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Are Some Races More Equal Than Others?

By Abigail Thernstrom and Tim Fay, Friday, March 12, 2010

Secretary of Education Arne Duncan has just announced a new push to enforce civil rights laws to combat discrimination in our schools. In the last decade, he said, his department's Office for Civil Rights "has not been as vigilant as it should have been . . . But that is about to change." His remarks were made March 8 in a speech at the Edmund Pettus Bridge commemorating the 45th anniversary of the civil rights march on Selma, Alabama, that came to be known as "Bloody Sunday."

The Department of Justice (DOJ) is also eager to break with the allegedly lax civil rights policies of the Bush administration. Tom Perez, assistant attorney general for civil rights, has appointed a new education section chief, Anurima Bhargava, who comes to the department directly from the NAACP Legal Defense and Educational Fund (LDF), where she had been director of education practice since 2006. "I am excited she will be joining us as we continue our efforts to restore and transform the civil rights division," Perez declared.

Duncan wants to eliminate racial disparities in education in general, including in student discipline in particular. Undoubtedly, Perez does as well. But what will they do in response to a formal complaint filed by the Asian American Legal Defense and Education Fund (AALDEF) in the wake of serious black-on-Asian violence at South Philadelphia High School (SPHS)? AALDEF has charged that the district acted with "deliberate indifference" to the harassment of Asian students and with "intentional disregard" of their welfare.

Will the Obama administration act aggressively to ensure Asian rights to a public education free of intimidation and actual violence—surely a basic civil right? Or will such action be taken only when blacks are the victims rather than the perpetrators? If the administration acts in the interest of the Asians, black students will be singled out as racially hostile troublemakers—a conclusion that neither the Department of Education nor the DOJ will welcome, if Duncan's announcement means what it says.

The Philadelphia story has largely been covered by just the local press. Interethnic tension—of which there is much—is generally ignored in the media, as is the level of violence and disorder in an appalling number of urban schools. And yet everyone who followed the Rodney King riots knows there has been no love lost between Asian

shopkeepers and black residents in Los Angeles, for instance. And they know, as well, that learning cannot take place in chaotic environments.

SPHS houses roughly 1,000 students, 70 percent of whom are black, 18 percent Asian, 6 percent Hispanic, and 5 percent white. The Asians are by no means a homogenous group and speak a variety of languages, the most common of which are Chinese dialects, Vietnamese, Spanish, and Cambodian; 12 percent of these Asian students are classified English Language Learners.

According to Asian advocates, the whole Philadelphia district has been plagued by harassment and violence towards Asian students for many years. At SPHS, the assaults have occurred in the cafeteria line, in bathrooms, in stairwells, on school buses, and elsewhere. The incidents ran the gamut from verbal abuse, physical intimidation, blocking doorways, cutting in line ahead of Asian students in the cafeteria, use of anti-Asian racial epithets, and more serious physical abuse including shoving, kicking, and punching—sometimes at the hands of more than one assailant. Advocates have accused school officials, including school Superintendent Arlene Ackerman and Principal LaGreta Brown (both black) of indifference to the plight of Asian students in their charge.

The anti-Asian attacks at SPHS began in October 2008, and prompted Asian advocacy groups to beg for help from the Philadelphia school administration. None was forthcoming, according to AALEF. Three months ago, in early December, tensions came to a head. Trouble started on December 2, and the next day, black students reportedly began to hunt for Asians, checking classrooms where they might be found. A group of apparently organized black students reportedly rushed the stairwells to the second floor where many Asian students were located. Security camera footage from the lunchroom showed a group of 60 to 70 students—most of them black—surging forward with a smaller faction attacking a small group of Asian students.

The AALDEF complaint describes a complete breakdown of adult leadership. One Asian student has charged the lunch staff with “cheering happily,” and others have described security officers as looking the other way. In truth, those charges have been disputed, and other facts are equally hard to pin down. Police and volunteers did try to contain the mounting violence, and at some point the school was “locked down.” School officials later decided to have classrooms dismissed one-by-one, and contacted police to provide extra protection outside the school. The ranks of the police thinned, however, when some had to respond to another emergency, and by the time a group of Asians were heading home they were insufficiently protected. Escorted out of the school by the principal (perhaps only for a short way—another disputed fact), the Asian students spotted blacks lying in wait; they made a futile attempt to run from trouble. In the ensuing attack, one Asian student’s nose was broken, and as many as 13 ended up needing treatment at the local hospital.

Subsequent testimony and written statements of Asian student victims is heartrending. Duyngoc Truong, a SPHS student who had been beaten, told a School Reform

Commission that being let down by those in charge "hurt our bodies, it also hurt our hearts. We have the right to go to school and we need to be treated fairly." Wei Chen, president of the Chinese American Student Association, told the school board: "We have suffered a lot to get to America and we didn't come here to fight. We just want a safe environment to learn and make more friends. That's my dream."

Even before the SPHS incident, the Philadelphia Office of the Safe Schools Advocate (OSSA) had issued a blistering report about the level of violence in the system and the inability, or unwillingness, of school officials to take meaningful action. Ironically, OSSA was "defunded" this past summer. According to press accounts, "defunded" is Pennsylvania edu-speak for "we didn't like the fact that OSSA accurately reported on this issue when we told them not to, so we closed the office and let the staff go."

