SYMPOSIUM

A Life in Civil Rights

Gary Orfield, *University of California, Los Angeles*

I have lived a life in which I have often been involved in public debates and controversies, but not as a public intellectual whose ideas were embraced by the White House or celebrated by the *New York Review of Books*. Mine has been a very different kind of experience that could be characterized more as an against-the-grain persistence in digging into some fundamental questions of social inequality that were fashionable a half century ago but were abandoned by most Americans with influence and power. I am convinced that we have no viable policies in place that will produce a healthy and successful society as our vast racial transition continues. My research has convinced me that there are much better answers.

Over the years, I have worked to understand the realities of racial injustice and possible cures, expand knowledge, and participate in the great debates over policy. I began this work in college and knew that I wanted a career of both research and action. Over many years, I have learned how to create and disseminate important new information on unpopular and sometimes explosive topics. My work has primarily been invested in a large, sustained collaborative effort to create new knowledge and policies that enhance civil rights. Increasingly, this has meant that my role has shifted toward being an organizer and collaborator in intellectual, legal, and policy networks, rather than being a stand-alone academic. I co-founded a unique university-based think tank, the Civil Rights Project, which has worked with colleagues across the country in a growing national network of scholars concerned with civil rights. We have worked to commission more than 450 studies, publish numerous books, and foster a new generation of interdisciplinary civil rights researchers in a difficult time.

I was told at various stages of my career that playing an active role in policy battles was incompatible with being a political scientist, and that this engagement would hurt my career. Sometimes it did. I lost some job opportunities, particularly early in my career, and I did not receive any significant funding for many years. Nevertheless, my career turned out to be endlessly fascinating. I have had many amazing colleagues who were willing to work very hard on issues that lacked prestige in their discipline, with little or no money, even when they knew that their work was likely to be ignored or attacked. The dissemination of research disclosing discrimination and supporting racial change often leads to attacks by agencies with resources and skilled lawyers in high-stakes legal battles. Anyone who wants to be seriously engaged in intellectual, legal, and political struggles would be foolish to think that the leaders of the institutions being challenged would simply yield to the force of research. Working for deep change in the worlds of law and policy means working under fire.

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BEGINNINGS

I always wanted to do work on social justice. Even as an undergraduate, I ran the student government and organized student projects on Minnesota's Indian reservations while researching my thesis on presidential leadership in racial crises. I grew up in Minnesota, a state where progressive politics had some of its greatest triumphs, and I always believed that research and ideas can make a difference. I wanted to become a political scientist to understand the nature of American political institutions and ideologies in order to research and teach, but also to use this knowledge to be part of efforts to address what I saw as the tragedy of race in American society. I have always been fascinated by the operation of institutions and political processes, but frustrated by the fact that few political scientists have any significant role in operating or improving those institutions or playing a major role in policymaking. Sociologists, economists, lawyers, and others who do play important roles in these processes usually lack the understanding of institutions and politics that would make policy more effective.

During graduate school, several professors gave me advice: "Don't get involved in politics or causes, keep your head down, stay clear, publish a lot of things in refereed journals, develop new concepts that speak to the discipline, and you'll have a wonderful career." I was warned against bringing values into my work and told that my very high math scores meant that I could ride the next big wave. Instead of conducting a sophisticated statistical study with theoretical innovations, however, I chose to write my dissertation on the administration of the racial transformation of the South under the Great Society. When I first entered the job market, I was turned down by three universities on one very sad day—Stanford, Minnesota, and Rutgers. My thesis was about the politics, law, and administration of a social revolution, but faculty members, especially at Stanford, wanted to talk about theoretical models. It was hard to understand why many political scientists were not interested in a law that peacefully ended deeply rooted apartheid institutions in a third of our states, an astonishing accomplishment for a democracy. After the University of Virginia hired me at the last moment, I received a contract to publish my dissertation and was pleased to discover that there was a market for my work, even though it ran against the grain.

I have always had a Midwestern skepticism about intellectual pretensions and disliked academic politics. Although I spent a quarter century working mainly in political science departments and research centers, the most important contacts

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I have made have been with networks of researchers from many disciplines and activists and policymakers working on social policy. Although I have written for and been an editor of many academic publications and believe they serve an essential purpose, I have always considered them, with few exceptions, of little importance for policy, because they have so few readers in that world and their publication delays mean that they are often unable to address a current issue before the policy has already been decided. I have learned that other kinds of writing and action have far greater policy resonance, and that most of the research that makes a difference in these spheres becomes important either because it is created for or taken up by major governmental leaders, or because it becomes very visible in the media or in social or political movements. Much of my work that has made a difference and has made me visible has been produced in the form of reports, testimony, and work with courts on major class action cases. We are a nation governed largely by lawyers and with extremely powerful courts, so legal disputes and decisions are a critical source of ideas and policies, especially when the political institutions are deadlocked—as they usually are on civil rights issues. I became far more involved in the courts than I ever expected, and I am grateful for my judicial process training.

WORKING AGAINST THE TIDE

I decided very early in my career that I could not be a "value-free" researcher. I never accepted the value-free behavioral positivism that was becoming increasingly dominant in the profession. Although I greatly respect serious empirical research, American social science has too often mistakenly understood the true positivist proposition that one cannot prove what one cannot measure to mean that researchers must limit themselves to what can be measured statistically. While it is important to conduct the collection and analysis of data in the most serious and objective way, it seems clear to me that the selection of what questions one studies and decisions about what one does with the new knowledge after the research is done are also important and different in character. Acknowledging my values, I think, makes me more careful, knowing that others will be looking for bias in my work. Too much research has implicit, unacknowledged biases.

