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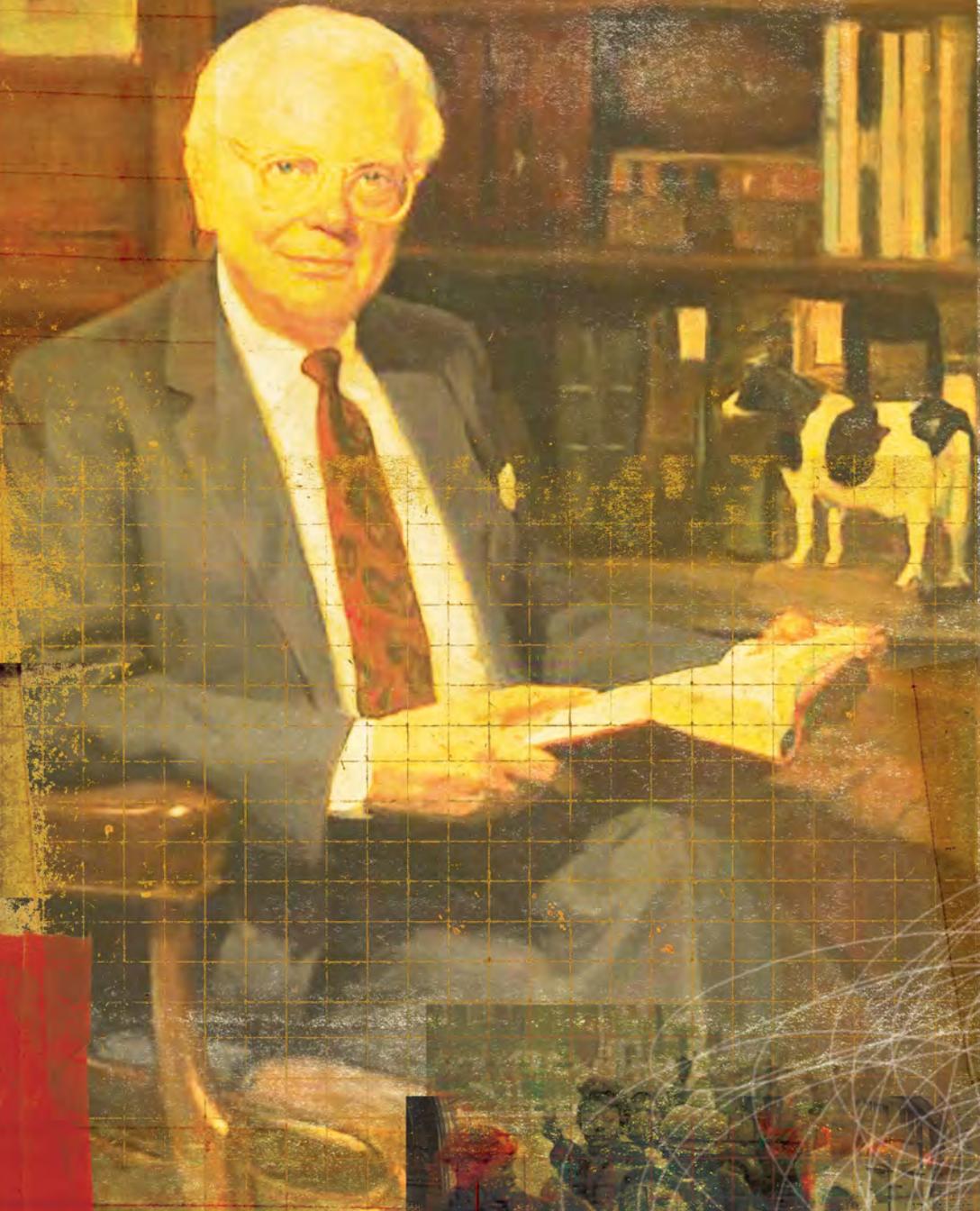
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# A SIMPLE ORDER, A COMPLEX LEGACY

**In 1976, a federal court ordered the desegregation of the Milwaukee Public Schools. What did this decree change, how much of that change was intended, and what did it not change?**

BY ALAN J. BORSUK

“I shall accordingly order that the Milwaukee school system be integrated . . .”

Ah, if only things were that simple.

