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The Influence of Interest Convergence on the Creation and Sustainability of Historical Black Colleges and Universities in the U.S.

Higher education has been characterized as “one of the greatest hopes for intellectual and civic progress in this country. Yet for many Americans, however, it has been seen as part of the problem rather than the solution” (Boyer, 1997, p. 5)

Keywords

Equity, Interest-Convergence, HBCUs, Critical Race Theory, Affirmative Action, Higher Education, UK Multiculturalism

Purpose

Throughout exploration of scholarship in the area of higher education, I have been interested in the evolution of HBCUs and their survival. However, as I evaluated scholarship on how Predominately White Institutions (PWIs) apply diversity to their hiring and operational practices a new interest emerged. The unfortunate truth is that many American higher education institutions do not have diverse populations and thusly reflect larger society as they remain visibly homogenous in theory, thought and student body. The United States has a four-century legacy of legalized slavery with a foundation that White American’s are superior to Black Americans. Although slavery was abolished, vestiges of this oppression remain and permeate every system of our society. Understanding the effects of domination and hegemony, it remains interesting that African Americans have progressed in higher education especially after the creation of Black Codes and the Jim Crow racial apartheid system. The ‘Black Codes’ were implemented throughout the country on a state-by-state case in order to restrict African Americans or those benefiting from the Thirteenth Amendment, from rights as full citizens of the United States. Among the many rights that were gained from the Civil War, freedom to education remained elusive. “Blacks were still considered, lazy, ignorant and mentally deficient and despite being faced with history ‘s most elaborate system of institutional barriers to schooling, America’s Black citizenry continued to persist” (Allen 2005).

In this paper I will explore the history regarding Historical Black Colleges and Universities (HBCUs) funding and legislation as it affected their creation and sustainability over the past century and explore scholarship on the effects of desegregation legislation such as the Supreme Court decision *US v Fordice*. I will further examine the historical legislation, which affected the establishment of Historical Black Colleges and Universities (HBCU’s) originating in the 1800’s, why they were established and how they have survived in a post-racial America. Do these institutions serve a unique purpose that other colleges are not serving and is there parity among Historical Black Colleges and Universities (HBCUs) and their White counterparts (in this paper referred to as Predominately White Institutions or *PWIs*).

While the practice of separate but equal institutions in the US is a substantial focus in this paper, implications for multiculturalism equally affects the outcomes for British and European higher education institutions. I will briefly explore the dual system of higher education in the English system and the impact of diversity and widening participation within the system. This will not be an in-depth study of the British system of higher education, however, there will be similarities and lessons learned on both sides of the pond. Dual systems, with respect to British colleges, are not necessarily based on race and ethnicity, as the English higher education system dates back to medieval centers of scholarship, evolving into institutions that supported civic and industrial growth to the new institutions which were the result of economic and social modernization.

Critical Race Theory (CRT) scholarship indicates that it is radical critique against the implicit acceptance of White supremacy and “while race is formed and fashioned, racism operates in relation to and through other systems of exclusion, marginalization, abuse, and repression” (Goldberg and Essed (2002). CRT suggests while racism is a normal part of life it recognizes interest-convergence, which is the process by which the white power structure “will tolerate or encourage racial advances for Blacks only when they also promote white self interests” (Ladson-Billings, 1999). An example of this is the creation of Historical Black Colleges and Universities (HBCUs). This premise will be explored further in this paper.

History of Segregationist Policies

One of the most significant vestiges of *de jure* segregation in America is the dual system of higher education as there remains a history of denying access to African Americans since its inception. “Due to enslavement and the construction of Africans as property, White privilege has been inextricably linked to African American subordination and serves as a foundation for white superiority in an oppressive educational system” (Ladson-Billings & Tate, 1995).

Racism has deep roots in American society. The history of minorities (specifically Blacks) in higher education in America is steeped in a tradition of the country’s, hegemonic structure which embedded the ideals of inequality and unworthiness of African Americans as educated citizens thus questioning whether there was a need for further or higher education among this particular citizenry. The source of this racism goes beyond education and was rooted in the idea that African Americans, based on the color of their skin, were intellectually inferior “and did not possess the mental capacity to learn, nor had they any real need for formal education” (Harper, 2009 p. 403). It was in the interest of the White majority to relegate Blacks to industrial or vocational education, which would advance the labor force and enhance the focus of White industrialists and agriculturalists.