Scholars have a very privileged position in society, being paid to study, write, teach, uncover data that no one else has ever seen, and challenge the dominant ideas of their time. They also have a corresponding responsibility. If a person discovers something very important, he or she should let people know. In a very stratified society in which different groups have radically different abilities to communicate, I feel a special responsibility to help the voiceless be heard.

CIVIL RIGHTS

The civil rights movement deeply influenced my understanding of the nature of American society. I was in the midst of researching the poverty program in the middle of Watts the day the Los Angeles riots went out of control in 1965 and hastened the end of the liberal era in California. I saw places I knew become ruins and racism dramatically break out on both sides of racial boundaries in a city where many thought great progress had been made. The day after Martin Luther King, Jr.'s assassination, I saw great pillars of smoke rising from riots in Washington, DC. I interviewed the GOP congressman whose vote shortly afterwards saved the fair housing law; he told me that he had been praying with his minister because he did not want the kind of country he feared we were becoming. I saw a conference room in Atlanta full of federal civil rights bureaucrats who had done much to transform the South begin to cry when they received the message that President Nixon had ordered them to stop using the most powerful enforcement provisions of the 1964 Civil Rights Act. In cities across the nation, I saw sweeping changes occur year after year, first in the direction of racial progress and then toward reaction and retreat.

My graduate studies with John Hope Franklin, the great African American historian, had a lasting impact on me, particularly his vivid description of the way that white scholars abandoned the cause of civil rights and developed studies rationalizing and praising the reinstitution of unlimited white supremacy in the South. I resolved to become engaged in the battles over the destiny of what some called the second reconstruction. There were already signs that the brief consensus to address racial segregation was collapsing. By the time I began to teach, it was apparent that the country was heading into a period of intense conservative effort to dismantle civil rights. I watched the Democrats retreat and the Republicans forget about Lincoln and join in a coalition with southern segregationists. It was depressing to see how fast white intellectuals moved from active support for forced change in southern racial practices to a tacit and sometimes explicit embrace of the idea that nothing could be done about the racial conditions in our northern and western cities. I had hoped to interact regularly with a progressive government working on civil rights. That turned out to be a pipe dream.

When you decide to engage in large national issues, you confront the unpredictable tides of history. The political and legal setting became far harsher than I had expected. Coming of age in the 1960s, under the Warren Court and in the Kennedy-Johnson era, I had no idea that the next 40 years would see no liberal administrations, and that in terms of civil rights, as Julian Bond has said, we would have one party that was "shameless" and another that was "spineless." I had no idea that the Warren Court would be the high point of civil rights law for the next four decades, that the conservative movement would virtually eliminate GOP congressional moderates, or that the Democratic Party would win the White House only twice in forty years, and only with moderate pro-business southerners who would produce no significant new initiatives on race or urban policy.

My view was that even at the height of the civil rights reform, we were barely beginning to seriously discuss the issues of metropolitan racial inequality. The Civil War had shattered the nation's first system of racial oppression, slavery, and the civil rights movement, and the laws of the 1960s had ended many aspects of legal apartheid in the South, but we still had a system of profound inequality based on residential

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segregation in our metropolitan areas, where education and other opportunities were allocated by location and location was allocated by race. It was clear to me that policies such as affirmative action and fair housing were essential but seriously inadequate. Urban school desegregation became the only substantial effort to break the self-perpetuating nature of metropolitan segregation in the twentieth century, and this policy was fiercely resisted from the outset and critically limited within three years of the first favorable Supreme Court decision in 1971.

My career had to take shape largely on the outside. The political climate left only research and pockets of government as places to work for change. I did some research for what turned out to be a crucial Supreme Court decision, I wrote in presidential campaigns that failed. I published magazine and newspaper articles. I testified and worked against three of Nixon's Supreme Court appointees—Carswell, Haynsworth, and Rehnquist—people I saw as a racist, a mediocre anti-civil rights conservative, and a fiercely anti–civil rights Justice Department official. When Rehnquist was first nominated in 1971, the FBI actually called my home in Princeton junior faculty housing demanding that I call back that night to tell them whether I planned to testify against him and what my source of information was. It turned out that the bureau had called all critics of Nixon's appointees on orders from the White House. That made me determined to testify.

The vast majority of my policy work was off campus. I have had limited interest in campus issues, generally agreeing with Wallace Sayre that "the politics of the university are so intense because the stakes are so low." There was one significant exception to this rule. When President Nixon invaded Cambodia in 1970 after promising to end the Vietnam War, an incredible surge of opposition rose on campuses across the country. I perceived antiwar protests on campus to be ineffective and thought that it would be much better to direct student energy against congressional candidates supporting the invasion, which would have the side effect of producing what I hoped would be a better social policy climate in Congress. A great campuswide meeting of students and faculty was held in the chapel following the invasion, and I proposed creating what I called the Movement for a New Congress, asking students to commit to participate in congressional campaigns. One quarter of Princeton students volunteered, and the idea quickly spread to four hundred colleges. Within days, students were working in primary campaigns. Almost immediately, candidates appealed for support, and the New Jersey GOP Senate candidate actually offered to change his position on the war if we would endorse him.