Those words, from a decision issued by a federal judge, John W. Reynolds, on January 19, 1976, sum up the intent of an important moment in the history of metropolitan Milwaukee, a pivotal point in shaping the school and social landscape of the area. They also are at the heart of an important lesson in the limits of what a court can do to influence people’s attitudes, actions, and behavior.

The 1976 decision concluded that the Milwaukee Public Schools (MPS) system was racially segregated, that intentional actions by the school board and administration were among the causes of this, and that the situation violated the constitutional rights of African-American children in the city. A sweeping process of change, aimed at desegregating schools, followed.

Where are we today? Milwaukee schools, both public and private, are predominantly segregated by race.

Further: Although the Reynolds decision did not directly address educational outcomes, an underlying motivation of advocates for school integration was to close the gaps in school success between black children and white children. That has not happened any more than has integration. The gaps in reading and math achievement,

measured by scores on Wisconsin’s standardized tests for all students, remain huge. Results on tests such as the National Assessment of Educational Progress consistently put the disparities in Milwaukee and in the entire state of Wisconsin among the nation’s largest.

The legacy of the Reynolds decision has some bright spots. But, overall, the picture is one of how a court decision, even one supported by many civic and education leaders, can’t make some things happen.

Who says so? Reynolds did, for one. He died in 2002. In an oral history interview in 1997, he looked back on the case and said, “The fact is you can issue all the orders you want to, but the people aren’t going to comply with them unless they want them.”

Or, as Phoebe Williams, an emerita law professor at Marquette University, said in a recent interview, “There are a lot of limits to the law. I think most people don’t realize, when it comes to certain private decisions, the law is very limited.”

The school desegregation era in Milwaukee offers a tale signifying how hard it is to change the realities around race-related issues. At the same time, the effects of that period and of the Reynolds decision itself continue to shape Milwaukee education in ways that are felt daily.

In these circumstances, it is valuable to take a fresh look at what happened in that period, what followed, and what lessons are available.

**“The fact is you can issue all the orders you want to, but the people aren’t going to comply with them unless they want them.”**

Judge John W. Reynolds in a 1997 interview.





**A central part of the MPS defense in the school segregation case would be that it was the powerful degree of residential segregation that led to school segregation, not any action by school policy makers.**

### The Context

Milwaukee Public Schools adopted a policy in 1919 of sending students to their neighborhood schools. At that time, no substantial motivation of the policy was to segregate schools by race: After all, Milwaukee had few residents who were not white.

This changed. The large wave of African Americans migrating from the South to the North reached Milwaukee later than many other Northern cities. But in the 1950s and '60s, the black population of Milwaukee began to rise quickly. African Americans were all-but-formally confined to living in an area just north of downtown, and black students attended a short list of public schools.

As the black community expanded on the north side, the list of schools grew. But there was minimal integration.

The Milwaukee school board stuck firmly to the neighborhood school policy into the 1970s. Neighborhoods being segregated, so were schools. A central part of the MPS defense in the school segregation case would be that it was the powerful degree of residential segregation that led to school segregation, not any action by school policy makers.

The social reality of the time certainly was that white people, as a generalization, wanted blacks neither in their neighborhoods nor as students in their children's schools. At best, they didn't want

very many black children, and the elected school board knew this. MPS leaders and others feared that some schools and neighborhoods would reach "tipping points" where the number of blacks would lead to large numbers of whites moving out. Some put the tipping point at 25 to 30 percent.

The law was developing at the same time. On the one hand, the landmark 1954 decision of the Supreme Court of the United States did not directly address this sort of situation. *Brown v. Board of Education* had unanimously held that a policy of dual school systems, one white, the other black—the sort of setup prevalent in the American South—was unconstitutional. On the other hand, the principles elucidated in *Brown* could be argued to encompass some of the sorts of segregation found in Northern cities.

This extension or application did not happen immediately or, for a long time, with much contribution from the Supreme Court itself. In fact, in 1963, the U.S. Court of Appeals for the Seventh Circuit, encompassing Wisconsin as well as Illinois and Indiana, turned aside such a suit. In *Bell v. School City of Gary, Indiana*, the court held that the law does not require "that a school system developed on the neighborhood school plan, honestly and conscientiously constructed with no intention or purpose to segregate the races, must

be destroyed or abandoned because the resulting effect is to have a racial imbalance in certain schools where the district is populated almost entirely by Negroes or whites.”

