

One wonders whether it is not the author, rather than his egalitarian targets, who suffers from "historical hallucinations."

COMMON GROUND: A TURBULENT DECADE IN THE LIVES OF THREE AMERICAN FAMILIES. By J. Anthony Lukas.¹ New York: Alfred A. Knopf. 1985. Pp. 659. \$19.95.

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This book documents one of the great failures in American life. It is a story of betrayal and the end of a part of the American Dream. It is a story of the conflict between constitutional law and social realities. It is the story of the desegregation of the Boston public schools, as told through the lives of three families. One reads it and weeps.

One weeps for Boston, which has never been the same since federal district court Judge Arthur Garrity issued his sweeping cross-city busing order in 1974. But one weeps for the rest of America too, because *Common Ground* is a parable. In it, one reads the story of every American city faced with the intractable problem of trying to uphold a constitutional mandate, while groping for the appropriate means to do so.

I

Judge Garrity's decision was backed by sufficient precedent. In 1968, *Green v. County School Board*³ required a "root and branch"⁴ elimination of racial discrimination in schools. *Swann v. Charlotte-Mecklenburg Board of Education*⁵ took that mandate one step further. It ruled that district courts could order a variety of measures, including those which were "administratively awkward, inconvenient, and even bizarre."⁶ To be sure, these precedents concerned Southern-style, de jure segregation, imposed by people who would just as soon have bused white children for miles to avoid going back to school with the black children who lived down the

1. Journalist, author, and contributor to periodicals.

2. Journalist and parent of children in Minneapolis public schools. Portions of this essay originally appeared in the Minneapolis Star and Tribune.

3. 391 U.S. 430 (1968).

4. *Id.* at 438.

5. 402 U.S. 1 (1973).

6. *Id.* at 28.

block. Garrity was dealing with Northern-style de facto segregation, in a city "whose residents tended to live in tight ethnic enclaves." But he found the precedent he needed in a Denver case, *Keyes v. School District Number 1*.⁷ Using *Keyes* as a blueprint, Judge Garrity found "that the defendants have knowingly carried out a systematic program of segregation affecting all of the city's students, teachers and school facilities and have intentionally brought about and maintained a dual school system. Therefore, the entire school system of Boston is unconstitutionally segregated."⁸

At the heart of the book are two ideas familiar to students of constitutional law. One, that judicial decisions are only as compelling as the faith that people have in the judiciary. And two, that judges are not always the appropriate engineers of social policy.

Lukas explores these ideas in a book which is so compelling that it reads like fiction, but unfortunately is all too true. Through painstaking research, and in elegant prose, he takes the reader down from the bench and into the lives of three families who lived the "turbulent decade" from 1968 to 1978.

He chose the families because of their particular brand of social activism, "their engagement with life, which made them stand out from their social context." Yet they were as stereotypic as they were different: Colin Diver, the young, Harvard-educated, Yankee lawyer; Rachel Twymon, the pious black welfare mother with six children; and Alice McGoff, the Irish widow struggling to raise seven children in an impoverished Charlestown tenement.

Lukas does such a masterful job of bringing these people to life that the stereotypes—Yankee, Black, Irish—are erased. Our assumptions begin to look crude and even unfair. For example, Alice McGoff, by most definitions, would be called a racist. She was an outspoken leader of the anti-busing movement. Every day she and other angry parents greeted, with taunts and jeers, the young black children who rode their court-ordered busses into Charlestown. McGoff wanted those black children out of her children's school.

Yet Lucas treats her kindly. He portrays her as a woman betrayed by the very institutions which had always held her trust: the Democratic party and the Catholic church. He recounts McGoff's visit to Washington, D.C. for an anti-busing rally. There she met Tip O'Neill, her representative, and asked him to introduce anti-busing legislation. Tip waffled, promised other things, but not what she wanted.

7. 413 U.S. 189 (1973).

8. *Morgan v. Hennigan*, 379 F. Supp. 410, 482 (D. Mass. 1974).

For Alice, Tip's betrayal was only the latest in a series of treacheries perpetrated by the very people who should have been her most zealous guardians—Irish-Americans like Arthur Garrity, Ted Kennedy, Kevin White, much of Boston's Irish Catholic clergy. If she asked herself whom she really detested in all this, it wasn't the blacks, who in many ways were as much victims as she was; it wasn't the Yankees from the suburbs, who were just as out of touch with urban reality as she'd always known they were; it was the Irish Catholic traitors, the people who should have known better but who had allowed wealth, comfort, power, or patronage to lure them from their basic allegiance to turf and tribe.

