, "The Colour of Democracy: Racism in Canadian Society," 3rd Ed., (Toronto: Nelson, 2006): 352; and "Racism in The Canadian University Demanding Social Justice, Inclusion, And Equity," (Toronto: University of Toronto Press, 2009): 329. Today, racism is manifested and reinforced by individual racism and systematic racism. Individual racism refers to an individual's racist assumptions, beliefs or behaviors and is "a form of racial discrimination that stems from conscious and unconscious, personal prejudice." Systemic Racism includes the policies and practices entrenched in established institutions, which result in

can look at how it has affected minorities in the later aspects of their life like median income, employment level, and higher educational attainment we must look at the formative years in education.

The quality of education in primary and secondary schools reflects the inequality of opportunity that is given to minority students. For example, minority students are underrepresented in gifted programs, and it is because the criteria used to gain entrance into the programs are unreliable. For example, in Arizona, Native American children are extremely underrepresented in gifted programs.⁴⁶ Cultural differences and educational disadvantages often lead to students being labeled as “at risk” or as “underachievers.” However, with the help of better learning strategies, time management skills, and culturally sensitive teachers these students could gain opportunities. In Arizona, Native American children are underrepresented in gifted programs because of the way that entrance into the gifted programs is evaluated. Their culture rewards slow, well-thought out responses, but the exams that are looked at when students are offered admission into gifted programs rewards fast thinking. Factors other than exam grades are not weighed as heavily when considering children, but if educational opportunities are going to be equalized cultural differences should also be considered.⁴⁷

the exclusion or promotion of designated groups. Two sub-categories of systematic racism are institutional racism, or racial discrimination that derives from individuals carrying out the dictates of others who are prejudiced or of a prejudiced society, and structural racism, or inequalities rooted in the system-wide operation of a society that excludes substantial numbers of members of particular groups from significant participation in major social institutions."

⁴⁶ Kari A. Knutson and Sherri N. McCarthy-Tucker, "Gifted Education for Native American Students: A State of Affairs," Roundtable presentation at the meeting of the American Educational Research Association (1993): 3.

⁴⁷ Linda Sue Warner, "Education and the Law: Implications for American Indian/Alaska Native Students," *Next Steps: Research and Practice to Advance Indian Education* (1999). Ch. 3: 53-80.

It becomes cyclical because students who do not score well on exams look like they are at risk students or underachievers compared to students who have not experienced poor schooling. However, if they were given the same opportunities and resources as other students they would be accepted into more gifted programs, which also help students excel by introducing more rigorous and intellectually challenging material so they learn more challenging material than other students. This sets other students who can be overlooked, like minority students, behind because they are seen as underachievers when in reality their exam scores are a result of educational inequality.

In the same way that these cultural differences affect the way students think academically, it also exists in classroom etiquette. Traditional schooling teaches students that they are supposed to listen to the teacher, and only speak when teachers call on them. This way of teaching puts power, privilege, and exclusion in the classroom. Once minority students enter higher education institutions, like universities, they do not engage as much in classroom dialogues as white students.⁴⁸ When students were asked why they had low levels of participation, they said that they did not feel academically prepared enough to speak at the level of the white students in the classroom. Although this may not be the case for every minority student, it shows that the position of superiority has even taken place in America's classrooms.

One of the main reasons it is so important to fix the problem of inequality in education at the primary and secondary school level is because it has a lasting effect in later aspects of life. College admissions work similarly to gaining entrance in gifted programs because it continues to

⁴⁸ Gilda Ochoa and Daniela Pineda, "Deconstructing Power, Privilege, and Silence in the Classroom," *Radical History Review* 102 (2008): 47.

use unreliable criteria on students. Once again, students are chosen based on numerical data (standardized exam scores, GPA, etc.) instead of potential in learning. The problem with educational adequacy is that it does not allow disadvantaged students who come from various walks of life and backgrounds have the same opportunities or advantages that advantaged students get.

CONCLUSION

As can be seen through historical accounts, inequality in education has been present since the beginning of America's founding. Although the court ruling did not explicitly state in *Brown v. Board of Education* that its purpose was to provide equal opportunities to students it was strongly implied. It can be assumed because it struck down the doctrine of "separate but equal" facilities because of the disadvantageous position into which separate schools put students. The evidence from the problem of the inequality of outcome from minority groups is indicative of inequality of opportunity.