That did not describe Milwaukee’s system by that time, in the estimation of a number of the city’s African-American activists and leaders. In 1965, led by Lloyd Barbee, an attorney and a member of the Wisconsin legislature, some of these residents filed a lawsuit in federal court in Milwaukee, maintaining that the city’s schools were unconstitutionally segregated.

This was not an isolated lawsuit. During the quarter century from 1961 to 1985, dozens of federal lawsuits challenged school segregation even of a sort outside the paradigm held unlawful in *Brown*. Especially in the first half of this period, lower courts nationwide struggled with these school desegregation cases, without much guidance from the Supreme Court.

As summarized last year by two researchers at Pennsylvania State University, Erica Frankenberg and Kendra Taylor, federal courts in the northern and western United States had difficulty applying the Supreme Court’s precedents to the situations before them. The Court had addressed the situation in the South: There segregation was unquestionably the product of law and official policy, and it clearly had been found unconstitutional. But elsewhere in the country, segregation was rarely the result of overt policies of separating black and white children in school, let alone operating two different systems. Indeed, neighborhood school assignment—developed in another era and for other reasons—was a big factor in segregation since so many cities, including Milwaukee, had become so starkly segregated residentially.

Nor did the lawsuit stand alone in Milwaukee: Efforts to try to change the situation of black students in MPS grew in the 1960s, as did activism on other fronts affecting the lives of black Milwaukeeans. Civil disturbances in 1967 and marches for 200 consecutive nights, stretching into 1968, in support of an open-housing law for the city of Milwaukee, were major events of the period.

The Milwaukee lawsuit itself barely moved forward in court for years. Finally, after it was assigned to Reynolds, a former governor of Wisconsin who had been on the federal bench since 1965, it went to trial in 1973. The trial ended in January 1974, after 30 days of proceedings, but it would take almost two years for Reynolds to issue his decision.

## The Reynolds Decision

By then, Reynolds had the benefit of a recent decision by the Supreme Court, finally taking up the question of school segregation, not imposed by statutes or ordinances but existing because of official policies, outside the South. In 1973, in *Keyes v. School District No. 1, Denver, Colorado*, the Court held that certain decisions in pursuit of neighborhood schools and other actions similar to those in Milwaukee could be the basis for a determination that a district was unconstitutionally segregated.

Reynolds quoted at length from the *Keyes* opinion in his decision. Among the quotes: “[W]here plaintiffs prove that the school authorities have carried out a systematic program of segregation affecting a substantial portion of the students, schools, teachers, and facilities within the school system, it is only common sense to conclude that there exists a predicate for a finding of the existence of a dual school system.”

He also relied on a subsequent federal appellate decision involving the school district of Omaha, which had stated as follows in 1975: “[I]t has since [*Brown*] been made clear in a series of ‘northern and western’ cases that no intentionally segregated school system can be tolerated under the Constitution. It is equally clear that the ‘intent’ which triggers a finding of unconstitutionality is not an intent to harm black students, but simply an intent to bring about or maintain segregated schools.”

Turning to the Milwaukee case before him, Reynolds accepted the contention of MPS that its actions had motivations other than racial separation. He elected not to doubt that the Milwaukee “[b]oard has pursued its neighborhood school policy with the conviction that it is consistent with and best promotes its policy of providing the children enrolled in the system with the best possible education limited resources will permit.”

The judge described the board’s basis for its conviction: “The Board believes that this policy is convenient for pupils and their families, maximizes parental involvement in and support for the neighborhood school, involves the school in the community, fosters the utilization of school programs geared to the particular needs of pupils residing in the neighborhoods of the schools, and minimizes departmentalization of the student’s life between school, family, and neighborhood.” In short, the board “believed, in good faith, that [the neighborhood school] policy would produce

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**[A] number of specific decisions by the board and MPS administrators showed intent to keep white and black students separate, Reynolds concluded.**

the best possible educational opportunities for all students in the system, regardless of race.”

At the same time, a number of specific decisions by the board and MPS administrators showed intent to keep white and black students separate, Reynolds concluded.