During the Reconstruction era, America was in a position where they were forced to educate the population of people that had been oppressed and owned as chattels over 400 years. While slavery was abolished many years previously by northern states and other countries (Britain being one of the first), there was a strong hold on Southern states, which were reticent to relinquish their workforce and infrastructure. As a result of the Emancipation Proclamation, little could be done to deny that Blacks were now freed, however, states rights would demand that equality would be illusive for at least another century

Historical Black Colleges and Universities (HBCUs) were established because separate but equal facilities were firmly supported by the US government and Supreme Court. Clearly these institutions would remain separate from but not equal to White liberal arts colleges, as facilities and resources were inequitably distributed and funded. However, the establishment of these facilities met a specific interest for African Americans and Whites. Racial equality would not be achieved using the dual system of education as a vehicle.

Generations of minority communities have little to no recollection of separate but equal policies, civil rights or the fight for equality which played out on an international stage, thusly, the higher education system has morphed into one of seeming acceptance and inclusion. Vestiges of ‘separate but equal’ continue to linger and inform policy and practice in areas of inclusion and exclusion of this population. Higher education in America has not been responsive to changes in society and the growing diverse communities.

In America for many centuries, governance of education was generally the responsibility of states and was considered a local concern. However following the Emancipation Proclamation the need for new schools increased, yet, these schools were established at the exclusion of former slaves. “Once the 14th amendment was ratified by the states, it became a proxy for the threat of interference in all state prerogatives which had previously supported regimes of separateness” (Diamond, 2007, p. 6). Additionally, states could only be recognized in congress if they ratified the Fourteenth Amendment.

Individual former southern slave states (not wishing to run afoul of the 14tth amendment) would establish a robust system to maintain oppression and control.

These laws or ‘Black Codes’ would become the new order and governed life more completely and perfectly than the set of economic and moral guidelines that established and perpetuated slavery. An example of the tactics states sought in order to have their seat in congress without giving up their moral identity was the establishment of Jim Crow laws in the state of Alabama. The state of Alabama ratified the Fourteenth Amendment under a military district legislature in 1868. In August of that year, the Alabama legislature’s public school enactment required that "in no case shall it be lawful to unite in one school both colored and white children, unless it be by the unanimous consent of the parents and guardians of such children; but said trustees shall in all other cases provide separate schools for both white and colored children” (1868 Alabama Acts 148). The requirement of separation in education based on race was enshrined in the Alabama state constitution in 1875. The following is a further example of the laws found in the Alabama constitution and cemented Black Codes as a new order of governance.

*“Any person . . . who shall endeavor or attempt to teach any free person of color, or slave, to spell, read, or write, shall, upon conviction thereof . . . be fined . . . not less than two hundred and fifty dollars nor more than five hundred dollars” (Alabama Acts 1875).*

Black Codes or Jim Crow laws were outlined through a series of states laws, which were designed to further embed a system of oppression in the New South. This racial caste system operated in many states, both north and south between 1877 – 1960, and was supported by legislators, politicians, churches schools and permeated every element of American life during its existence. Examples of the Black Codes or Jim Crow laws, which touched the lives of every citizen in southern and boarder states are:

* Under no circumstance was a Black male to offer to light the cigarette of a White female -- that gesture implied intimacy.
* Blacks were not allowed to show public affection toward one another in public, especially kissing, because it offended Whites.

These laws governed behavior from schools, hospitals, restaurants and driving. Breeching these codes would certainly have severe consequences for the Black citizen (excerpts from Jim Crow Laws, Ferris State University (<http://www.ferris.edu/jimcrow/what.htm>).

The Arkansas legislature first provided for separate educations for African Americans and whites in 1867 after it voted not to ratify the Fourteenth Amendment. The statute provided that: “No negro or mulatto shall be admitted to attend any public school in the state, except such schools as may be established exclusively for colored persons” (1866-67 ARK. ACTS, No. 25, Section 5, p. 100).

Brown and Ricard (2007) suggest that during the early years immediately following the Civil War, people of all races and ages that believed in the premise of freedom and education attended and supported Black colleges that housed elementary and secondary components. While this caused some to criticize their programs as not being robust or collegial in nature, it also cemented their relationship within their local communities.

