

reported, was that "characteristics of the lower-class black classroom, namely a high degree of disorder, came to take over and constitute the values and characteristics of the classroom in the integrated school." Many middle-class parents, blacks as well as whites, then fled to the refuge of private schools or to public schools in predominantly white areas -- a phenomenon that Coleman considered "quite understandable" because so many integrated schools had "failed to control lower-class black children" and had to spend "90% of the time . . . not on instruction but on discipline."

Coleman may well have had New Castle County in mind. During the decade after the busing lawsuit was begun in Delaware, white enrollment in the busing area declined from 70,173 to 35,674, while enrollment county's private schools increased from 17,235 to 21,598. In the meantime, there was no narrowing of the gap between the average scores of blacks and whites on standardized tests.

Perhaps because Coleman and some other scholars had cut the scholarly ground out from under busing, the judges in the Delaware busing case disavowed the sociological rationale for dispersion. "There has been much discussion . . . upon the topic of whether black children learn better in desegregated classrooms," John Gibbons and Caleb Wright wrote. "Our holding does not rest upon these considerations." Instead, Judges Gibbons and Wright (and later Judge Murray Schwartz) justified their decisions on the grounds that dispersion was required to restore the victims of official racial discrimination to the position they would have occupied but for the fact that State officials had taken steps to keep the races apart.

Judges Gibbons, Wright, and Schwartz held that the public schools of New Castle County had never been properly desegregated after Brown. On the contrary, they said, several government policies unconstitutionally continued to separate students along racial lines. Consequently, to remedy the racial separation that government officials had caused, Delaware was required to engage in busing for racial balance until the vestiges of the state-created separation were eradicated.

This writer believes that the bedrock of the judges' concern was that Wilmington was too black -- that its racial balance was bad for business, bad for property values, and bad for education. But the legal opinions emphasized a different rationale. In terms of the law, busing was imposed on northern New Castle County as a remedy. The judges required government officials to take affirmative steps to achieve racial balance. They were required to do so in order to correct a pattern of racial separation that the judges said the officials themselves had caused during the 1960s and early-1970s.