Those decisions included both the particulars of the ways some school-attendance-area boundaries were changed and a policy of keeping black students separate from white students when classes of black children were bused to white schools due to overcrowding at the sending school. The latter policy, known as “intact busing,” was defended by MPS as a way of keeping classes together when they were being relocated, sometimes for short periods, while their own schools were being remodeled or temporary classrooms were being installed. But the fact that black students were kept separate from white students sometimes even in using gymnasiums, playgrounds, and cafeterias led Reynolds to conclude that it was part of a policy of keeping children separated by race.

Overall, Reynolds found, MPS “acted with the knowledge that the total effect of their actions in furtherance of that policy [of neighborhood schools] would be the segregation of black and white students in separate schools.” Alternatives were available that would have resulted in “substantially lower” percentages of black students in some schools, but they were not adopted because they were not consistent with the neighborhood school policy.

The decision was also grounded in other official actions. The judge found that decisions on construction of new schools and additions to schools had furthered segregation and favored white students. Reynolds determined that assignment of teachers to schools based on their preferences according to seniority had resulted in black teachers, relatively newly hired, being assigned disproportionately to predominantly black schools, while white teachers were able to transfer to predominantly white schools more often.

“The evidence establishes that [school] Board or Administration acts or omissions . . . contributed substantially to the present student body racial percentages in the predominantly black schools,” he wrote.

Reynolds’s decision found that the Milwaukee school board was opposed to taking steps to increase racial integration because of opposition among white residents. Board members feared that people would move out of the city or enroll children in private schools. “Board members are particularly concerned that the overall percentage of black students in the system is presently at the ‘tipping point’ of 30-35%. In their opinion, efforts at obtaining greater racial balance would probably ‘tip’ the entire city and school system within a very few years,” Reynolds wrote.

Reynolds concluded his analysis with something of a flourish, saying in part this: “I was astonished at trial to learn from the testimony of the Milwaukee school officials that they honestly believed that



twenty years after *Brown v. Board of Education of Topeka* . . . they could knowingly and intentionally operate a segregated school system because they believed it was educationally superior to an integrated system.”

In short, Reynolds ruled that MPS met (i.e., failed) the standard of engaging in intentional segregation of students by race. It was not precisely *Brown*, he acknowledged: There was an “absence of statutes or other legislative enactments requiring racial separation.” But it was still unlawful, he said. “[R]acial isolation or imbalance constitutes unlawful and unconstitutional segregation [where] it was brought about or maintained by intentional state action.” Such was the case in Milwaukee, he ruled.

Reynolds ordered that work begin immediately on creating plans to desegregate schools. He appointed John Gronouski to be special master to oversee development of plans. Gronouski was a Wisconsin native who had been U.S. postmaster general and ambassador to Poland.

## The Legal Aftermath

The 15-member Milwaukee School Board was split between those who wanted to fight the Reynolds decision and those who wanted to implement it with plans developed largely by MPS administrators. Both factions won, with approval of an appeal while plans were developed.

The case lingered in the courts for several years. An immediate interlocutory appeal was permitted on the question of liability, and within barely six months the Seventh Circuit upheld as “not clearly erroneous” (the relevant legal standard on appeal) Reynolds’s “finding that defendants acted with the intent of maintaining racial isolation.” The Supreme Court would vacate the decision in 1977, and the case returned to Reynolds.

A second trial followed in 1978, with Reynolds, now proceeding more promptly, once again finding MPS liable for actions that intentionally segregated students by race. The next year brought a decision by Reynolds, on February 8, 1979, that a remedy covering all of Milwaukee Public Schools was necessary. He ordered attorneys representing the class of all black students in Milwaukee to prepare such a plan.

MPS might yet settle the case, but with liability having been upheld on initial appeal (even if set aside by the Supreme Court) and now reconfirmed by the trial court and with the plaintiff class now

having a mandate from the court to prepare a plan that the court might decree as its remedy, the school system could not negotiate from a position of strength.