Many aspects of the ‘how and why’ these institutions needed to exist are wrapped in America’s segregationist and oppressive legacy. Many of these institutions have survived the Post reconstructionist era, the nadir of race relations and the Civil Rights movement (which opened many doors for black students to enter traditional White institutions) into now what is called post racial America. Scholars such as Wenglinsky (1999) and Harper (2009) support the relevance of these colleges. They posit that HBCUs need to exist as they focus on teaching students, fight oppression and represent the Black community. Most importantly, during an age of segregation, “they (HBCUs) provided postsecondary education to students who otherwise could not obtain it” (Wenglinsky 1999, p. 12).

Jason Riley (2010) has a different view regarding HBCUs. He states that these institutions of higher education are not needed as they are no longer competitive and economically viable. Black colleges are thought to be a financial drain to the federal government as they have small endowments and “more than 80% get most of their revenue from the government”. Fryer and Greenstone (2010) concur as they suggest that black colleges are considered inferior to PWIs and fall short in terms of preparing Black students for post-college life.

Interest Convergence

As the United States was founded on a legacy of oppression and racism, which has permeated every system including education, CRT provides a foundation which assists us in evaluation of how race-based policies and structures have consistently questioned the worthiness of African Americans as educated citizens and the legitimacy of their presence in higher education. HBCUs came into existence at the end of the Civil War, which was a time of difference and otherness in America. It was also a time when one race could be subjugated by another based on perceived differences.

Critical Race Theory suggests that while racism is a normal part of American life it recognizes interest-convergence, which is the process by which white power structure “will tolerate or encourage racial advances for Blacks only when they also promote white self interests” (Delgado, 1995, Essed 1991, Bell, 1987, Ladson-Billings, 1995). The implication is that White people must see the benefit to them in order to support legislation and programs that support equity; an example of this is the creation of Historical Black Colleges and Universities (HBCU) institutions. Derrick Bell (1987, p. 37) suggests that this premise of interest convergence dates back to the 1700’s when delegates of the United States met to debate the merits of slavery. At the convention, the majority of the delegates owned slaves and discussed the Articles of Confederation. Many of the delegates who opposed the importation of slaves did so not out of humanitarian motivations but because they had sufficient slaves and wanted their commodity to increase due to limited supplies. The states were divided and many who were proponents of slavery continued the appalling practice because the opposition was not universal and could be ignored. “What was lacking here is not legislative skill but the courage to recognize the evil of holding Blacks in slavery –an evil that would be quickly and universally condemned were the subjects of bondage members of Caucasian race” (p. 37).

In the Northwestern Law Review ‘s article *Rethinkng the Interest-Convergence Thesis,* Driver (2011) posits that the interest-convergence thesis accounts for the existence of “racial paranoia,” but it acknowledges the phenomenon as existing only among white people. He further states that Bell’s theory of interest convergence suggests that white opponents of policies or decisions that would seem to benefit blacks evince a brand of *racial paranoia*. “If blacks receive seemingly favorable decisions only when white interests are advanced (or at least not harmed), the theory runs, then clear-thinking white people should understand that they always gain more from what are ostensibly black victories” (Driver 2011).

He further posits that there is an acknowledgment that racisms exists and has continued affects and presents obstacles to racial progress, however, there has been a profound level of achievement in regards to the status and progress of Blacks in America. It appears however, that while he acknowledges the premise of interest-convergence could be applied to some of society, he states “by implicitly encouraging black citizens to await the magical moment when their interests converge with the white majority, the interest convergence thesis sharply discounts the capacity of black people to participate in their own uplift” (p. 175). While I appreciate his advocacy for Black agency, his premise could suggests that the Black condition in America is one that was not imposed and that the point of departure is the same and parity exists among the races.

Continuing the legacy of subordination in the mid 1800’s after the Emancipation Proclamation in 1863, white missionary’s brought their Christian and philanthropic deeds to the oppressed Black population in the form of separate black colleges designed to expose freed slaves to an ‘equal’ educational experience. These same philanthropists offered curriculums grounded in white superiority and black subjugation. Despite their efforts of generosity and guilt, there still remained the concept and belief that African Americans were less than humans. More to the point, many of these schools were established under the guise of equality; yet, the real and hidden intention was to keep Black students from attending White schools. If freedom of choice and equity were tangibles at that time, HBCU’s would not have been required nor created.