The push for desegregation was not the push for an integration of races, but the fight for equal opportunities. A shift from institutionalized racism or racism by law (*de jure*) to "respectable" racism or racism by customs (*de facto*) began to take place over time as African American students still had to fight for equal public services, and educational starting points.⁴⁹ As stated earlier, other minority groups have been affected by the lack of educational opportunities earlier in America's history, but these effects have lasted well into the twenty-first century. Although the main reason that desegregation was pursued was for equal opportunities for minority children, the advances that were made in the education system were undone once educational adequacy began to take place.

This allowed the continued inequality in education of minority and majority students to occur, which has perpetuated the adverse effects they face. The problem with approaching the education system with the adequacy policy is that it creates an attitude of indifference towards

⁴⁹ Monte Piliawsky, "Racial Equality in the United States: From Institutionalized Racism to "Respectable" Racism," *Phylon* (1960-) 45.2 (1984): 135-43.

inequality. If there continues to be an educational advantage for students who are more well-off than students who have been subjected to inequality, this trend will continue in other facets of their life like with their income, health, life expectancy, and so on .

In order to fix the inequality that has continued to follow racial groups well past the beginning of their mistreatment and lack of access to equal education it is important to “go all the way.” The concept of complete equality in education is the only solution to helping students who have been left disadvantaged to the point that they have limited or no access to the same opportunities as their advantaged counterparts. The adequacy standard has allowed modes of social disadvantages to continue to take place today that allow inequality in opportunity to persist.

The two types of social disadvantages that occur today were present before *Brown v. Board of Education*, but in more severe forms. Even though they continue in lesser forms today it still hinders the opportunities that minority students are able to receive, which affects them later on in life as well. Social disadvantages keep the majority group or advantaged people in power, while minority students continue to be deprived of power. One of the most common types of social disadvantages that make equality in opportunity unattainable is social segregation. Social segregation occurs when members of a group stay within their own members when meeting, and this is exacerbated by zoning regulations. Zoning regulations for schools especially in “projects” or low-income areas are used to isolate members of certain groups from others.

By building schools in inner city housing projects, students are geographically confined so they are not sent to better schools in farther off areas. Low-income areas are also used by high-income areas as a place to put undesirable facilities (such as factories) that they do not want

in their town even though high-income areas have excellent schools. They also have excellent schools compared to low-income areas and place the facilities that they deem undesirable in low-income areas, which lowers the chance of the area attracting and hiring equally qualified teachers. If the schools in worse off areas are not able to bring in equally qualified teachers because of the location of the schools, then they cannot increase the overall quality of the schools and education to make it equal.

The other major type of social disadvantage is group stereotypes, which are used to characterize people and create unconscious biases towards them. Both of these social disadvantages perpetuate disadvantages in society because it continues to segregate minority groups from others, and they become stereotyped as a certain type of person so advantaged people do not see them fitting the same positions as they do. This leads to discrimination against disadvantaged members of society, because once people have stereotypes they ignore evidence that goes against the underlying bias they already have.

The social segregation and stereotypes feed into the discrimination and allow disadvantages to continue to occur through deprivation of knowledge and skills. The solution to solving the inequality that has occurred as a result of educational adequacy is to incorporate diversity in social interactions. For instance, mixing students from both disadvantaged and advantaged backgrounds will allow them to learn from each other. Zoning regulations that separate children based on different economic and racial backgrounds deprive children of opportunities to grow. This is supported by research that shows more diverse environments have positively affected students' level of critical thinking, knowledge and awareness, and

communication.⁵⁰ If diversity is incorporated into social interactions then it will open fair educational opportunities to people, which is the result that we wanted. In turn, if educational opportunities are equal for all people, then more people can get college degrees. The attainment of higher education degrees, whether Bachelors, Masters, Ph.D., J.D., M.D., etc., is what most frequently separates disadvantaged members of society from advantaged members.

Disadvantages that minorities face in lower education institutions like primary and secondary school continue into the postsecondary system. Although the number of college-aged minority students is increasing, their participation in postsecondary education has continued to decline. As recently as 2013, the enrollment rate of 4.5% for African American males at institutions of higher learning was still at the same level as 1976.⁵¹ When college-bound males were asked what challenges they faced in schools, they said that they needed more African American teachers and mentors to guide them. The lack of academic confidence is a reason that these students drop out of school, but if they have teachers to guide them it could help them become more successful. However, stereotypes are even present in classrooms when teachers hold particular views and show it through the lack of motivation and interest in their students' success.