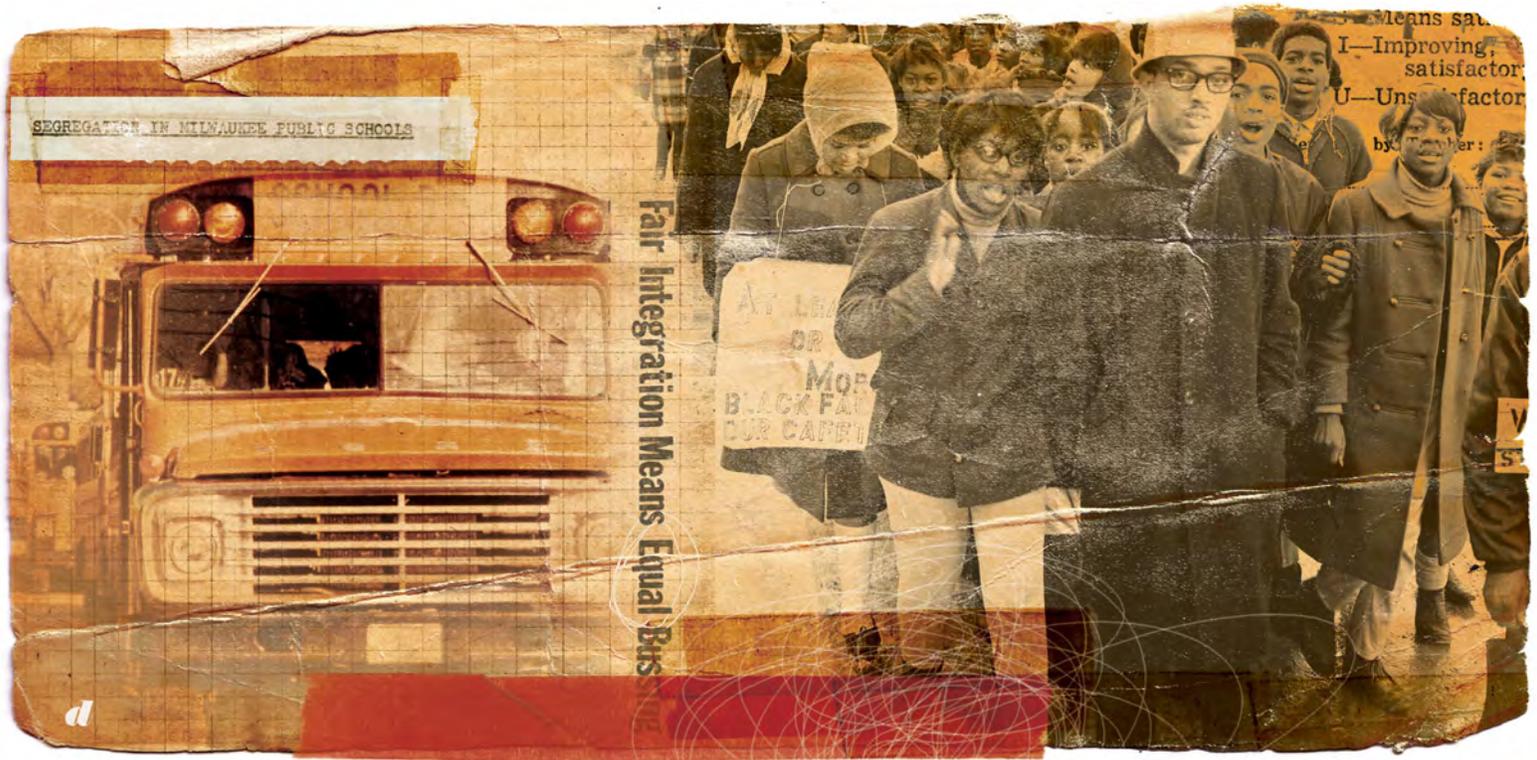
The parties indeed entered into a settlement, which Reynolds approved on May 4, 1979. It called for 75 percent of MPS students to attend desegregated schools. Because of the demographic realities of MPS by then, the settlement allowed 20 all-black schools to continue, but it prohibited all-white schools. Some objections were made to the settlement, but in 1980 the Seventh Circuit affirmed Reynolds’s approval of it.

By this time, both the culture and the law had changed or, at any rate, developed. Certainly this was toward the end of the era of large-scale school-desegregation lawsuits. Frankenberg and Taylor, the Penn State researchers, describe 1976–1980 as a period of “declining activity” in terms of decisions finding segregation different from the *Brown* paradigm to be actionable under the Constitution and, further, 1981–1985 as the time when the “window close[d].” In a sense, the Milwaukee case, begun in 1965, was a holdover from another era.