It was an amazing moment. Although all my classes met during this time and we spent no university resources, the Nixon administration threatened to revoke the tax-exempt status of Princeton unless the effort was shut down. I was called into a meeting with the provost and several elite New York lawyers and asked to go on leave without pay. I refused, saying I was meeting my academic responsibilities, and that I had academic freedom to engage in this effort. The salary from this job was also my only income, and I had a baby at home. The provost called me the next day and apologized, but this incident and other problems cut short my time at Princeton, a campus on which I did not fit, in any case. My departure led me to spend five years in Washington, which turned out to be invaluable for understanding the policy process.

Ironically, because of the notoriety of the Princeton experience, two publishers offered me contracts to write a book on Congress, which became *Congressional Power: Congress and Social Change*. This volume grew directly out of the lessons I had learned about Congress from my involvement in policy battles and presented ideas that differed sharply from the then-received wisdom in the discipline. I believe that this book convinced colleagues that I was a true political scientist with something important to say about the central political science questions. The lessons I learned from activism gave me the understanding that eventually helped me gain tenure in the discipline.

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SCHOOL DESEGREGATION

After leaving Princeton, I went first to the U.S. Civil Rights Commission, then an independent, bipartisan federal agency that had formulated much of the legal agenda of the civil rights revolution. I was chosen as scholar-in-residence for a year, a position that allowed me to go anywhere in the country and study whatever I thought important. That time was the height of the busing controversy, as scores of cities across the country implemented desegregation orders following the Supreme Court's 1971 *Swann* decision. I decided to visit 10 school districts across the country to hold confidential discussions with teachers and educational leaders about what was happening. What I found within the schools bore no resemblance to the public perception of the issue, which had been inflamed by the bitter attacks of Alabama's George Wallace and President Richard Nixon.

At the same time, I also worked with a leading polling firm to conduct a national survey on busing and learned that public opinion was much more complex than the popular surveys suggested. This experience, and other surveys over the years, convinced me that public opinion on issues is malleable, and that attitudes tend to change in a notably positive direction after people come into contact with the people they fear. It is also clear that attitudes can become more hostile when policies are reversed and opposition incited, and when people no longer have such real-life experiences. Too often, researchers assume that public attitudes—some of which are the product of political exploitation of fears—must be taken as inherent limits on policy.

ENTERING THE CRUCIBLE OF COURT BATTLES OVER CIVIL RIGHTS

Life in a policy stream is unpredictable. While the research world has clear pathways for progress through conferences, publications, and subjects featured in leading journals, the policy world is disparate and multidimensional. Sometimes a chance conversation at a meeting or an interview for a newspaper article leads to an important idea, while research requiring a year of serious work disappears without a trace. It is important to network broadly, interact continually with people in the field, be willing to participate in events of little apparent value, respond to media inquiries, and be ready to seize unexpected opportunities. Networks often open up important opportunities.

My visits to schools undergoing desegregation, for example, had surprising consequences. One article that I wrote for a law journal became an important source for school districts facing sudden desegregation orders, and I was invited to speak and meet with leaders and educators in cities with new orders to help them strategize. The Justice Department cited the article in a brief to the Supreme Court in a case, *Milliken II*, in which the Court authorized ordering states to pay to treat various educational deficiencies of segregated education. A visit to Louisville initiated a long-term involvement that, years later, led to a role in a case that went before the Supreme Court in 2006. The same school district interviews became the basis for my testimony as a central witness for a Florida federal court case, *Debra P*, which saved the diplomas of thousands of Florida's black students and set important standards for implementation of high school exit exams (which have highly disproportionate racial impacts), although it failed to end the practice. I never claimed that those interviews were systematic or scientific, but I had gathered more information on the issue than anyone else, so they mattered. In public policy or in court, decision makers have to make decisions using the best available information. Even admittedly exploratory research can sometimes have a large impact.

Shortly afterwards, my Civil Rights Commission work led the Brookings Institution to offer me a job writing a book on the busing conflict. This was an immensely complicated and controversial study, and it took years to complete *Must We Bus? Segregated Schools and National Policy*, a combination of legal analysis, study of trends in urban segregation, analysis of the relationship between housing and school segregation, public opinion trends, the politics and law of the issue, and the best existing evidence on what worked under which conditions. During the process, I published articles on these issues in legal, political science, education, and other journals, magazines, and newspapers. I sponsored a research conference on the "white flight" controversy and chaired the committee of the National Institute of Education, which was developing a research agenda in the field. Those articles established me as an authority in the field and led to many opportunities to become part of the policy process as courts and communities tried to figure out what to do.

At this point, the judge in the Los Angeles (*Crawford*) case, the largest case in the country, called, informed me that both sides were using my articles, and asked me to serve as an expert to the court. Working to answer the hard questions posed by the court about the feasibility of remedies for a vast city undergoing massive changes made me far more conscious of the immense growth of the Latino population and its massive impact on the nation's future. This understanding lead me to spend the next summer in Mexico to begin to acquire Spanish and study the nature of the immigration that would make Latinos the nation's largest minority two decades later.

The reports that I and two other experts filed in Los Angeles concluded that serious, stable desegregation was impossible inside the city but could work if extended far into suburbia—a move that was feasible technically and would have been possible under California law. The reports provoked a referendum called Proposition One, the passage of which radically cut back on the state's constitutional rights to desegregated education. This referendum was upheld by the increasingly conservative California and U.S. courts.

