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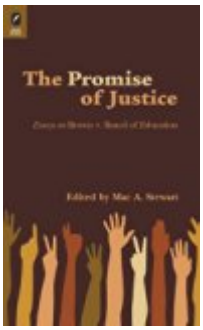

Mac A. Stewart, ed. *The Promise of Justice: Essays on Brown v. Board of Education.* Ohio State University Press, 2008. xiv + 208 pp. $39.95, cloth, ISBN 978-0-8142-1087-1.

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There are two fundamental problems in the nature of essay collections. The first is repetition. Each of the essays' authors must repeat at least some of the basic facts or issues of a question in order to explicate his or her thesis. The second is style. Authors from different disciplines use data differently. Mac A. Stewart's *The Promise of Justice: Essays on Brown v. Board of Education* escapes neither problem.

Essentially the fourteen essays in this book assess both the importance and the legacy of the 1954 *Brown* decision. Examining the case from a variety of angles the authors uniformly agree to its importance, but differ on its meaning and impact.

Four of the essays, for example, those by Duncan, Frasier, the Harveys and Monts, are autobiographical. In these *Brown* occupies a personal dimension. Robert Duncan was the presiding federal judge in the 1976 Columbus segregation case. Ralph Frasier was one of the plaintiffs in a 1955 suit seeking to desegregate the University of North Carolina. Lester P. Monts recalled being a spry ten-year-old, fourth-grade observer during the 1957 crisis at Little Rock, Arkansas' Central High School. And, William B. Harvey and his daughter, Adia M., compare and contrast their experiences in public schools before and after desegregation.

The essays by Manning Marable, Samuel DuBois Cook, Charles V. Willie, and Charles U. Smith try to define the *Brown* decision and analyze its meaning. All four agree that the decision's promise has not been fulfilled in the succeeding half century. Marable asserts that the failure is a result of structural racism combined with class and economic oppression. Smith agrees, but while opposition has limited and even reversed progress toward a desegregated society, the Supreme Court's decision in *Grutter v. Bollinger* (2003) "reenergized civil rights activists jaded by opposition and denial" and stimulated scholarly activists like himself to continue doing the research, publishing the reports, and participating "in the process of building a *democracy* ... beyond

the imagination and dreams of the Founding Fathers" (p. 57).

Taking a more philosophical and universalist approach, Cook quotes John Rawls, "Justice is the first virtue of social institutions," and then adds that the *Brown* decision was about "simple justice" (p. 25). The meaning of the decision is that it has "nudged" America further along the path of justice and equality for all. Willie, on the other hand, declares that *Brown* has not failed, but rather the law enforcement process and "our democratic nation" has failed *Brown* (p. 36). Willie states that without the acceptance of necessary sacrifice and without the realization that excellence and equity must always advance simultaneously, public education and by implication the entire American project cannot succeed.

The remaining essays all agree that *Brown* has become a "promise deferred." John A. Powell, for example, discusses the fragility of the decision and the necessity for *Brown II*. He concludes that there was and continues to be a general confusion over such terms as "desegregation," "integration," and "assimilation" as well as a reluctance on the part of the majority population to surrender the assets of "whiteness." Reviewing the history of black education from the antebellum period to the present, Philip T. K. Daniel sees the promise of *Brown* faltering after the Supreme Court's decision in *Milliken v. Bradley* (1974). Since then, the Court has declared that individual choice rather than state policy has created segregated schools and that this lies outside the ability of the judicial system to correct.

The conclusions of Powell and Daniel are reinforced by Deborah Jones Merritt. She calls *Brown* one of the greatest achievements of the American judicial system, the culmination of a brilliant strategy of litigation and the initiator of an era of judicial supremacy. But, she adds, the courts are peculiarly susceptible to the machinations of conservative elites. By excluding the reality of racism from the courtroom, Merritt argues, "elites" have reversed the spirit if not the letter of *Brown* and marginalized non-judicial, more democratic means of bringing about progressive change and social equity.

The lack of racial equity is at the core of Janine Hancock Jones and Charles R. Hancock's essay. After carefully assessing public education since *Brown*, they determine that "we are in a state eerily and arguably similar to the pre-*Brown* era." If asked to rate the nation's progress since *Brown*, they would have to give it a "C+" (p. 183).

Finally, in Stewart's essay, "Children of *Brown* ", the collection ends first by acknowledging that much good has resulted from the *Brown* decision. Perhaps its greatest importance is that the Court's decision in *Brown* established a new legal standard--a standard of equality, a standard of equal justice. Given that standard, Stewart ends the volume with a lament for *Brown*'s unfulfilled promise.

The Promise of Justice is a depressing book. Its authors tell a tale that most Americans would rather not hear. They write about a promise of equality, opportunity, and justice. And after fifty years, they conclude that the fundamental and unambiguous spirit of that promise has not been kept.

Cook

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