Alice's sense of betrayal was shared by other "townies" who saw their traditional values challenged. As one put it: "When I saw Christ bleeding on his cross, I knew he was there suffering for my sins. That was good enough for me. I didn't expect him to climb down and start lobbying for a minimum wage, urban renewal, and peace in Vietnam."

But this goes deep into the book and ignores the beginning, and its description of the euphoric idealism of the 1960's. The upbeat beginning is crucial to the story, because it foreshadows the ensuing failure, and makes it that much more devastating. Bright, young people were shunning the corporate world, eager to make their mark on society. They championed causes, and believed that with time, energy and talent they could solve America's social problems. Colin Diver was one of them. A member of the Harvard Law Review, he turned down a lucrative job with a Wall Street firm to work for Boston's idealistic mayor, Kevin White. Diver was moved by the assassination of Martin Luther King, Jr., and inspired by the Kerner Commission Report's conclusion that America was becoming two societies, one black, the other white. When White said "the plight of the black man is the greatest single crisis in America today—the axis around which every other problem revolves," Diver believed him and joined the mayor's staff.

Diver's commitment to resolving social ills carried over into his personal life. He and his wife, Joan, bought a home in the city, because they worked in and for the city, and they believed it was fraught with possibilities. Their immediate neighbors were much like themselves, but they shared the area with winos, pimps, prostitutes, and muggers. The move symbolized their commitment to the city as well as their tolerance of all kinds of people. Rachel Twymon lived a few blocks away in public housing. "Now they were fleeing suburban 'sterility' and 'ennui,' discovering for themselves the perils, stimulations, tumults, and delights of city life, and this produced a vital sense of community."

It was in their gentrified, Victorian home that Joan could look out of the kitchen window at her two children, playing with neigh-

borhood children, some of whom were black, and say to herself: "This is why we're in the city, this is what it's all about."

"It" to the Divers, and to many framers of social policy in the 1960's, was the notion that all Americans, black and white, could live, work and be educated side by side. The Divers learned that although that end was desirable, the means for achieving it were elusive.

In fact, they discovered that the problem had been posed incorrectly. What had been framed as a black-white problem was actually one of class. If the problem was misstated, how could the solution be correct? Take Garrity's busing order. It was supposed to resolve a black-white conflict, but instead it exacerbated it by pitting the poorest, most downtrodden members of society against one another. The folks who mandated or supported busing lived in the suburbs, beyond the city line, exempt from their own decrees.

While the book takes us equally into the lives of the three families, this review focuses on Colin and Joan, because by education and class they are most like the readers of this journal.

If Boston symbolizes other American cities, Colin and Joan symbolize us. For many of us shared their vision. That vision, however, rested on moral imperatives that not everybody shared. For the day to day stuff of life is not made up of lofty moral principles. It is made up of routines—dull and ordinary tasks, some of which become traditions. These routines occur to members of the "tribe" on their own "turf"—the corner bar, the church down the block, the neighborhood school.

Arthur Garrity's seventy-page desegregation order lacked that insight. As legal work, it was on solid ground. He took painstaking care to write an airtight opinion—one that would not be overturned on appeal. It wasn't. But the remedies he proposed, not as painstakingly considered, failed the test of reality. As Lukas says:

Prudent justices had long recognized that the Court itself had no battalions, that it drew its special power from the reverence in which most Americans held it, a veneration which could quickly evaporate if the Court collided too often with the critical interests and deeply held convictions of most Americans.

Garrity's decision offended the Irish, Catholic, working class sense of "turf and tribe." Colin Diver eventually learned that. Lukas did, too. That's what his book is all about:

Unlike legislators directly accountable to the electorate, and executives with substantial resources at their disposal, judges depended heavily on society's respect for their adjudicatory role. They could prevail only with the cooperation of other governmental bodies and, ultimately, with assent from the people themselves. But Garrity's sweeping remedy so affronted the conventions of white Boston that he never

got that cooperation. Instead, thousands of whites found an effective means of subverting his order.

The story ends as the Divers move to the suburbs. They had been so full of energy and hope that their move seems tragic. But they were forced to move, unable to stem the tide of growing violence in their neighborhood.

