

unitary status and a return of local autonomy through litigation. Even critics of the Order may conclude that it is worth enduring a few years of foolishness to save the expense of a lawsuit.

Yet there are problems with this line of thought. One is that although a lawsuit would be expensive, the programs that the Consent Order calls for will cost much more. It would require a team of accountants to calculate the exact cost of the Order, but the News Journal is probably close to the mark in reporting that "the agreement will establish more than \$10 million in new programs." By my calculation, about half of that sum is for a worthwhile cause (alternative schools for disruptive students). The other half will hurt education by undermining the authority of teachers and by undermining the integrity of academic standards. These programs will especially damage disruptive and underachieving students by giving the impression that adults will step in and protect them from suffering the consequences of their misbehavior and their lack of effort.

Another problem is more practical. The Coalition to Save Our Children may be mistaken but it is in earnest. Its leaders have already indicated that they will go back to court if, after the expiration of the Consent Order in 1998, the local districts adopt neighborhood assignment plans that depart too far from districtwide racial balance. The pro-busing editors of the News Journal have already said that such litigation is to be expected. "If resegregation looms," one editorial declared, "you can count on new minority plaintiffs returning to the courts for relief." Therefore, the editors say, after 1998 school buses must "continue to transport black and white children to shared schools." The editorial page editor John Taylor has opined, "When the court does lift its supervision, the buses won't stop rolling. There will be no return to racially isolated districts."

Thus by approving the Consent Order the State Legislature and the local school districts could come in for a double whammy. They would have to pay \$5 million for counterproductive programs between now and 1998 and would also have to go to court to defend themselves if they turned to neighborhood schools after 1998.

I may be wrong. Unlike Mayor Sills's lawyer, who reportedly was paid \$140,000 for working on the Consent Order, I have written this report without charge, without consulting anyone else, and during a single weekend. Perhaps I have missed some points, but in the end I return to a lesson from kindergarten. "Do the right thing." The Consent Order is fraught with mischief. If it cannot be revised, Delaware should go to court. If the school districts of northern New Castle County are entitled to unitary status, and I think they are, that status should be awarded without unworthy compromises.