Viewing equity challenges in education through a CRT lens I examined historical legislation, which governs and creates the terrain for change in equity and diversity in education. The Brown v Board Supreme Court decision and more recently the Fordice decision, affected higher education and HBCUs significantly. My exploration of scholarship has shown that the US v Fordice decision and benefits to HBCUs is a point of contention. There is an admission by some states and in particular the state of Mississippi that funding and resources have historically been substandard for black students attending HBCUs. The remedy however included white citizens for which were not accounted for in the initial Fordice case. “The remedy as articulated by the Supreme Court treats the constitutional injury as if it were the whole of Mississippi’s citizenry” (Muhammed, 2009, p. 330). Black students for which the case was intended to benefit and the group most adversely affected by the dual system of higher education are unable to benefit from remedies of the decision until white students enroll and colleges maintain their 10% non-black student enrollment for a determined amount of time. The remedy has caused contention and discussion.

In a report on Institutional Diversity in Higher Education (2009) it appears that the United Kingdom has similar challenges in the area of the widening participation agenda. Colleges in the UK are publically funded and indicators used to determine grant funding can be based on the drop-out rate. This can be damaging to the institutions as there will be no incentives to accept students with the greatest need from disadvantaged educational backgrounds—although this is precisely the demographic that the governments appeared to encourage and assist in gaining greater access.

British scholars such as Tony Sewell (2008) posit that underachievement among Black students in the UK translates to low levels of expectations and institutional racism is to blame for pupils underachievement. He further suggests that this underachievement in the Black community in particular is highly researched, however, little scholarship has emerged to suggest solutions and to raise black achievement, which would prepare students for the challenges of higher education.

Legislation and Court Decisions affecting the creation and sustainability of HBCUs in the United States

The struggle for equity in the United States is rife with Supreme Court decisions and laws which left a legacy of behavior and set a social tone for oppression and inequity. To be clear, the government supported the racial caste system and social order that sought to place Whites in a superior and controlling position and relegate Blacks to inferior, subservient role” (Byrd-Cichester, 2000, p. 12). The *Dred Scott* decision addressed the issue whether people of African decent were in fact to be protected under the constitution of the United States. It was decided in 1857 by the Supreme Court that Blacks were “not intended by the framers of the Constitution because they were universally considered as “subordinate and inferior class of beings…subjugated by the dominant race with a stigma of deepest degradation fixed upon the entire Black race” (Byrd-Cichester, 2000, p. 13). A constitutionalized regime of separateness was further sanctioned under *Plessy v Ferguson*.

In the post-Reconstruction era of the 1870’s, the nation weary of racial issues, prematurely proclaimed the former slaves free and able to rise or fall on their own efforts” (Bell, 1987 p. 14). As such, the Black race suffered from legislation, cultural norms and basic inhumanity. The federal government established the *Freedmen’s Bureau* to assist former slaves by providing food, clothing, job placement, educational facilities and land (Blaustein & Zangrando 1991). Through the assistance of the government and the Freedmen’s Bureau along with early missionaries, small HBCUs appeared quickly (Gasman and Hilton 2012). A direct result of *Plessy v. Ferguson* (1896) (one of the nations most insidious court rulings stating that separate facilities are equal) many of the nations’ minority citizens sought education at great risk and cost to themselves and families. Some well meaning citizens, financiers and missionaries believed in the policy of *separate but equal,* but also possessed what was then interpreted as a social conscience and assisted in the establishment of educational institutions, which were designed for and catered to the freed slave and persons of African decent.

One of the first institutions founded to educate freed slaves was established in 1837 prior to the Civil War. Cheney University had its beginnings as the Institute for Colored Youths and was founded by Quaker Richard Humphreys. Several other colleges for African Americans were also established prior to the Civil War; Wilberforce College in Ohio and Lincoln University in Pennsylvania (Gasman 2012).

While these institutions may have been established to further segregate the races, it was perceived by the majority that many African Americans at that time were sub par in terms of intellect, therefore this system of colleges and institutions subsequently known as HCBU’s was sufficient to systemically subordinate African Americans even under the pretense of enlightenment. Such is the case of the founding of Hampton University in 1863 by a son of Hawaiian missionaries named Samuel Chapman Armstrong. His efforts to assist freedmen during the Reconstruction era led him to be a proponent of furthering the education and training former slaves. Armstrong founded Hampton Institute to include a labor regimen, which assisted students to work in order to off set costs of their education and to socialize them to accept their place in the New South. While ignoring Black Codes and other impediments to taking their place as equal citizens of the South, Armstrong insisted that African Americans needed education to “alter their naturally poor character and make them capable of living among Whites”. He further suggested that they could escape their “natural penchant for laziness and move on to a better life only through the earnest benefits of labor” (Freeman, 2004, p. 6).