Without question, a decision of the U.S. Supreme Court in 1974, *Milliken v Bradley*, affected the incentives for any further such suits. In this case, arising from the Detroit area, the Court held that courts could order, as a remedy, desegregation of schools across urban school district lines only if there were *de jure* policies in suburban districts keeping out minority children or otherwise violating their constitutional rights.

Another lawsuit would nonetheless be brought—by MPS itself. In 1984, as the provisions from the 1979 settlement were expiring, MPS filed a lawsuit seeking an order to require many Milwaukee *suburban* districts to take part in desegregation. U.S. District Judge Thomas J. Curran denied a motion to dismiss the case in 1985, but trial went better for the defendants than it had for MPS a decade or more earlier.

The eventual result was another settlement, but here—with no finding of liability having been entered—the defendants had considerably more leverage. The most important aspect of the settlement was legislative: an expansion of a city-suburban voluntary desegregation plan known as Chapter 220. Chapter 220 had been state law since 1975 but had involved a relatively small number of black students enrolling in suburban public schools



**There was broad agreement among civic leaders, MPS leaders, and Gronouski on a goal that could be summed up in this phrase: We don't want another Boston.**

and white students from the suburbs enrolling in MPS. The 1987 settlement led to much larger numbers of participants, peaking in 1993–1994, when almost 6,000 city students attended suburban schools and more than 800 suburban students attended MPS.

### **The Aftermath in the Schools and the Metro Area**

Whatever was happening in the courts of the era, desegregation plans became a reality in MPS. Indeed, by the first day of school in 1976, less than eight months after the first decision by Reynolds, changes in school programs and assignment policies were in place, with a goal of integrating a third of Milwaukee schools in that year—and all schools by two years later.

Four aspects of what happened in Milwaukee summarize the era of school-desegregation efforts:

#### **Major efforts to keep things calm in the city.**

There was broad agreement among civic leaders, MPS leaders, and Gronouski on a goal that could be summed up in this phrase: We don't want another Boston. Beginning in 1974, Boston was torn by heated and sometimes violent protests arising from white communities against a busing plan ordered by a federal judge to achieve desegregation.

The goal of those shaping Milwaukee's plans was to make attending integrated schools an attractive choice for students, especially white students, and not to force students, again especially

white students, to be bused to school. Community meetings were held across the city to get buy-in for plans to integrate schools. A group called the Committee of 100 was created, with representatives from many parts of the city, to have a voice in the plans (although critics say the committee really didn't have much influence). Gronouski went to leaders across the city, including influential U.S. Congressman Clement Zablocki, who represented the south side of Milwaukee. Gronouski urged the leaders to support the plans that were emerging, in the name of civic peace.

**Creation of "magnet" schools that could attract integrated student bodies.** Lee McMurrin, who became superintendent of MPS in 1975, and his deputy, David Bennett, were architects of major changes that converted some schools to specialty programs intended to attract students from broad areas.

"We wanted to locate in what some would have perceived as the least desirable areas and schools," Bennett recalled in a recent interview. He gave the example of Fourth Street School, an elementary school north of downtown. It was relaunched as a school for gifted and talented children and renamed Golda Meir School (the late Israeli prime minister had attended school in that building when she was a child in Milwaukee).

Some of today's highly regarded schools in Milwaukee emerged from this period. Rufus King High School on the north side was one of the most

troubled schools in the city until it was restarted as a college-prep school with an international baccalaureate program. Initially, it had separate admission lists for white and black students so that it would stay integrated. West Division High School was restarted as the Milwaukee High School of the Arts.

**A major increase in busing of students.** Yellow school buses had been part of the Milwaukee scene for years, but under the desegregation plans, busing increased sharply. Students going to the magnet schools were one reason. But giving all students lots of options within MPS, many of them not involving specialty schools, became part of the system. And many black students were assigned to schools in other parts of the city, with little choice about getting on a bus. Critics called it “one-way busing”—i.e., of black children only—and said that the plans were designed for “white benefit.”

Milwaukee Public Schools changed from a system built on neighborhood schools to one in which fewer than half of its students attended the school in their elementary-attendance area. In a city where neighborhood schools had been a pillar, busing became so widespread that some have wondered whether there is another city in the country where the presumption is weaker that children will attend their neighborhood school.

**Large-scale demographic change.** A hope among advocates for school desegregation in Milwaukee was to stabilize the population of the city as black and white children went to schools together. But MPS leaders, among others, had warned that white people would leave the city in large numbers. The warning, not the hope, would be proved correct.