⁵⁰ Mitchell J. Chang, "Does Racial Diversity Matter?: The Educational Impact of a Racially Diverse Undergraduate Population," *Journal of College Student Development* 40.4 (1999): 377-95. Brief of *amici curiae*: The American Psychological Association in Support of Respondents in *Fisher v. University of Texas at Austin*"; Jennifer A. Richeson, Abigail A. Bair, Heather L Gordon, Todd F. Heatherton, Carrie L. Wyland, Sophie Trawalter & J Nicole Shelton, "An fMRI Investigation of the Impact of Interracial Contact on Executive Function," *Nature Neuroscience* 6.12 (November 2003): 323-28.

⁵¹ Jameel A. Scott, Kenneth J. Taylor and Robert T. Palmer, "Challenges to Success in Higher Education: An Examination of Educational Challenges from the Voices of College-Bound Black Males," *The Journal of Negro Education* 82.3 (2013): 288-99.

Educational equality should be used as the standard for education not just because it is intrinsically good, but also because it will benefit society as a whole. Adequacy may view paying for disadvantaged members to get an equal education as a loss of resources from advantaged members, but it will benefit them as well. Other than the fact that it is a cookie-cutter standard for diverse students with different backgrounds, adequacy also deprives people of skills and opportunities. It is more common to assume that students who are disadvantaged are the only ones that are deprived, but advantaged students are also deprived. Both groups are deprived of skills and opportunities from which they could benefit.⁵² The less advantaged are deprived of skills and opportunities that are needed to succeed and excel in society, and the advantaged become isolated from the problem. The isolation of advantaged people does not foster change in the system because they are unaware of the problem, which results in a lack of motivation to create changes. When civil rights were fought for, and when *Brown v. Board of Education* was brought to the Supreme Court it was to give students equal opportunities, not adequate opportunities. The use of the Rawlsian system in the American educational system would promote equal opportunities in education by promoting fair decision making that eliminates the influence of irrelevant external factors and solely focus on the innate talent and efforts of students, and not social or personal advantages or disadvantages. Equal education is akin to equal liberties that the Constitution espouses, so it is not the case that people should simply have an adequate education or opportunities, but an equal education and opportunities with others. Not even *Plessy v. Ferguson* attempted to allow separate but adequate institutions, so if we continue

⁵² Harry Brighouse and Adam Swift, "Educational Equality versus Educational Adequacy: A Critique of Anderson and Satz," *Journal of Applied Philosophy* 26.2 (2009): 117-28.

to use educational adequacy we will leave students worse off. The continued shift from equality to adequacy will result in a regress to times before *Plessy v. Ferguson*, which will only continue to hurt our society and future generations.

REFERENCES

- Anderson, Elizabeth. "Fair opportunity in education: A democratic equality perspective." *Ethics* 117 (2007): 595–622, 615.
- Anderson, James D. *Education of Blacks in the South, 1860-1935*. Chapel Hill: University of North Carolina Press, 1988.
- Arneson, Richard. "Against Rawlsian Equality of Opportunity." *Philosophical Studies*. 93 (1999): 77–112.
- Berlin, Ira et al. *The Black Military Experience*. New York: Cambridge University Press. 1982.
- Brown v. Board of Education of Topeka. United States Supreme Court. 17 May 1954. ITT Chicago-Kent College of Law at Illinois Tech, n.d. Web.
- Brown v. Board of Education, 347 U.S. 483 (1954). Record Group 21, Records of the U.S. District Court of Kansas, National Archives – Central Plains Region, Kansas City, MO.
- Chang, Mitchell J, "Does Racial Diversity Matter?: The Educational Impact of a Racially Diverse Undergraduate Population." *Journal of College Student Development*. 40.4 (1999): 377–95.
- Clabaugh, Gary K. *The Cutting Edge: The Educational Legacy of Ronald Reagan, Educational Horizons*. 82.4, (2004): 256-59, 257.
- Clayton, Matthew. "Rawls and Natural Aristocracy." *Croatian Journal of Philosophy*. 1.3 (2001): 239–59.
- Cromwell, John W. *The Early Negro Convention Movement*. Washington DC: American Negro Academy, 1904.

De Las Casas, Bartolome. *The Devastation of the Indies: A Brief Account*. 1542.

<http://www.swarthmore.edu/SocSci/bdorse1/41docs/02-las.html>. Web.