It is a reality that telling the truth—that large changes are needed—can sometimes trigger defeat. Voters in white areas were convinced that they could block racial change in their neighborhoods by blocking busing. In fact, however, as our reports predicted, many of these previously white neighborhoods became Latino as segregated housing spread and most white families left. Ironically, the best chance of preserving a stable, interracial neighborhood where whites would continue to live and use public schools was offered by the plan that their votes struck down. Decades of evidence now show that residential and school integration outcomes have been

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the most stable in areas where the desegregation plan included the suburbs as well as the city.

When the Justice Department submitted a plan for the desegregation of Cleveland that required all schools to enroll three-quarters black students, I criticized it as counterproductive, because the scheme was unlikely to last and would produce very few educational or social benefits. A similar plan was submitted in St. Louis, one of the poorest, most rapidly declining central cities in the United States. Because the lawyers feared a likely loss in the court, they asked me to testify on the last day of the trial to offer another possible alternative. The idea that I proposed was to create as much stable integration and expanded magnet choices as were feasible inside the city, and to bring in the suburbs as much as possible. To my surprise, the Court of Appeals affirmed my idea and ordered the judge to appoint an expert to work with the district in developing a plan. The judge offered me this task, and a very capable and brave school superintendent agreed to work with me, his own planning staff, and a citizens committee to figure out how to transform the school district within the two-month deadline. Superintendent Robert Wentz recognized that the court order created the opportunity to make changes on a scale that would be impossible within the normal parochial politics of school boards and state agencies. Within six weeks, we had formulated a plan to close more than 20 unneeded schools, initiate a new grade structure, create 16 new magnet schools, create as many 50-50 desegregated schools as possible, heavily subsidize the remaining segregated schools, and begin an effort to exchange students with the suburbs. The school board, which had previously been bitterly divided, voted unanimously to support the plan.

I submitted a report to the court recommending approval, which the judge quickly granted. A central problem we encountered was how to pay for any remedy, since the city was desperately poor, no tax increase referendum had passed for many years, and many schools were literally falling apart. Because I knew of a Missouri federal court decision that held that the state must take affirmative measures to desegregate, I sent a young Washington University political scientist, Karen Dawson, to the state capital to interview key education officials about whether the state had taken any affirmative steps. They admitted that they had done nothing. My report documented the state's failure and recommended that it be required to finance the entire plan. Within weeks, the court found the state liable and ordered it to provide the funds, generating an endless set of attacks by the state Attorney General, John Ashcroft, who would become governor, senator, and then U.S. attorney general under the second President Bush.

The St. Louis order produced more than a billion dollars to rebuild schools, finance new magnets, and give extra funds and programs to the schools that could not be desegregated, and it set the stage for a battle that eventually led the suburbs to accept sufficient voluntary transfer of students from the city so that the population of each school would become about one-quarter black. One reason that the suburbs eventually accepted this plan was that the judge announced that if they went to trial and were found guilty of intentional segregation—a finding for which there was powerful evidence—he would order implementation of my proposal, which would simply merge them with the city district and fully desegregate the metropolitan area, as had been done in Wilmington, Delaware. The consent agreement created the largest voluntary suburban transfer plan in U.S. history, which produced powerful benefits for the 14,000 students who were transferred to suburban schools each year, before conservative Supreme Court rulings began to cut back the plan in the late 1990s.

Understanding the legal and educational systems allowed me to help foster large changes. Few people initially thought that families would be interested in transfers, but this approach worked on a large scale for three decades. The experience convinced me that under the right policies, considerable desegregation was possible in almost all metropolitan areas and could produce substantial educational and social gains. Had the times and the Supreme Court composition been different, this example might have had large national implications. The St. Louis experiment showed, in a very difficult context, that options existed that no one had believed possible. My first meeting with the suburban superintendents was accompanied by National Guard helicopters flying overhead and a climate of extreme tension. One year later, a group of the superintendents invited me to dinner and talked about how well the plan had gone. A bitterly resisted idea actually developed serious support in suburbia. When one affluent suburban community considered withdrawal decades later, the local white students shamed the school board into abandoning the idea.

In another case in the early 1980s, in San Francisco, I represented the judge and helped negotiate a settlement between civil rights groups, the state, and the school district for a plan that produced a high level of desegregation and educational change largely through choice mechanisms and desegregation standards. After I visited schools in which no teachers wanted to work and to which no students would transfer, we invented a method of emptying out failing segregated schools and "reconstituting" them. Under this approach, new principals gained extraordinary power to hire from anywhere in the nation and received resources and strong professional support from the school district to create new schools with appealing educational programs. At the same time that a program of simply allocating funds for locally designed reforms at the school level failed, our longitudinal research showed real progress for students at the reconstituted schools. This method was subsequently adopted in Chicago and elsewhere and became part of the Obama reform agenda, but it was disconnected from both the resources and the desegregation that made it successful when conducted properly in San Francisco.

Reconstitution is like open heart surgery. The process is disruptive and should only be done in the absence of other good alternatives, and only then with expert support. Unfortunately, reconstitution became a popular, tough-sounding idea that policymakers tried to enact cheaply on a mass scale. Although research showed that its implementation failed in Chicago, it became a priority in the Obama program under the name of "turnaround schools." Researchers need to fight against misuse of their research. No one wants open heart surgery when the procedure is not really essential, and no one

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wants surgery to be conducted by a medical team that does not have the needed resources.