Armstrong was not alone in his desire to educate and uplift the Black masses from their plight. Many missionaries followed suit by establishing colleges to address the belief that Blacks could become a problem to White society if they were not educated and instilled with Christian teachings and values. White missionaries established colleges such as Talledega College (1867), Morehouse College in Georgia (1867) and Fisk University in Tennessee (1867).

Following the establishment of small higher education institutions for former slaves was the *Hatch Act of 1887*. This act “provided annual support for state agricultural experiment stations established in connection with land grant institutions” (Gasman 2012). Through this act the government called for equal application of funds and resources between White and Black colleges unless specifically directed by individual states to do otherwise. This appears to be another case for ‘state’s rights’. At this point, southern states decided not to equitably distribute funding and resources between Black and White institutions. The Hatch Act specifically ring-fenced funding for equal distribution to White and Black institutions, however, the funding did not reach Black colleges, it instead was funneled to White colleges that benefited and served White middle and upper class students (Gasman, 2012).

Following the Hatch Act of 1887 was the second *Morrill Act of 1890*, which provided governmental support for the establishment of public colleges. This allowed for public HBCUs and Predominately White Institutions (PWIs) as well. This act stated that each state must provide education to former slaves by either allowing them to attend PWIs or by providing separate educational institutions. At this time, all southern states which had benefitted from slavery and some border states decided to establish separate facilities. At this time, all southern states, which had benefitted from slavery and some border states decided to establish separate facilities (Brown and Ricard, 2007).

*Plessy v Ferguson (1896)* solidified the separate education and facilities for Blacks and this supreme court decision would garner much support and govern a new oppressive society. However, following the Plessy decision, several challenges to Jim Crow would continue to plague the judicial system. Pearson v Murray led to the creation of Morgan State University as a way of limiting Black students from attending the University of Maryland (Gasman 2012). Several additional cases would be heard such as *Sipuel v Board* *of Regents in 1948,* which brought attention to the issue of inadequate funding.

*Brown v Board of Education* in 1954 would be a landmark case that declared separate but equal in schools is unconstitutional. According to Michelle Alexander (2012) the Brown decision “signaled the end of the home rule in the South with respect to racial affairs as the Brown decision threatened the entire legalized system of discrimination in the South”. She further states

“…in 1956, Southern white opposition to desegregation mushroomed into a vicious backlash. In Congress, North Carolina senator Sam Ervin, Jr. drafted a racist polemic “the Southern Manifesto,” which vowed to fight to maintain Jim Crow by all legal means. …Just as Southern legislatures passed Black Codes in response to Reconstruction, nearly fifty new Jim Crow law were passed in response to Brown v Board in five Southern legislatures.” (p. 37).

Some scholarship suggests that the *Brown v Board* decision came at a time of international disapproval of American’s racilaized and oppressive practices (Harper, 2009; Gasman, 2012) however Driver, (2010) posits that disapproval has not historically been a sufficient condition to result in an alteration of American practices. “It is possible that the court found Jim Crow laws and practices to be an international embarrassment because it clashed with interests in justice and equality” (p. 170).

During this decade of violence and insurrection from the White majority, the Civil

Rights Movement with the support and assistance of the Supreme Court, helped to change American racialized segregationist policies. Nearly a decade following an upsurge in racial violence and reinvigorated White Citizens Councils which were established to uphold Jim Crow past and present, the Black College and University Act defined a historically black college and university as one that existed before 1964 with historic and contemporary mission of educating blacks while being open to all (U.S. Commission of Civil Rights, 2010). Subsequently, *The Higher Education Act of 1965* allowed HBCUs to have funding from the federal government. Funding would be earmarked for colleges that served low-income students.

*Adams v Richardson* of 1973 and the *HBCU Acts* would ensure that HBCUs would be considered an important part of the higher education system. Finally the fight for equity in higher education seems to have run for over 140 years and for the purpose of this paper ends with the landmark case originally filed in 1975, *United States v Fordice* (1992), which declared that all of higher education must desegregate and that individual states must eliminate all segregation. While the decision mandated that all homogenous educational institutions needed to educationally justify or eliminate all vestiges of segregation, including HBCU’s (Wenglinsky, 1999, p. 1), this legislation has led to white students attending HBCU’s at increased rates. “The Adams v. Richardson and US v Fordice cases stand as the judicial guideposts for desegregation in those states that historically operated racially segregated dual systems of higher education” (Brown, 2001, p. 50). The current body of research does not define whether integration of these institutions is necessary to their survival or how well it is being applied. What is noted is that an increased number of non-black-traditional students are attending HBCUs in the U.S. (Gasman, 2012; Harper, 2009, Wenglinsky, 1999; Muhammad, 2009).