In their new home, Colin rebuilt a Colonial fence. It took an entire winter for him to fashion the wooden pegs that would support the fence. As the book ends, Colin completes the architectural feat, "the intricate junction of peg and hole sealing off the Divers' perimeter, rearing its ivory spine against the world."

That fence symbolizes Colin's sense of failure at making a go of urban life, and altering its institutions. An epilogue recounts another failure. In an update of the book's main characters, we learn about the Bancroft, the racially mixed ("naturally" mixed) school the Diver children had attended in Boston's South End. The Bancroft had been a model of what city schools could be, given racially mixed neighborhoods, and parents to commit time and energy to make them exciting and creative environments. Today the Bancroft is a condominium.

Boston upheld the letter of the law. But what did its adherence to the law really accomplish?

In 1972, the year the NAACP brought suit against the School Committee, there were 90,000 students in the Boston schools, sixty percent of them white. In 1976, two years after Judge Garrity's order, enrollment had dipped to 71,000, forty-four percent of whom were white.

II

Could anything have been done differently? Should Garrity have ruled against the plaintiffs? Or ruled in their favor, but imposed a different remedy? Lukas offers no answers; he is a storyteller, not a legal or educational specialist. Like him, I will not presume to say what the law should do about *de facto* school segregation. I am, however, an inner-city mother, concerned about both integration and the quality of my children's schools. As such, I see the problem from a perspective that I hope is not wholly irrelevant to constitutional deliberations. Although Minneapolis is not yet Boston, I have observed the early signs of a process similar to the one chronicled by Lukas. "We're thinking of moving," I have heard friends say. "We're looking at homes in the suburbs."

The suburbs. We all had mocked them. Some called us urban pioneers: we chose the city when so many others did not. Together

we created a special place to live—a community. We have a neighborhood newspaper, a neighborhood festival and many neighborhood organizations. We are activists; we work hard to make this a good place to live. But now the foundations are cracking. Perhaps I am overreacting, but the rumbling is there.

It starts with the schools. Family people live here, with children to educate. They thought they could educate them here, and for many years they have. Yuppies they are not. They send their children to city schools, not to private ones. Perhaps they can't afford private-school tuition. Perhaps they have loftier reasons: they believe there are rewards to be gained from living in the city. Life is a little bit richer here. Their children will share experiences with other children. Perhaps they will grow up tolerant.

While these people don't write a monthly check to the school of their choice, they pay in other ways. They pay with their time and energy. They tutor the children. They ask questions, run bake sales, lend a hand.

In return, they want a school in their neighborhood. Like the newspaper and the festival and the various organizations, they see the school as part of the community. They hope that over the years the teachers and principal will get to know their children, and watch them grow. At the same time, the parents will watch the school grow. In fact, they will help it grow by doing the tasks that nobody else has time for, but which, in the end, make a difference.

This requires stability, however, and the school administration has pronounced that stability is not as important as other things. It has pronounced neighborhood schools dead, a thing of the past. What is important is that children from one neighborhood board busses in the morning and ride to another neighborhood to go to school. If you are bold enough to question the wisdom of such movement, and to speak out in favor of keeping a school in your own neighborhood, you are denounced as a racist. If you ask how it can be in the best interests of a small child who lives in north Minneapolis to ride a bus all the way to the southernmost tip of the city, your motives are suspect.

So you only whisper these ideas to each other, hoping that somebody with some authority might overhear, and understand that your intentions are not misguided. A few people stand up in public and say them out loud, but they are told by the chief of the schools that desegregation is the Number One goal of the system. You wonder what happened to teaching and learning. Aren't those honorable goals? Are your thoughts too simplistic, too old-fash-

ioned? In your darker moments you wonder if you are not, after all, a racist.

Then something happens. You get sick of being called a racist. Especially since your child attends an integrated school. You get tired of trying to explain to a bureaucracy that stability is as important as achieving the perfect racial balance in each and every city school. Your frustration peaks, and you start saying that dreaded word—suburbs. You never thought you would say it. For years you were smug in your city dwelling. *Suburbia*. That's not for me. But it may be for your children. So you say it again. *Suburbia*. It becomes easier to say. You get used to it.

How many people are practicing that word today while they wait for the school administration to make up its mind about where to send their children next year? How many administrators know that when they shake those school foundations they shake the city, too? When the neighbors go—the ones who give their time, the ones who always have been there to lend a hand—the city loses something. It looks like a special part of the city may be dying.