School desegregation was hardly the only reason, but it was clearly a factor in the enormous change in the racial and ethnic makeup of Milwaukee. In 1976, the first school year when court-ordered desegregation steps were taken, MPS was about 65 percent white. The definition of a desegregated school was based on that: A school was considered desegregated if black students made up 25 percent to 45 percent of enrollment. That changed quickly. A recent analysis of demographic data by John Johnson, a research fellow with Marquette Law School’s Lubar Center for Public Policy Research and Civic Education, found that 77,000 white people moved from the city of Milwaukee to surrounding suburbs between 1975 and 1980.

The white population of Milwaukee had already been on the decline. Census data show that the white population of the city dropped from 674,103 in 1960 to 583,268 in 1970, a decline of more than 90,000. The longer-term figures are jaw-dropping: By 2000, the white population was 270,989, a decline of more than 400,000 from 1960.

The city’s black population over those 40 years rose from 62,445 to 220,432, an increase of almost 160,000. The overall population of the city dropped from 743,301 in 1960 to 596,974 in 2000, a decline of almost 150,000.

An additional big change in the makeup of Milwaukee was the rise of the Hispanic population. At the start of implementation of the desegregation plan, Hispanics made up between 3 and 4 percent of Milwaukee’s population; for purposes of the desegregation plans, they were counted as white. By 2000, the Hispanic population of 71,646 was 12 percent of the city’s population.

As of the fall of 2018, according to the Wisconsin Department of Public Instruction, 51.5 percent of MPS students were African American, and 27.2 percent were Hispanic. Almost as many were Asian (7.3 percent) as white (10.5 percent).

In short, the first several years of desegregation efforts, on the face of things, went fairly well. Change was accomplished peacefully. And a large number of schools met the definition of being desegregated. Bennett said that the goal for 1977–1978 was to have 101 schools integrated, and that was accomplished. That was the high-water mark of desegregation, although many schools continued into the 1980s to meet the definition of being integrated.

But as time went on, it became increasingly clear that desegregation was not going to take hold. By the 1990s, the huge decline in white students meant that there were simply too few white students to achieve meaningful racial desegregation on a citywide basis.

Today’s reality for schools in the city of Milwaukee is this: With a relative handful of exceptions, it is easy to identify the predominant racial or ethnic makeup of any school, especially kindergarten through eighth-grade schools, and there is no large effort to change that.

As for progress in closing the outcome gaps for academic success between black and white children in Milwaukee, overall, the issue remains huge and seemingly intractable. Only approximately 20 percent of students in the city in

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**Are there positive sides to the legacy of Reynolds's decision? Marquette Law School's Phoebe Williams said, "Yes."**

both public and private schools tested as proficient in reading and language arts in the spring of 2018, and the math figures were several points lower. The racial differences within the overall picture were large.

One interesting effect of the demographic changes in the Milwaukee area is that many of the suburbs closest to the city have become more integrated in the four decades since the Reynolds ruling, and some suburban schools that were close to 100 percent white in the 1970s are now quite diverse. Several examples: West Allis–West Milwaukee schools are close to half nonwhite, students in Wauwatosa and Shorewood schools are almost one-third from minority groups, and Brown Deer schools are less than a quarter white.

### The Legacy of the 1976 Decision

Are there positive sides to the legacy of Reynolds's decision? Marquette Law School's Phoebe Williams said, "Yes." "The idea of intact busing and assigning black teachers to work only in schools that had predominantly African-American populations—all of those things were addressed," she said. The desegregation era "gave us hope that discrimination could be addressed." The decision "led to creation of some creative and good educational options, and it led to more suburban schools enrolling city black kids."

Williams said that the settlement of the case in 1979 barred MPS from acting in racially discriminatory ways. As the agreement put it, the defendants "are hereby permanently enjoined from discriminating upon the basis of race in the operation of the public schools of the City of Milwaukee with respect to any matter which was the subject of this litigation." That was a valuable long-term commitment, she said.

At the same time, Williams said, "A lot of benefits were derived from those decisions. But we expect the law to accomplish too much."