RESEARCH AND POLICY

Major research projects are very important in contemporary policy debates. Civil rights supporters are often accused of lacking fully developed research evidence. The coin of the realm tends to be large-scale national surveys with data that follow a national sample of students over time or randomized experiments. A basic problem of this kind of research is that getting access from school districts and collecting high-quality data over time on such sensitive issues costs a great deal of money and is extremely hard to do without official support. The government rarely places money and support behind issues it does not want to address.

During the Carter administration, I ran a federal committee of leading scholars from various disciplines and ideologies that generated and selected research proposals on racial diversity for the National Institute of Education. This committee had a consensus of leading liberal and conservative scholars. As soon as the Reagan administration came into office, the committee was disbanded, the staff was fired, and none of the proposed studies were ever funded. Over the next three decades, the federal government funded no major studies of segregation and desegregation. We do not have the highest quality data today, because the government does not want it. As well, you cannot scientifically measure alternatives that do not exist on a reasonable scale or that have never been seriously studied. Much of the civil rights revolution concerned changes that had never been tried in the South. Should researchers have said nothing about the apartheid system of education because gold standard research did not exist? For me, the answer to such a question is that we should use the best available tools and data to investigate important issues while acknowledging our limitations. We should figure out how to expand research, report descriptive data when they are the best that is available, and state what we think these data mean. This is how new ideas are created, policies are tried, and agendas are expanded. It is important to notify the public of data about inequalities that would not otherwise be known, stimulating public discussions about causes and solutions, and demanding the research and experiments we need.

I have tried hard to translate and write popular versions of my research without distorting the findings. Most people who make policy do not read academic studies. Many cannot interpret simple descriptive data tables or graphs, and they are uninterested in the meta-analyses. The typical scholarly conclusion that we need more research is seen by policymakers as a dodge. Decisions must be made, so the question becomes whether intellectuals should engage in presenting the best available evidence or should simply abstain, letting obviously important decisions be made on the basis of prejudice or anecdote. My choice has been to be engaged.

Sometimes a group whose goals I share backs policies or programs that are not actually working or are even causing harm. I have decided that my greatest value to these groups is to be honest. Lawyers often push for testimony that is unambiguous and goes beyond what the research actually shows because they are fighting to win a case. If they lose, they get nothing for themselves or their clients. Similarly, groups running programs always want positive evaluations. In lawsuits, the opponents usually have far more resources and power, and the judge is often part of the local establishment, so the process is stacked against change. Both expert witnessing and program evaluation are often corrupted by witnesses whose opinions can be bought and evaluators who always find benefits. But if you lie for your side, you violate your profession and ultimately undermine reform goals, prevent needed improvements, and contribute to a loss of credibility for the organization. Researchers and advocates must develop mutual respect for long-term success and realize that it is much better to tell the truth than to play politics, though the truth can be harmful in the short run.

Scholars warn of the dangers of involvement, but you also gain knowledge and data that are impossible to get from the outside. No scholar can command public agencies to provide data (although freedom of information requests sometimes work), but courts can issue commands. Lawyers involved in discovery processes in lawsuits, as well as legislative committees, can force disclosure. A researcher would normally never see these data. While working with a legislative or congressional committee, I have seen data emerge from agencies with lightning speed to produce new insights and findings.

I have had to become tough about the attacks that are often made in response to research on racial problems. There are leaders of major institutions who are political hacks, racists, or passive representatives of the status quo, and they will do almost anything to try to discredit a critic, including launching press attacks, attempting to cut off funding, and claiming bias. Press attacks can stir up angry responses—I once received a signed death threat. Insults are normal. I do not respond in kind to attacks; instead, I try to return the discussion to the data, which critics want to hide. In civil rights battles, the people who are attacking are often the same people who must implement the remedy if a case is won or a policy changed. I have found that if you treat those people who attack you with respect and appeal to their professionalism without retreating on the facts, they will sometimes change their minds and become advocates of the new policy, or at least implement it better. Officials who have publicly assailed a civil rights policy have privately told me that they knew what was right but could not propose it without risking their job. Many scholarly studies relying on public records lead readers to think that there is much more polarization and much less capacity for peaceful and successful change than actually exists. The resulting research is inaccurate and contains its own bias.

CHICAGO, METROPOLITAN REALITY, AND BIG RESEARCH WITH FEW DOLLARS

When I was appointed to the political science department at the University of Chicago, I expected to be there for the rest of my life. I knew that a central problem for American civilization was how to produce equal opportunity in the metropolitan areas that had become home to four out of every five Americans, and that I wanted to truly understand the greater Chicago community. I joined the boards of a number of civil

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rights and urban reform groups and conducted many Chicago-based studies. I learned that, with rare exceptions, the institutions that were engaged in issues of minority rights and opportunities had almost no research capacity, and government agencies had almost no interest in looking at racial inequality. Black and Latino groups did, however, represent huge constituencies with urgent problems, have rich experience and important networks, and command attention from the mass media and political leaders. They were often happy to publish reports written by me or my students. Sometimes, these reports got a great deal of attention. It was great to work with them, and this work built relationships and led to good scholarly work and deep engagement by the students.