Urban school systems in general try to keep the truth about violence and chaos well hidden. A revealing 2007 report by the Department of Education's Office of the Inspector General makes the obvious point that no school wants to be labeled as "persistently dangerous." And as long as schools can set the criteria by which persistent danger is measured, they can escape the label.

"Can dangerous schools be great schools?" the Fordham Institute (dedicated to "advancing educational excellence") asked in September 2009. According to New York City's annual progress reports, it continued, the answer is yes. "Not only did an astounding 97 percent of the Big Apple's schools receive A or B ratings on their 2008–2009 report cards, six of them also appear on the state's 'most violent' list." In 2005, Lisa Snell of the Reason Foundation reported that in 2003–2004, if you believe the data collected from the states themselves, only 26 schools in America were dangerous.

Federal data tells a much more chilling story. According to a 2000 survey conducted by the National Center for Educational Statistics (NCES), 71 percent of public elementary and secondary schools experienced at least one violent incident during the 1999–2000 school year (including rape, sexual battery other than rape, physical attacks or fights with and without a weapon, threats of physical attack with and without a weapon, and robbery with and without a weapon). In 20 percent of public schools, what NCES calls "serious violent incidents" occurred. These data, of course, do not include incidents of bullying and the host of disruptive behaviors that make teaching and learning very difficult.

And yet in 2004, Public Agenda, the highly respected nonprofit research organization, found that 61 percent of professors of education believe that teachers who have encountered discipline problems have been failing to make their lessons engaging; education schools regard training in handling alienated, angry, disruptive urban students who make learning so difficult for their peers as their lowest priority. Disorder and violence—and the complexity of dealing with the problem—are barely on their radar screens.

There was plenty of warning that SPHS could become the scene of dreadful black-on-Asian violence. This past January, USA Today called the school "a cauldron of cultural

discontent.” For years, school officials and administrators who were supposed to be nurturing young lives failed to act to protect youngsters whose color apparently made their fate a matter of indifference, if not outright hostility. Not only were racial epithets hurled by black students, but the principal at a public meeting referred disparagingly to “the Asian agenda” of advocacy groups.

No adult broke a student’s nose, but adults were complicit in the violence from which the Asian students suffered. Putting aside the question of racism, disorder and violence in an inner-city school has become educational business as usual. In conventional education circles little attention is paid to the whole issue.

The Obama administration has just promised to “restore and transform” civil rights enforcement. On the question of school discipline, Secretary Duncan’s only expressed concern has been over racial disparities in discipline. For a man who comes from Chicago, one might have expected him to note the unacceptably high level of disorder and violence. Instead, he has announced his intention to “collect and monitor the data on equity”—implying that there was racism to uncover with the data properly collected. That is also Superintendent Ackerman’s working assumption. Racism “is the proverbial elephant in the room,” she has said. No one racial group should be blamed for the events at SPHS, she warned. Black-on-Asian violence is no occasion to pin blame on blacks.

The DOJ’s new education section chief, steeped in NAACP-LDF culture, may also avert her gaze from the Asian victims of black mobs in an overwhelmingly black school. The LDF, on its website, has an education agenda. It lists only three concerns. The first two are protecting racial preferences and fighting for increased racial integration in schools—i.e., racially balanced school populations through quotas, if necessary. The third is described as the “school to prison pipeline,” which an undated, but clearly recent report calls “one of the most urgent challenges in education today.”

The report describes “the punitive and overzealous tools and approaches of the modern criminal justice system [as having] seeped into our schools, serving to remove children from mainstream educational environments and funnel them onto a one-way path toward prison.” Black students, it notes, represent only 17 percent of public school enrollments nationwide, but account for 34 percent of suspensions. “Moreover, studies show that African-American students are far more likely than their white peers to be suspended, expelled, or arrested for the same kind of conduct at school.”

Evidently, it is beyond imagination that disparities in school discipline reflect disparities in the conduct that merits discipline. Why is it that Asian-American students are only half as likely as whites to be suspended or expelled from school? Does this reveal the powerful anti-white biases of our largely white teaching force today? And does it reveal anti-black hostility on the part of black administrators and teachers when they discipline disproportionately high numbers of black students?

As far as we can tell at present, the Obama’s administration’s perspective is that of the LDF. That is, the big problem with school discipline is not the failure to impose it.

Rather, it is the racial disparities that appear when data on disciplined students are collected. It is very hard to make schools like SPHS safe for all those who attend it—especially when those in charge seem unprepared to stop problems before they start by insisting on a culture of civility, which the best schools do. But the difficulty of creating a school in which students feel safe and are actually learning is certainly made much harder if administrators must worry about getting the numbers right—making sure blacks are not overrepresented and Asians underrepresented when disciplined students are counted for federal reporting purposes. Obama administration officials may have their hearts in the right place—worrying about the number of blacks who are floundering in school—but their heads are badly askew.

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FURTHER READING: Thernstrom comments on “An ‘Earth-Shaking’ Election in New Orleans” and “Racism Everywhere” in law school admissions. Jason Richwine suggests “A Smart Solution to the Diversity Dilemma,” while Edward Blum describes “Voting Rights and the Beneficiaries of Selma.”