Value of Research and Implications

Perhaps due to factors of unequal funding and resources, leaders of black colleges are forced to do more with less, which can establish ‘creative leadership’ approaches in order to sustain, their institutions. What could be considered is that a large percentage of HBCUs enrollment are first generation or students entering from lower income brackets than their PWI peer institutions. These students tend to be a greater drain on resources in order to succeed. Measures of institutional success need to take into account the individual characteristics of students attending HBCUs (Ashley, Gasman, Mason, Sias, and Wright, 2010). If these variables are not considered, the result is that HBCUs are held to higher standards and again being held accountable for unreasonable goals and results, which further perpetuates inequities as we “currently spend the least amount of money to prepare the least prepared students” (Gasman, 2011).

Scholarship currently exists that re-tells the transition that HBCUs have travelled, yet, little explores the motivation and challenges resulting from inequities in enrollment, funding and resources. An additional area in need of further exploration is the Jim Crow Catholic schools and colleges, which will not be affected directly by Fordice, yet there will be an indirect impact in the area of non-traditional student enrollment. Xavier University which is the only HBCU that is Catholic in the United States purports to have increased its enrollment from nearly 90% African American and majority Catholic to 25% non African American student enrollment as of 2011. It should be noted In today’s current climate of ‘post racial’ rhetoric in America and multiculturalism in Europe and the UK, there is a need to examine the application of principles which govern higher education. The need to diversify one’s institution must be intentional and unseats learned behaviors and principles. The premise that white racism and domination no longer exists is difficult to accept and makes the climate more dangerous and harder to temper. While validity of *affirmative action* legislation has been challenged universally in favor of *meritocracy*, it is legislation that can be enhanced to assist in balancing some of the societal inequities.

There are further limitations to current scholarship as there has been little examination on the growing number of White students attending HBCUs how their attendance could further impact admissions standards, retention and enrollment. Strayhorn (2010) suggests that while scholars have examined the experiences of African American students at PWIs little has been done to examine the experience of White students at HBCUs who scholars refer to as “voluntary” (Ogbu & Simons, 1998) or “temporary” (Hall & Closson, 2005) minorities. What we have been able to glean from scholarship is that Black collegians at PWIs feel isolated, marginalized, unwelcomed and unsupported by faculty, staff and students (Allen, 1992). However Black collegians attending HBCUs gain more intellectually, adjust to college more readily and enroll in graduate school more frequently (Strayhorn, 2008; Perna et al, 2006; Allen, 1992).

Strayhorn, (2010) posits that a small yet increasing line of scholarship is currently focusing on the White student experiences at HBCUs. The research is showing that White students at HBCUs experience few to no overt incidents of racism, more support from faculty than reported by their Black counterparts at PWIs and overall more friendly and nurturing environment (Closson & Henry, 2008). Again, research reveals that while Fordice and previous legislation encouraged institutions to become more inclusive, the primary beneficiaries appear to be white students, as they now have more options and flexibility in college choice than ever before. Both the HBCU and PWI systems provide benefits to the students with the least need.

A similar debate is occurring as British institutions have largely served a homogenous clientele, however, with leanings towards globalization and diversity, widening participation and enhancing access to higher education is a high priority especially among the post- 1992 universities. However, it should be added that institutions, which have paid significant attention to issues of access and equity, often, out of a sense of their own mission and tradition of inclusiveness and building social capital, also regard this priority as demanding and tricky.

“Widening participation has been associated with more diverse populations, motivations, competencies, and qualifications, including a concern about lowered standards, which in turn has fuelled the recurrent debate between elitism vs. mass approach in English higher education” (Reichert and Teixera, 2008, p.33)

There is no magic, either in mixed schools or in segregated schools. A mixed school with poor and unsympathetic teachers with hostile public opinion and no teaching of truth concerning black folk is bad. A segregated school with ignorant placeholders, inadequate equipment, poor salaries and wretched housing is equally bad…

(W.E.W. DuBois 1935, p. 35).