In studying metropolitan issues, it became apparent that the one-person research model would not work. Getting information from multiple institutions and sources, analyzing the data, and understanding policy, legal, and political contexts required the work of many people. I could not get funding for the kind of issues I was interested in researching during the 1980s. I could not even get data from the Reagan administration, in which one head of the civil rights office informed the staff that anyone who talked to me would be fired. I did not have colleagues at the university who were interested in doing this work. The solution I discovered was to make my students my colleagues and create research teams that offered course credits, real world research experience, publication, and opportunities to testify about their studies. The basic model was something as much as possible like a professional research team working with a large research grant: we gave ourselves an impressive name, issued reports as if we were a major funded project, and insisted on professional quality work. Our first effort was a study published by the Latino Institute, which received substantial local attention. The next, the Chicago Study of Access and Choice in Higher Education, was the first study ever conducted that investigated the flow of students from all high schools through all colleges in a big metropolitan region. Our findings showed a pattern of segregated and unequal educational opportunity throughout all levels of the system, including a 3,000% variation in the level of successful transfers among the region's community colleges that was strongly related to race and community affluence. I learned that if we could gain access to the datasets of public institutions and independently examine their data, we could greatly expand what was known at little cost.

Then, in 1988, after working in Chicago for seven years, something truly unexpected happened. The president of the Spencer Foundation, the nation's only major private funder of educational research, visited my office and told me that I had been named a Senior Scholar by the Foundation and would receive $300,000 that I could use in any way I thought best. After working for years to scrape up a few thousand dollars for out-of-pocket costs for my local studies, this grant was a godsend. I used this money to start new research ventures that were often much broader in scope, sparing myself the very long delays and uncertainty of foundation grants and allowing myself to respond almost immediately to new possibilities or urgent policy issues, and to initiate many studies over a 10-year period. Unquestionably, this funding helped in the national projection of my work and the development of many projects, including the book, *The Closing Door: Conservative Policy and Black Opportunity*, which used metropolitan Atlanta to directly challenge William J. Wilson's theory about the relationship between economic growth and racial inequality, arguing that race was more fundamental.

Scholars warn of the dangers of involvement, but you also gain knowledge and data that are impossible to get from the outside. No scholar can command public agencies to provide data (although freedom of information requests sometimes work), but courts can issue commands. Lawyers involved in discovery processes in lawsuits, as well as legislative committees, can force disclosure. A researcher would normally never see these data. While working with a legislative or congressional committee, I have seen data emerge from agencies with lightning speed to produce new insights and findings.

HARVARD AND THE CIVIL RIGHTS PROJECT

In 1991, I moved from the political science department at Chicago to the Graduate School of Education at Harvard because I wanted to move to a more powerful and visible level of involvement with public policy. I was sure that future action would focus on education policy, since this is the one area of active government that is very widely approved by the American public.

Because political scientists have little direct connection with educational policymakers, I decided that the Harvard School of Education would be a better base. The most important education schools train many of the nation's key leaders in the field and have strong networks, legitimacy, and many opportunities for serious involvement. Chicago is a great social science graduate school, but because of its theoretical orientation, it has very weak connections with public policy. I decided to move to a much more diverse school, where virtually everyone shared the goal of equalizing educational opportunity and had practical experience in studying and implementing change. I did worry about the loss of disciplinary credibility that might result from leaving a social science department, but the School of Education had fine researchers from many disciplines and enormous prestige in the field, and I also taught in

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the Kennedy School. Harvard is the most visible university in the world and provides great access to both the Boston–Washington policy corridor and the national media. Officials love to be invited to events at Harvard. The opportunities multiplied.

A turning point in my work came when I co-taught a course with a Harvard Law School colleague, Christopher Edley, a brilliant and eloquent policy entrepreneur who became President Clinton's advisor on affirmative action. An important book, *Dismantling Desegregation*, began in that class and my friendship with Chris deepened. That relationship became very important after the nation's two largest states, California and Texas, banned affirmative action for college admission in 1996, and it looked like the nation's selective colleges might well face resegregation if the conservative Supreme Court were to decide that any positive consideration of race in college admissions was inherently illegal. In a country with segregated and unequal public schools and families with profoundly unequal resources where most large public universities admitted students using formulas derived from test scores and grades, apart from affirmative action, the crisis seemed imminent. Drawing on Harvard prestige, Chris and I called an emergency meeting of college presidents, federal civil rights officials, legal and social science scholars, and civil rights groups in the spring of 1996 to consider the challenges and create a discussion about what to do.

The off-the-record session drew an astonishing array of leaders on very short notice but was a deeply sobering affair. We discovered that neither the college presidents nor the government leaders had any alternative plan. Scholars had done very little research on the central proposition that had kept affirmative action legal since 1978—that diversity produced educational advantages for all students and thus was a compelling interest that justified race-conscious admissions. This proposition was not a leading issue in sociology or education, and there were actually more studies on the difficulties that students of color faced on white campuses than on the benefits of desegregated campuses for all students. The empirical basis for the Supreme Court's 1978 *Bakke* decision authorizing affirmative action rested on the findings of a Harvard faculty committee. These findings were not likely to suffice in a much more conservative Supreme Court.

We were shaken by the meeting and knew that large research holes existed in other areas of civil rights policy. We decided to create a research center with the explicit goal of bringing together scholars in social science and law to address the fundamental legal and policy questions using the best possible research to create the knowledge base for future civil rights policy. We had no idea whether this plan was possible or what kind of response we would receive, either in the academic world or in the legal and policy arena. We received a small grant from the MacArthur Foundation, hired one graduate student, and created the Civil Rights Project, which is now 14 years old. The project has never had a large budget or more than four researchers on staff. It has basically operated as a collaborative effort of scholars across the nation working on projects that are coordinated by the directors, staff, and graduate students. The Civil Rights Project was a small project that developed a large policy footprint, partly using the lessons I learned from my Chicago experience and Chris's Washington expertise.