Dworkin, Ronald. *Sovereign Virtue*. Cambridge MA: Harvard University Press, 2000.

Eder, Jeanne and Jon Reyhner. *American Indian Education: A History*. Norman, Oklahoma: University of Oklahoma Press, 2004.

Heath, Shirley Brice. *Telling Tongues: Language Policy in Mexico— Colony to Nation*. New York: Teachers College Press, 1972.

McCarthy-Tucker, Sherri N. and Kari A. Knutson. "Gifted Education for Native American Students: A State of Affairs." Roundtable presentation at the meeting of the American Educational Research Association. (1993): 3.

Meza, Nizhone. "Indian Education: Maintaining Tribal Sovereignty through Native American Culture and Language Preservation." *Brigham Young University & Law Journal*. (2015) Issue 1, 353-66.

Miller, Carol A. "Minority Student Achievement: A Comprehensive Perspective." *Journal of Developmental Education* 13.3 (1990): 6.

National Archives: Order of Argument in the Case, *Brown v. Board of Education*,
<https://www.archives.gov/education/lessons/brown-case-order>.

Noriega, Jorge. *American Indian Education in the United States: Indoctrination for Subordination to Colonialism, State of Native America: Genocide, Colonization, and Resistance*. ed. M. Annette Jaimes. Boston: South End, 1992.

- Palmer, Robert T., Kenneth J. Taylor, and Jameel A. Scott. "Challenges to Success in Higher Education: An Examination of Educational Challenges from the Voices of College-Bound Black Males." *The Journal of Negro Education*. 82.3 (2013): 288-99.
- Pathways to College Network. "A Shared Agenda: A Leadership Challenge to Improve College Access and Success." Washington, D.C.: Pathways to College Network, 2003.
- Patterson, James T., *Brown v. Board of Education: A Civil Rights Milestone and Its Troubled Legacy*. Oxford, Oxford University Press, 2001.
- Paul, Faith G. "Access to College in a Public Policy Environment Supporting Both Opportunity and Selectivity." *American Journal of Education* 98.4 (1990): 387.
- Piliawsky, Monte. "Racial Equality in the United States: From Institutionalized Racism to 'Respectable' Racism." *Phylon (1960-)*. 45.2 (1984): 135-43.
- Pineda, Daniela and Gilda Ochoa. "Deconstructing Power, Privilege, and Silence in the Classroom." *Radical History Review*. 102 (2008): 47.
- Plessy v. Ferguson*. United States Supreme Court. 18 May 1896. ITT Chicago-Kent College of Law at Illinois Tech. N.p., n.d. Web.
- Rawls, John. *A Theory of Justice*. Cambridge MA: Belknap Press of Harvard University Press, 1971.
- Spring, Joel. *The American School: 1629–2004*. Boston: McGraw-Hill, 2004.
- Swift, Adam and Harry Brighouse. "Educational Equality versus Educational Adequacy: A Critique of Anderson and Satz." *Journal of Applied Philosophy*. 26.2 (2009): 117-28.
- . "Equality, Priority, and Positional Goods." *Ethics* 116.3 (2006): 471-97.

- Szasz, Margaret Connell. *Indian Education in the American Colonies, 1607-1783*. Albuquerque: University of New Mexico Press, 1988.
- Tator, Carol and Frances Henry. "The Colour of Democracy: Racism in Canadian Society." 3rd Ed. Toronto: Nelson, 2006. 352.
- . "Racism in The Canadian University Demanding Social Justice, Inclusion, And Equity." Toronto: University of Toronto Press, 2009. 329.
- Testimony of Caroline Smith, Ku Klux Klan Reports, October 21, 1871, Georgia Klan Testimony, I: 400-403.
- Vogel, V. J. *This Country Was Ours: A Documentary History of the American Indian*. New York: Harper & Row, 1972.
- Warner, Linda Sue. "Education and the Law: Implications for American Indian/Alaska Native Students." *Next Steps: Research and Practive to Advance Indian Education* (1999). Ch. 3: 53-80.
- Waters, Anne. "Indigeneity, Self-Determination, and Sovereignty." *The American Philosophical Association Newsletters: Newsletter on American Indians in Philosophy*. 2.1 (2002): 9.
- Williams, Heather Andrea. *Self-Taught: African American Education in Slavery and Freedom*. North Carolina: The University of North Carolina Press, 2005.
- Woodward, C. Vann. *Strange Career of Jim Crow*. New York: Oxford University Press, 1974.