

## Pushing Civil Rights

IN THE SPRING of 1996, the appellate court decision in *Hopwood v. Texas* landed like a thunderclap in higher education. The Fifth Circuit, which covers Texas, Louisiana, and Mississippi, ruled that race could not be used as a factor in college admissions. The decision set off a panic among academics and civil-rights advocates, who for two decades had used race as one factor to help create a diverse college population across the country.

Later that year, the Graduate School of

Education's Gary A. Orfield, professor of education and social policy, teamed up with professor of law Christopher F. Edley Jr. to host a conference to discuss *Hopwood's* impact on colleges and universities. The intense gathering of education leaders shocked the two Harvard professors—the country was not prepared at all to face a world without affirmative action if *Hopwood* was upheld. “[The conference] made us realize that there was no plan in higher education if we lost af-

firmative action, and, more importantly, that there was no research going on,” Orfield recalls. “The civil-rights movement was very low on intellectual capital.” College presidents knew that diversity mattered, but they couldn't prove it. There was no evidence because no one had ever asked for it.

In response, Orfield and Edley set about creating an organization that would operate at the intersection of law, education, and policy, and connect the researchers to the practitioners and policymakers. The Civil Rights Project at Harvard (CRP)

was founded soon after the *Hopwood* conference, thanks to a small grant from the MacArthur Foundation. “There was a real dearth of people who did quality research and made it accessible to people on the ground,” explains Michael Kurlaender, Ed.M. '97, CRP's first employee, who is now a research assistant.

Seven years later, when it came time to argue affirmative action in front of the Supreme Court this spring, researchers knew exactly where to go for information on the impact of racial diversity in higher education. Numerous amicus curiae briefs

Project had come full circle, succeeding by proving the hypothesis on which it was founded: that affirmative action mattered. *Hopwood* had been overturned.

EDLEY AND ORFIELD had both long been active in the civil-rights movement. Edley—the son of Christopher Edley Sr., long-time head of the United Negro College Fund—is a former special counsel to the Clinton administration and director of the White House review of affirmative action that resulted in the “mend it, don't end it” policy. Orfield, a former scholar-in-

residence at the U.S. Commission on Civil Rights, researches educational policy and civil-rights laws, and has been called as a court-appointed expert in school desegregation cases in St. Louis, Los Angeles, and Little Rock, among others. In 1996, they were co-teaching a course on civil-rights policy and saw the new project as an outgrowth of their teaching.

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tention was being paid to the inequalities in American society, even as minorities continued to become an ever-larger proportion of the U.S. population, as racial gaps in education and income were growing, as minorities continued to die at younger ages due to less access to quality healthcare, and as the prison population—overwhelmingly made up of blacks and Hispanics—was booming. What little research was being conducted was not translating into policy advances and societal improvement. The project hit an important nerve. “There was such a hunger



Edley (left) and Orfield have combined to address the lack of “intellectual capital” in civil rights.

cited CRP's research, and its work was discussed in oral arguments in April. The justices obviously listened: they, in turn, mentioned the CRP research in their landmark decisions in *Grutter v. Bollinger* and *Gratz v. Bollinger* (see also “Citing Harvard,” page 76). They cited one report that demonstrated, in the Court's words, “Neighborhoods and schools remain racially divided,” and another report that argued against the use of percentage plans (where states automatically admit a top percentage of graduating seniors to the state college system). The Civil Rights

for this work,” Kurlaender says. “There was a desperate need for information,” Orfield remembers. Before long, CRP was hosting a conference a month on various topics related to civil rights—Orfield and Edley found academics and civil-rights advocates yearning to talk about almost any issue CRP could define.

Since its founding, CRP has produced research that explores affirmative action, racial diversity in education, special education, high-stakes testing, and topics such as religion and race. Its work has expanded the definition of civil rights beyond the traditional focus on racial equity, as the CRP has examined emerging fields like electoral reform, special education, access to healthcare, immigration, criminal justice, and transportation. Edley ex-

isolated in middle- and upper-class suburban schools, attend schools that are 80 percent white. The results were stark enough that, in June, the Supreme Court cited the report specifically in both *Bollinger* decisions as evidence of the continuing need for affirmative action.

- In February, the project released two analyses of plans whereby states guarantee admission to state colleges to a top group of graduating high-schoolers. Under Florida’s “Talented 20” program, for instance, students who graduate in the top fifth of their class are automatically admitted to the state university system. Project researchers found that in California, Florida, and Texas, the percentage plans, which are supposed to be an alternative to traditional affirmative-action

money is going, who it is helping, and how much is being spent by race and ethnicity.”

In addition to its written reports, the project continues to sponsor conferences at a frenetic pace. A large gathering this spring examined the increasingly punitive education system and its links to a criminal-justice system ever more intolerant of “youthful indiscretions.” The session brought together criminal-justice practitioners, educators, youth advocates, lawyers, and policymakers to discuss how to give minority students a better chance of avoiding disciplinary action—either in schools or the courts.

BEYOND THE IMPACT of its research, two aspects of CRP’s approach make it particularly noteworthy: its pairing of research

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plains that the project’s interests fall into three categories: addressing outright discrimination of any kind, improving the “opportunity agenda” for disadvantaged groups, and winning support in Americans’ hearts and minds for an equal society. Unlike the clearcut discrimination blacks and other minorities faced in the 1950s and 1960s, Edley says, contemporary issues like pay disparities or inequitable public funding are more subtle. “Much of it, while measurable, is difficult for an individual to detect,” he says. Such discrimination is quantifiable only when examining society-wide populations and trends—and that’s where the CRP’s research is particularly useful, he says.