The response from the academic world surprised us. It turned out that there were many people at all levels of academia who cared deeply about civil rights and an integrated society. With no political leadership and no organized academic movement, it had been difficult for these people to become involved in civil rights efforts. Many young people had grown up in a nation where there was no leadership on these issues, but they recognized the reality of sweeping racial change, knew something was wrong, and wanted to be involved. Some of the most intensely interested people had experienced desegregated education. Many academics were worried about losing what they saw as only half-completed affirmative action work on their campuses and had broader concerns about the social crisis of growing inequality. When we asked our best scholars to address these urgent issues and make their results accessible, the vast majority agreed, although we had very little money to offer them. Our Harvard Law School and School of Education connections meant that we had the power to bring people together, and we created intense meetings in which scholars were required to shorten and sharpen their points and to face skeptical interrogation by lawyers and activists—a system that proved to be very stimulating and greatly improved the research. Each year, securing funding was difficult, and we never received government or Harvard money, but Chris Edley was able to pull rabbits out of foundation hats.

At the Color Lines conference in 2003, a large, one-time grant enabled us to send a challenge to the academic world to look beyond the present crisis and investigate what was really happening to American society as it went through an unprecedented transition from two hundred years with an 80%–90% white majority to a time in the near future when there would be no majority population. We received over five hundred proposals from researchers and commissioned 110 studies, which were presented in a spectacular conference with a giant tent and scores of classrooms at Harvard Law School. More than eleven hundred scholars paid their own way to come, and we were forced to turn away many others for simple lack of capacity. This event told us that we had defined issues that were of compelling interest to many scholars from many disciplines, and that incredible potential existed. Unfortunately, we could only hold such a conference once, and it was always very difficult to obtain even small grants for research. Few foundations actually fund social research, and none besides the Ford Foundation have a continuing serious interest in civil rights. There was no liberal counterpart of the Heritage Foundation or the American Enterprise Institute in Washington with lots of money to generate progressive policy research on race and disseminate it powerfully. We could get individual projects funded, but we could not support a significant continuing staff, and we were never secure financially for more than a year at a time. Only briefly were we able to employ a public relations person, which makes an obvious difference in a program's success. No wealthy donor ever gave us money. At Harvard, we had to raise money to pay high rent for space. It is very

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difficult to keep a research program going without any long-term or infrastructure funding. We wanted an ongoing staff with flexibility to move quickly on emerging issues, but most foundations work slowly and provide short-term, specific funding, and so we had to learn to be creative.

My job was to coordinate and manage the research, figure out how to create new lines of research, and launch new issues and publications while teaching large classes, which I loved. I had to decide whether I wanted to devote my research energy to my own projects and books, or to the organization of an intellectual movement. I knew that many voices had to be involved in the effort, and that it was essential that young scholars be launched and given visibility and voice. Every individual project involved many demands for overall direction, quality control, and framing of events and publications. From the beginning, our conferences included work by graduate students and young faculty, and the graduate students we hired to coordinate conferences and help with editing manuscripts and books were soon publishing and finding academic positions around the country themselves. Researchers found colleagues and co-authors in our conferences and publications. Subjects that had been largely neglected in research were revived. We learned how to create large discussions in the academic world by issuing calls for papers, staging private research roundtables to dissect and improve work, issuing reports to the media, holding national conferences, and publishing books as interest grew. More and more people—sometimes as many as a million a month—visited our Web site. I and many others became more prominent voices in the key debates.

When it went to the Supreme Court, the affirmative action battle was an excellent reflection of what we had created. We began almost immediately to commission research in this area, hold sessions, and let researchers know the questions that we thought would have to be answered in a high-stakes Supreme Court battle. We published two books of research on whether there really were compelling educational reasons for affirmative action and whether or not alternative policies that could preserve diversity existed. We never had enough money to put major research projects in the field, so much of this work involved finding scholars who knew how to tap existing datasets or institutional data to answer important aspects of the questions. Our first book, *Chilling Admissions*, investigated the aftermath of the bans in Texas and California, documented the obstacles the bans created, and analyzed the huge losses of minority students that could be expected in the absence of affirmative action. Much of the work we commissioned showed evidence of the positive benefits of diverse educational experiences and appeared in the book *Diversity Challenged*. In one project, we worked with former Harvard President Derek Bok to survey law students about their experiences at the Harvard and Michigan law schools. All racial and ethnic groups of students reported large and multiple impacts on their legal education and even their understanding of the society and their profession from the interactions that took place within diverse student bodies. Bok, a number of social scientists, and I served as expert witnesses in the trial, and an amazing array of lawyers used our research in briefs submitted by many of the most powerful corporations and interest groups in the United States. Lawyers from the Civil Rights Project also drafted a brief submitted by the American Educational Research Association.