Antidote or Slow Acting Poison

“Nineteen states in the U.S. share a common history regarding the provision of educational services to their citizenries. They each share a legacy of de jure segregation in education” (Diamond, 2007, p. 7). While Black institutions suffered at their inception and assisted in laying the foundation of creating “pseudo equality under the guise of legally legitimizing segregation and separatism” (Harper, 2007) they have become leaders in degree granting institutions for African Americans in higher education and have a unique place in higher education. In his article in the Wall Street Journal (2010) Jason Riley states that Black colleges were essential responses to racism as they trained civil rights activists and leaders who helped end segregation. Today, however, dwindling enrollments and endowments indicate that fewer blacks believe these schools as currently constituted represent the best available academic choice”. Fryer and Greenstone (2010) suggest that because of their reliance on public funding the Fordice decision means that it is more important than ever to understand the consequences of matriculation at HBCUs (p. 144). However, if removed from the current statistics of degrees attained by Blacks, the picture regarding Black student enrollment and degrees earned would be very grim indeed.

In opposition to this view, scholars such as Harper, Bell, Ladson Billings and more recently, Price, Spriggs, and Swinton, (2011) find that the results of their recent study suggest that on average, graduation from an HBCU affords its graduates superior long-run labor market outcomes relative to graduating from a non-HBCU. Empirical data suggests that while these institutions may have been formed for less than altruistic purposes, Historical Black Colleges and Universities (HBCUs) currently represent about 3% of colleges in the U.S. but enroll 12% of all Black college students and produce 23% of all Black college graduates. Remarkably, this small group of colleges confers 40% of all STEM degrees and 60% of all engineering degrees earned by Black American students. They also educate half of the country’s Black American teachers and 40% of all Black American health professionals, and they do this with much less funding support than that of traditionally White institutions. With less funding, the question becomes, how are these colleges succeeding and sustaining. However, the dialogue surrounding these institutions is generally sensational and does not highlight their successes.

Research in Critical Race Theory has suggested that the *Brown v Bo*ard was one of the most important decisions affecting education in the US. Many scholars and activists supported the notion of equal opportunities in education for Black students as a remedy however were less supportive of integration with White students (Bell, 2004; Carter,1980).

Some scholars believed that the strategy of integration would not present a long-term remedy that would be of benefit to Black students. They instead believed that equal resources and opportunities within existing schools would be a better solution. In his book, *Silent Convenants: Brown v Board and the Unfulfilled Hopes for Racial Reform,* Derrick Bell (2004) states that the Brown decision neither provided equal educational opportunity nor integrated education. He further states that his remedy would have included enhancing and equalizing physical facilities, teacher training, salaries and resources in all schools insisting that schools which catered to both Black and White students meet national standards equally. States and districts would have the responsibility to ensure that “those formally excluded now be included.

“Brown intended to integrate not necessarily equally educate students of color” (Yosso, Parker, Soloranzo and Lynn, 2004, p. 12). Bell’s discourse regarding integration versus equity in education was fueled by the history of the Black communities that 50 years after Brown still find equity in education elusive. Integration in its current state in education continues to place the responsibility and onus for eliminating racism on those who have historically and continuously remain subordinated and oppressed (Love 2004). While it would be ideal to assume that diversifying and integrating education is done for the best interest of all students, it centers White students as the standard or normative students. As such, the goal is not “necessarily to provide access and equal opportunities for students of color but to provide access to diverse groups so that White students can learn in a diverse context” ( Yosso, et al, p. 14)

As “interest convergence is centered on the notion that Whites have historically maintained their dominance over minorities through power, privileges through laws policies and processes that subjugate non-Whites (Bell, 1992; Gasman and Hilton, 2012), examining the Fordice decision through this lens reveals several points.

Initially, much like the Brown decision, CRT scholars suggest that the judicial remedy put forward for Fordice can be viewed from a historical perspective. Generally, constitutional injuries and inequities occurred against Black citizens who attended HBCUs through the dual system of education. However, while the Fordice decision offered benefits to the whole system, it does not address those most negatively impacted, which are the Black students. In fact “those students cannot avail themselves of the full remedy of programmatic and facility upgrades until there are enough whites enrolled and benefiting from scholarships and other desegregation remedy funding” (Muhammad, 2009).

