Book Review

Joyce A. Baugh. *The Detroit School Busing Case: Milliken v. Bradley and the Controversy over Desegregation*. Lawrence: University Press of Kansas, 2011. 248 pp. Cloth $34.95. Paper $17.95.

While much remains to be understood about the desegregation of schools in the South, scholars are increasingly, and rightfully so, turning their attention to the desegregation and integration of northern schools. Joyce A. Baugh's decision to pursue this emerging line of inquiry comes from her lived experience as a member of the first generation of Black students to desegregate elementary schools in Charleston, South Carolina, and, some years later, from her surprise, while a Kent State University graduate student, at learning of persistent racial segregation in northern K-12 public schools. Baugh's experience as a political science professor at Central Michigan University beginning in the late 1980s caused her to further question race relations in northern schools. She found that while her students had at least a passing familiarity with school desegregation in the South, few knew anything about such efforts in the North. She writes, "This was particularly striking, since so many of them came from the Detroit metropolitan area" in which "most attended public schools that were overwhelming white or black" (p. xi). Her decision to focus on the Detroit school desegregation case, *Milliken v. Bradley* (1974), reflects her desire to understand the events that led her students, and those in other northern metropolitan areas, to attend segregated public schools.

Baugh approaches the *Milliken* case with both a long and wide lens. A real strength of the book is chapter two, in which she provides a historical account of Detroit race relations from the turn of the twentieth century through the 1960s. Focusing on the pervasive day-to-day discrimination against Blacks while noting those moments when racial tension exploded into violence, Baugh provides readers a real sense of the complex approach northern whites took to their attempts to subjugate Blacks. Without the expansive implications of the South's "separate but equal" legal doctrine, northern whites constantly had to create and renegotiate political, economic, and social mechanisms to ensure the subjugation of northern Blacks. Historians of education will particularly appreciate Baugh's detailed demonstration of how restrictive housing covenants, mortgage company lending practices, and homeowners' associations ensured white northerners could maintain segregated communities while distancing themselves from what they believed was the more overt racial injustice found in the South. She makes it is clear that so-called de facto segregation was not the natural outcome of

individual choice or even the result of a broader phenomenon such as white flight but the result of orchestrated, and often legally sanctioned, efforts to create racial segregation. That such segregation broke significantly along metropolitan and suburban lines sets the stage for the challenges faced by those wanting to desegregate Detroit's public schools in the 1970s.

Baugh's treatment of the initial *Milliken* case is most compelling in her account of how the plaintiffs' attorneys persuaded U.S. District Judge Stephen Roth, who initially "expressed his skepticism about the plaintiff's claim of systemwide discrimination," (p. 88) to see the extent of metropolitan Detroit's segregation. A simple exhibit of evidence, a large map showing "in vivid color, the almost complete residential segregation of Detroit" and overlays to that map revealing that "high school boundaries coincided with the residential boundaries" bolstered the plaintiffs' argument that the school district gerrymandered attendance boundaries to create a racially segregated school system (pp. 95–96). The segregated residential and school boundaries closely paralleled urban–suburban school boundaries. The initial source of a metropolitan remedy was an attorney for the defendants who argued that any attempt to force the integration of Detroit schools would only accelerate white flight to the suburbs, thereby making it nearly impossible to desegregate Detroit schools (p. 99). While early in the trial Roth stated that a metropolitan remedy exceeded the scope of the lawsuit, he eventually concluded that an interdistrict remedy was necessary to integrate Detroit schools due to extensive residential segregation and was justified by the fact that the state and the state board of education, both defendants in the case, had sought to create and maintain segregated schools through school construction site selection and funding decisions that favored suburban schools.

Baugh shows that as the case moved to the Supreme Court the central questions surrounding *Milliken* changed because the suburban school districts were not involved in the initial case but were included in Roth's call for the creation of a metropolitan remedy. Originally, the case involved complex questions: What is the required standard of evidence to show that a district actively worked to segregate or maintain the segregation of its schools? What responsibility does a school district have to ameliorate the injustices of racial segregation created by forces outside the providence of school policy? How does an overwhelmingly Black urban school district desegregate or integrate itself? To what extent are school districts sovereign bodies and to what extent are they agencies of the state?

Once the case arrived at the Supreme Court, the question before the justices was much narrower: Under what conditions could a federal court order an interdistrict remedy? The Supreme Court upheld the

district court's finding of de facto segregation within the Detroit School District and the role the state played in creating it. However, the majority rejected the interdistrict remedy because there was no interdistrict violation. In accordance with the Court's 1971 *Swann* decision, which approved busing as a tool to address de jure segregation, the majority asserted that any remedy must be consistent with a demonstrated constitutional violation. No evidence had been submitted at the district court level that the suburban school districts to be included in the remedy had taken segregative actions.

Baugh provides an interesting account of the difficulty Justice Warren Earl Burger faced in getting consensus for the majority opinion and offers a brief look at the three dissents from the divided Court's 5-4 decision. Unfortunately, the meaning of the *Milliken* case is never developed in a narrative that focuses on retelling a story at the expense of analysis and argument. In the final chapter of her book, Baugh lists other scholars' arguments of *Milliken*'s significance to the history of school desegregation, including those of Jeffrey Mirel, Gary Orfield and Susan Eaton, and Jennifer Hochschild and Nathan Scovronick, but does not adequately explain how her work complements, complicates, or challenges earlier scholarship. The little argument that is offered will likely trouble historians of education as it draws a straight line from the 1974 *Milliken* decision to today in asserting that had the Court supported a metropolitan remedy in *Milliken*, Detroit schools would not be in their current state of crisis (pp. 206–7).

The lack of a meaningful argument speaks to a larger problem with the book for scholarly audiences: absence of citations. Baugh's book is part of the Landmark Law Cases and American Society Series from the University Press of Kansas. The series editors asked authors not to include formal citations in their work because they wanted "to make our volumes more readable, inexpensive, and appealing for students and general readers" (p. 217). While this decision may make the book less expensive to print, it also makes the book less useful for scholarly audiences. In *The Detroit School Busing Case*, the reader is often unable to determine when Baugh is asserting conclusions based upon her own research versus when she is restating other scholars' conclusions. This approach makes it difficult to identify what Baugh's original contributions are to the literature on school desegregation. In addition, not engaging extant literature undermines her ability to make a more meaningful contribution to the literature on school desegregation.

A key example of this occurs when Baugh uses the term "double burden" (p. 57) to describe a system in which mid-nineteenth century Black Michigan parents "paid taxes to support public education," but because "their children could not attend those schools, ... they also had to assume funding of the private school" (p. 57). Baugh misses an

opportunity to show similarities between the South and North, between the origins of de jure and de facto segregation, because she does not engage, nor even mention in text, James D. Anderson's examination of "double taxation" in his seminal work, *The Education of Blacks in the South, 1860-1935*. While there is a bibliographical essay at the end of the book, it serves more as a reference list as there is no serious evaluation of the literature.

Historians of education should look to those initial questions Baugh identifies as central to the *Milliken* case to illuminate its meaning in the broader history of school desegregation and integration as well as to inform contemporary issues of race and schools. Helping determine how the debate surrounding those complex questions was hijacked by one tool for remedying segregation—busing—will likely prove important to understanding attempts, or lack thereof, to desegregate and integrate schools during the almost forty years since the *Milliken* decision.

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