By the time the Bush administration asked the Supreme Court to end affirmative action, it had conceded the point that diversity was an important educational value—an important victory. They claimed that affirmative action was unnecessary, arguing that the "percent plans" operating in Texas and Florida showed that a nonracial system of preferences for top students in each high school could produce diversity without affirmative action. We had studied the Texas plan from the beginning and knew that this approach worked fairly well at the University of Texas at Austin because it explicitly built on the high level of segregation in the Texas schools and was backed by a targeted scholarship program and other supports that would not likely work on other campuses. We expected the administration to emphasize the 20% plan adopted by Florida when Governor Jeb Bush ended affirmative action there, a plan the White House had hailed. Anticipating this strategy, the year before the Supreme Court hearing, three of us went to Florida and conducted more than one hundred interviews in the state capital and on all the leading campuses. We found out within days that almost nothing that had been claimed about the plan was true, that almost all the students it purported to help would have been eligible for admissions in any case, that it did nothing to assure integration of the selective campuses, and that the University of Florida was still practicing many forms of affirmative action, although not in admissions decisions. The day after we released well-documented reports on Florida and a comparative statistical study of the three states with percent plans, we were harshly attacked by both the White House and the governor of Florida. These percent plans were little discussed in the oral arguments and the administration's argument failed.

When the decision was handed down the next June, the Supreme Court upheld affirmative action, and, in a rare honor, our book and other books by our collaborators were cited in the decision. Whether or not this research was the key factor in the ruling, the intellectual world had contributed a voice to the debate, and the essential research had been done in time for the decisive showdown. This outcome was exactly what we had hoped for. That case was not the end of the battle, of course. Civil rights issues are never permanently settled, and the Supreme Court later became even more conservative after the second President Bush's two appointments. It was, however, a great day for those who believed that research could broaden the nation's discourse and help decide important issues of racial justice.

RESEARCH ON BOTH COASTS AND THE FUTURE

In the 14 years of commissioning more than 450 studies, issuing reports, and publishing more than a dozen books, the Civil Rights Project has seen a number of successes and failures. But, in important ways, the country has been moving backwards.

We helped create a national discussion on the dropout crisis, conducted the first major studies of the racial impacts of No Child Left Behind, published pathbreaking work on discrimination in special education, commissioned studies of housing and transportation discrimination, and initiated many

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other studies. Speaking on campuses, we almost always hear from students and others about how they follow and apply our work. It is impossible to know, but I often wonder if one of these students is a future Gunnar Myrdal, Kenneth Clark, Cesar Chavez, Thurgood Marshall, Sonia Sotomayor, or Barack Obama.

One of the Civil Rights Project's last major efforts at Harvard was a collaboration with scholars across the country to prepare a brief for the Supreme Court that summarized what had been learned in a half century of research on school integration. Working under the Court's tight deadlines, we had only two weeks to circulate the document for signatures by scholars across the United States. To our astonishment, 553 scholars from 201 colleges and research centers signed the brief. Although the Court decided 5-4 against the voluntary desegregation plans under review, this and other research strongly influenced the four dissenters, and the majority actually agreed that desegregation was a compelling educational interest. Obviously, a major intellectual network had been created.

After Chris Edley was selected as Dean of the Berkeley Law School in 2003, the Project faced very hard times at Harvard, with a declining budget, unmanageable costs, and no support from the institution. Keeping the Project running, raising funds, and producing major research while teaching many students proved to be an overwhelming burden. In late 2006, I moved the project to UCLA, and Patricia Gándara, a leading scholar of Latino education and language and immigration issues, joined as the new co-director. (We are married.) For the first time, we enjoyed substantial university support and space. I was delighted to receive appointments to the political science department, the law school, and the school of urban planning, as well as the education school, our home base. Our goal was to remain highly visible while expanding our work to more effectively include the issues of the West, an extremely multiracial area. We found that we did receive less attention at the beginning, but we were able to rapidly create much stronger involvement with Latino and immigrant issues and organizations, raise more funds, find many interested students, and tap into a steadily growing interest in new initiatives. At the beginning of 2010, we sponsored an extraordinary event in Mexico City that brought 150 scholars together from both countries to present research on "The Students We Share"—the millions of students with roots in both countries and lives often divided and damaged by incoherent and discontinuous educational experiences in two countries, compounded by a tragic immigration situation. In 2010, we released new studies by scholars about the education of English language learners, following a 2009 Supreme Court decision in an Arizona case, *Horne* v. *Flores*, that put the rights of these students—a tenth of all U.S. students—at risk. State officials sued to try to prevent some of the researchers from testifying. We have learned that the work can expand in important ways, that it can command attention without the VERITAS shield, and that it must continue, even when some believe that the election of an African American president means that all civil rights issues have been resolved.

Looking back over what has already been a long career, I still do not know whether I would call myself a public intellectual. For a long time now, my work has included constant writing but has mostly concerned the creation of new research and policy initiatives and collaboration with many colleagues. Some of this work is more about planting seeds and supporting other careers than being visible as an individual. I like to think that some of the most important things I have done will blossom in future work by people who are still students now, work that I could not have conceived, and that will come decades from now when the country will need it even more. Young minority faculty are still often told, "Don't study the problems of your racial group; that will be seen as biased." And white faculty are told, "Don't study race because you can't understand it or be credible." Race, however, is a fundamental cleavage of our society, and to ignore it is to ignore its strong ties to many forms of opportunity and outcomes. No one can understand all of its dimensions, but many can add something important to our understanding of it. Young political scientists have great contributions to make. We have to figure out how to live and work together, as whites become a declining minority in the United States and as we all come to depend more deeply on creating a successful multiracial society. I take great hope from the young scholars who have worked as students with the Project and now teach in many universities, and the messages I receive each day from other scholars and students who want to work on civil rights issues. I hope that they will have careers that are as intellectually and personally fulfilling for them as mine has been for me, share the joy of working with people who are truly dedicated, and become public intellectuals for the rising generation, continuing the struggle to help our diverse and divided nation. ■

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