Already this year the Civil Rights Project has released reports on school resegregation, transportation inequities, and percentage college admissions plans:

- “Are We Losing the Dream? A multiracial society with segregated schools,” published in January near the birthday of Martin Luther King Jr., concluded that even as the nation as a whole becomes more diverse, its schools are increasingly segregated. Although minorities now represent around 40 percent of school enrollments nationwide, white students, increasingly

programs, have only a modest effect on increasing diversity in incoming college classes. They found instead that aggressive outreach by admission officers into schools with large minority populations is far more effective at increasing diversity.

- “Moving to Equity: Addressing inequitable effects of transportation policies on minorities,” released in June, highlighted how minorities in urban areas disproportionately rely on public transportation. Whereas only 7 percent of white households do not own cars, 24 percent of black households and 17 percent of Hispanic households do not. That places blacks and Hispanics more at the mercy of city planners and politicians, but language barriers and socioeconomic factors limit the ability of urban minorities to lobby for changes and improvements in public transportation. The project meant the report as a call to action for researchers and advocates to begin to address transportation as part of the civil-rights agenda. Says Orfield, “The requirement that all federal programs be administered in a nondiscriminatory way is nearly four decades old and the transportation system has yet to take the first essential step—to gather data that can show us clearly where the

and advocacy, and its heavy emphasis on media outreach.

CRP marries a think tank to a traditional nonprofit advocacy group, creating a unique combination. As its mission statement explains, the project “bridge[s] the worlds of ideas and action.” Traditionally, academic researchers eschew advocacy because they see it distorting their objectivity, just as few public-policy think tanks have the resources or the inclination to produce original research, relying instead on their experts to interpret others’ work. Edley and Orfield’s approach is to place lawyers and advocates right next to the researchers, enabling the project to dedicate its resources to studying the most salient issues. The lawyers and advocates don’t have to wait or search for research they need to lobby for policy changes because the project’s researchers can produce it all in-house. “It’s the synergy of those two worlds that really gives this place its energy,” Kurlaender says. “So many organizations are research-oriented, and have trouble translating that to larger groups, or interpreting results to have an impact on policy.”

To enlarge and speed that impact, CRP emphasizes work that is both academi-

cally rigorous and also easily accessible to policymakers and the news media—and it places just as high a premium on ensuring that as many people as possible see the work. As Orfield says, the goal is to have “academics write in English,” and then to disseminate the product through private preview briefings for reporters covering high-profile conferences: to educate them better on subjects that will be discussed the next day by using carefully prepared news releases, background briefings, and so on. “[Explaining our work] is a complex process that we take very seriously,” says former CRP information officer Alison Harris. The media outreach helps to establish a brand name for CRP, garnering still more attention for its research. The CRP website ([www.civilrightsproject.harvard.edu](http://www.civilrightsproject.harvard.edu)) has received more than 800,000 visits, and in any given week CRP research is cited a dozen times in newspaper and magazine articles around the country.

With a broad agenda and foundation grant support, CRP has grown until it now has an annual budget of more than \$2.5 million and a staff of 30. The project also works hard to move outside Harvard's gates. It has helped found similar centers in Minnesota, Ohio, and North Carolina, and builds a new network of partnerships with other institutions for each new area of study. Edley describes it as a “hub and spoke system,” with CRP at the center and networks expanding outward so the people in Cambridge can hear from others “who are out there in the real world.”

Neither Orfield nor Edley sees the need for the program lessening anytime soon—if anything, given what they characterize as the Bush administration's repeated assaults on civil rights, the need for accurate research has only grown. “We're spending so much time just defending the eroding civil-rights protections...that we're not really thinking about what we have to be doing to have a viable multicultural society,” Orfield says.

As part of addressing that larger question, however, CRP was scheduled to sponsor its largest meeting ever: “Color Lines,” a three-day conference at the end of August bringing together 1,000 researchers, activists, policymakers, and business leaders to study the future of racial integration in

America. More than 40 panel discussions and 120 research papers were to be presented. Planned topics included “Conceptualizing the Racial Order in the 21st Century,” “The New Geography of Latino Settlement,” and “Ethnic Fluidity among the Hip Hop Generation,” along with sessions on residential segregation, educational opportunity, and healthcare.

Orfield observes that the increasing diversity of the U.S. will force civil-rights advocates to rethink some traditional

ideas underlying current policies. For example, much of school desegregation has been about getting minority students into majority schools, but Orfield asks, “What do we do when there's no majority anymore? How do we think about that?” Even the three-day Color Lines conference could only scrape the surface of the multifaceted issues confronting this changing country; says Edley, “There are so many challenges and so much work to do.”

—GARRETT M. GRAFF

## How to Care for Your Grandfather's Teddy Bear

HARVARD OFFERS a new on-line resource for anyone who has stuff worth keeping safe, such as photographs of one's wedding; or those fading newspaper accounts of the embezzler ancestor who fled to Canada to dig for gold and was killed in a barroom brawl; or that crumbling scrapbook assembled by an adolescent more than a century ago and bursting with ephemera ranging from beer tax stamps to an eighteenth-century bill of sale for a sloop. “A large body of popular and introductory literature on preservation topics has been published,” says Jan Merrill-Oldham, Malloy-Rabinowitz preservation librarian in the University Library and the College Library, “and we wanted to help readers find their

way to sources that are accurate and helpful.”

The webography “Caring for Personal Collections” (at <http://preserve.harvard.edu/bibliographies/personal-collections.html>) leads readers to on-line advice about care in general for all collection types and, specifically, for books and papers, photographs, postcards, scrapbooks, and audio and video materials, and ends with suggestions about how to work with a conservator.

The website includes, for instance, a link to a document created by the American Institute for Conservation of Historic and Artistic Works with this caution about the care of leatherbound books: “In the past, leather books were often oiled to improve their feel and appearance. Unfortunately dressings can also cause stains, make the leather sticky, and degrade paper.