Another remedy suggested in the settlement is the financial support attached to white students who wish to enroll in HBCUs in Mississippi. While Fordice’s decision primarily speaks to the Mississippi state schools, the Supreme Courts decision ultimately affects all HBCUs and lays the foundation for all public HBCUs. The settlement however does not include funding for black students to PWIs however funding is attached to white students attending HBCUs. While these students have other options, it is unlikely that they would attend an HBCU unless financial enticements are attached.

Much like the Brown decision, the remedies suggested appear to harm the intended benefactors. White students were not the intended beneficiaries of the original Ayers case. The reason for the lawsuit was to force the inequitable policies that fueled the dual system of higher education. The resulting effects are benefitting white students and PWI institutions.

The Future and Recommendations

Can desegregation be achieved without the dilution of the foundation on which these institutions were founded? Are there means by which they can re-invent themselves to remain relevant to the American education system and prepare students for a global and interconnected society? Research unfortunately suggests that without major changes in focus, funding structures and management, these bastions of Black Higher Education will crumble and cease to be considered relevant. While I will not go as far as Fryer and Greenstone and suggest that HBCUs do not provide advantages to Black students and “on many dimensions and, by some measures, HBCU attendance appears to retard black progress” (p. 144), I will state that there are advantages to HBCUs adopting an aggressive plan for sustainability. Their original purpose remains laudable and made significant contributions to American society, yet America is eager to create a ‘post racial society’ which can work to the advantage of these institutions. However, their visioning must be altered to accommodate a new purpose and historical values.

Beverly Tatum (1997) posits that racial grouping is a developmental process in response to racism. Clearly the suggestion here is that not only as a coping strategy, groups find support through shared experiences and understandings. Support for the HBCU experience for the collegiate is substantial, yet there is a growing number of scholarship dedicated to either eliminating or merging these institutions with PWIs post Fordice. The Supreme Court’s decision included a need for “educational justification” for HBCUs, which suggests that the current scholarship and preponderance of evidence did not provide the Court with sufficient information.

While these colleges could be considered inferior because of their historic lack of equitable funding which existed through Jim Crow state legislated decisions, their physical structure, strain on the existing resources due to the high demands of their student body, could also contribute to the perception that these institutions are less than. Additionally, because of lower levels of funding and limited endowments, they will attract less distinguished faculty and be unable to support limitless research opportunities. There are similarities in UKs post secondary system as college administrators in Britain feel that there is some contradiction in the policy and funding framework and that the focus on widening participation is not sufficiently rewarded. The funding incentives remain small or even negative if one looks at the actual costs of addressing the needs of students from under-privileged backgrounds. This issue is shared by HBCUs in America. A second dilemma shared between the HBCU and British system is that there are reputational risks to widening participation and making education more accessible to students from non-traditional backgrounds. In addition to needing more resources to properly service non-traditional and minority students through enhanced teaching approaches, and student support services, these services and approaches are generally not included in marketing material so as not to loose the interest of the better qualified students (Institutional Diversity in English Higher Education Report, 2007). Similarly, in the US, continuing to fund HBCUs, which some scholars believe are inferior institutions to PWIs, could in fact further handicap those students who present with the greatest need as “HBCUs traditionally enroll students who may have been shunned by other colleges due to financial, social or academic deficiencies” (Harper, B. 2007, p. 123).

An important strategy for the future of HBCUs would be to have a clear institutional vision, which accommodates their new way of being and new institutional missions incorporating greater focus on scholarship and globalization. Senge et al, (1999) state that a vision statement is intended to develop a set of aspirations that inform and enhance the quality of higher education and offer guidance in making educational decision, and setting priorities. Recent scholarship suggests that ‘compared to colleges in general, few HBCUs have clearly defined and identifiable vision statements” (Ableman and Dalessandro, 2009, p. 122). While in previous decades they could be less focused because their identity and vision were implied, the current challenges to the survival of HBCUs suggest that more practical and pragmatic outcomes and transformation into global education centers is required.

The strategies for survival are embedded in an intricate body of statistical and anecdotal research, which in many ways is drawn among racial lines. One answer is clear…there are no easy answers to this dilemma. HBCUs were once needed and as such fulfilled a service to humanity. Without the ongoing support of both black and white citizens, the prospects for longevity appear weak. While interest convergence may have been a factor in the establishment of HBCUs scholars must challenge the presence of racism in policies intended to remedy racism, bias and inequity (Yosso, Parker and Solorzano, 2004).

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