John Gilligan, who was Gronouski's assistant, said, "I learned quickly that there are limits to desegregation cases." He differentiated between the words *desegregation* and *integration*, suggesting the former could be achieved by assigning students to schools and the latter only by personal relationships. The Milwaukee plan, he said, made progress for a time on desegregation, but did not really achieve integration.

But, he said, "Milwaukee should be very proud of the leadership that was in place." Milwaukee leaders

succeeded in their goal of avoiding confrontation and disorder. Gilligan said that some excellent schools were created in that period. He also suggested that the seeds were planted for the rise of school-choice programs beginning in the 1990s as people began thinking in terms of what schools were the best for their children.

"What it all comes down to is: what is the will of the people?" Gilligan said. "Do people really want to integrate? . . . I'm not sure we're capable of achieving too much more than what was done."

Laurence C. Hammond Jr. was a prominent attorney in private practice in that era and led the defense of MPS in court. He regrets the results. "I've always thought these sorts of later school cases were social engineering and the courts were not well suited to handle that," Hammond said. "But it was better than fighting in the streets."

Hammond remains partial to neighborhood schools and is sorry that assignment by neighborhood ended. Were the magnet schools a good idea? "No—because they ruined everything else," he said. MPS was built on the logical premise of a neighborhood school system that served all the people of the city, he said. This is not to suggest that he prefers all aspects of Milwaukee's past: The best solution would have been "if we could just have figured out a way to get the neighborhoods integrated."

Bennett, the former deputy superintendent, sees what happened in Milwaukee in the decade after the Reynolds decision in a positive light. Many schools were desegregated, innovative magnet schools were launched, and achievement trends for both white and black students were encouraging at the time. He left in 1986 to become superintendent of schools in St. Paul, Minn., and he said he has not stayed up on the Milwaukee scene.

But, asked if anything could have been done to stem the long-term decline of white students in MPS, he said, "I think that was absolutely inevitable." In his view, things would have been as bad or worse if any other path had been taken. If neighborhood assignment had remained the prevailing practice? That would have brought worse results than the desegregation plan did, he said.

Should anything have been handled differently? Bennett answered, "I was personally disappointed at the time that we didn't move more aggressively in racially balancing the remaining black schools." But, he said, with the changing population trends of the school district, "we were fighting a losing battle."





Dennis Conta is associated in many people's minds with proposals to create school districts that included both city and suburban areas. Meeting for a recent conversation, he brought along a copy of his "East Shore District Plan" from 1974, which was put out before the Reynolds decision. It proposed a school district that would have included the attendance areas of Milwaukee's Riverside and Lincoln High Schools and all of Shorewood and Whitefish Bay.

Conta was a member of the state assembly then and co-chair of the legislature's powerful joint finance committee. He tried to sell the "East Shore" plan to school leaders in the area, as well as to civic leaders and the legislature. He said that he got as far as being able to count 46 votes in favor of the plan in the Assembly. But he needed 50 to gain a majority. "I couldn't get those last four," he said. It never came to a vote, and the idea was shelved.

Others also favored metropolitan solutions to school segregation. These proposals include dividing the Milwaukee area into several districts, shaped like pieces of pie, that would include both central city schools and suburban schools. But such ideas never gained traction.

Desegregation didn't work in Milwaukee, Conta agrees. But, he adds, "It didn't work throughout the country, not just in Milwaukee. It didn't work anywhere."

Reynolds would not talk publicly in later years about his perspective on the aftermath of the school desegregation case. But he did discuss it in an oral history interview conducted in 1997 by Collins T. Fitzpatrick, circuit executive of the U.S. Court of Appeals for the Seventh Circuit, and subsequently made available.

"I don't think that busing really helps," Reynolds told Fitzpatrick. "I think that just mixing people up—I lay greater emphasis on opening doors. I think pulling people, whatever support people have in their neighborhood, in their families, to pull them away from that was not a good idea. It didn't work out well. . . ."

"We all know what it involves, all the sociological things—the neighborhood, the family support groups. . . ."

"It also taught me, at least it made me think—I haven't become more conservative as I have grown older, but I am more willing to recognize the limitations on our courts' ability to do things."

You can issue all the orders you want, as Reynolds put it in the interview. But if people aren't going to go along, you will learn a lot about race, class, and poverty, a lot about sociology and demographics, a lot about the dynamics of change and resistance to change—and a lot about what a court order can't do. ■

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