

# THEORY AT WORK

This article is part of an ongoing series highlighting professors' community work at state, national, and international levels. For all the differences in the issues they tackle, the citizens profiled in this series have much in common. They trace the roots of their current service to early educational and professional experiences. They thrive on putting expertise and passion to work on causes in which they believe. They bring fresh perspectives back to students in hopes of inspiring them to put their own scholarship into practice.

## Myron Orfield: A Relentless Focus on Equality

### SIXTY YEARS AFTER THE PASSAGE OF THE CIVIL

Rights Act of 1957, last century's first legislative attempt to redress the wrongs created by segregation, Myron Orfield Jr. is still hard at work, plugging away at this marathon struggle for equality and justice for all. "It's amazing how, if you keep trying, something can happen," says Orfield, the Earl R. Larson Professor of Civil Rights and Civil Liberties Law and director of the Institute on Metropolitan Opportunity. "You just have to be persistent about it."

Armed with his iconic maps and charts, stocked with facts to back his patient pleas, and powered by a doggedness his colleagues across the country revere, the "unfailingly nice" Orfield is a formidable foe. "He makes people feel uncomfortable, but in the nicest possible way," says Betsy Julian, who worked with him at the U.S. Department of Housing and Urban Development during the Clinton administration. "I'm a huge Myron Orfield fan. He speaks truth to power, which is an old phrase, but it really applies here. He won't let you deny the undeniable or defend the indefensible without challenge. And over time, he wears you down."

Julian is the founder of and chief counsel to the Inclusive Communities Project in Dallas, whose fair housing case against the Texas Department of Housing and Community Affairs triumphed in the U.S. Supreme Court in 2015. She says people are finally willing to talk about segregation, which wasn't always the case; the Orfield family dinner table in south Minneapolis was a notable exception. Orfield was one of six kids whose parents openly supported integration, despite its unpopularity in their working-class neighborhood. In 1975, his Washburn High School class was desegregated by court order. His adored older brother, Gary, was a '60s Freedom Rider destined to become a well-known civil rights scholar. That Orfield would select the 1957 Civil Rights Act as his thesis topic at Princeton made perfect sense.

"I was going to get a Ph.D. in history, then a law degree, but I got so interested in politics that I never finished the

Ph.D.," says Orfield, whose career goal was teaching law. "I was always divided between public life and academia. It was hard to decide between the two." After earning his J.D. from the University of Chicago and clerking for 8th Circuit U.S. Court of Appeals Judge Gerald Heaney, who presided over several key civil rights cases, Orfield accepted a research fellowship at Chicago's Center for Studies in Criminal Justice that sealed his fate. His future would not be either/or; instead, he would gather wisdom on multiple fronts and use it to influence policy and legislation on multiple levels.

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Accompanying narcotics cops on some of Chicago's nastiest beats, Orfield studied the effects of segregation in a black ghetto so big it defied his imagination. "All these things hit you—all the judges are white, all the defendants are black. By the time people are defendants in the criminal justice system, their lives are basically over. The ultimate consequence is incarceration. Their lives just did not function," he says.

Orfield saw Minneapolis as an echo, decades behind Chicago but following the same dismal pattern. Having come home to serve as a Minnesota assistant attorney general, he plunged into politics, serving five terms in the Minnesota House and one in the state Senate before joining the Law School as an associate professor in 2003.

"Academia allows you to think about things in a serious, straightforward way—about law and how it works, about the history of integration and housing cases—so you can understand the successes and failures. In the legislature, you

have less time and less perspective, because you're moving from one crisis to another," he says.

He characterizes his work as divided equally between law and demographics, and his influence is substantial in policy as well as theory. President Obama, whom he'd known since Obama's Illinois Senate days, solicited his help on two fair housing rules that stalled during the Clinton administration.

"They told me it would take a year and half; it took seven," Orfield says. "They said I'd have to go to 10 meetings; I went to maybe 100. We had lots of opponents, including the housing lending industry and hundreds of lawyers, and I thought we'd go down in flames. But Obama kept it strong, and the Supreme Court upheld these cases. One, which cited our research, passed by one vote. It was fabulous."

Overall, however, progress creeps. Cities such as Minneapolis are now more segregated than ever, thanks to discriminatory lending practices, tax policies, and city planning miscues that trap minorities in pockets of poverty. Orfield studies these pockets, pointing them out on his maps and advocating remedies to anyone who will listen.

Often, the listeners "get really mad," he says, citing the tumultuous meetings that resulted when he helped suburban Eden Prairie redraw its school boundaries. He has encountered much resistance to affordable housing initiatives in white suburbs—the same suburbs that are now requesting units. "When I was a young man, they would burn me in effigy, and now they're asking for my help in getting housing. It's kind of nutty," he says. "I have noticed that things change. People who were your opponents way back become your friends later. Not at the moment you think, but eventually."

"There are not a lot of people like him—the depth with which he thinks about things and the optimism he brings to his work, analysis, and public presentation. He's good at identifying the source of inequalities, but even more, he's focused on solutions. He seems to believe it's possible for our democratic society to do the right thing and be forward-thinking," says Susan Eaton, Brandeis University professor and director of the Sillerman Center for the Advancement of Philanthropy. "He has been profoundly influential in shifting the discourse, but that change is slow. He challenges some basic narratives in our society, so people resist him and what he has to say. But a growing number of people are paying attention."

Orfield is "extraordinarily respected in a field that is very controversial. He has an academic passion for equity and rights but also the political acumen that can make good ideas into good policy," adds John Trasviña, former assistant secretary for fair housing at HUD and current dean at the University of San Francisco School of Law. "The power of his research and words doesn't just stop on the pages of a law review. They're used by advocates, policymakers, and courts to shape the law. And yes, we have made tremendous progress in affirmatively furthering fair housing."

By all counts, Orfield's star is still rising. In September, the University awarded him and Christopher Uggen, Regents Professor and Distinguished McKnight Professor of Sociology and Law, a \$250,000 Grand Challenges grant to study Minnesota's most ambitious efforts to redress racial



and class inequality: the Choice is Yours Program, for voluntary school desegregation; the Hollman public housing settlement, which demolished or replaced high-density housing on Minneapolis's north side; and the Northside Achievement Zone, designed to close the achievement gap and end generational poverty. Orfield says these unique programs, coupled with the city's advanced integrated data system, can lead to "path-breaking research. I'm very excited."

Orfield's advocates fully expect to see the results of his labor, not to mention his energy, optimism, and hope, play out on a national stage. "I would love to see him in Washington, D.C. We wanted to bring him back, and in a future administration, I hope it's something he'd be open to," says Trasviña. "But he is able to accomplish much from Minnesota. His scholarship is having an impact, and he's overflowing in his commitment to the issues."

The Grand Challenges grant is among several, says Orfield, and his goal list is long. He wants to see fewer "trendy things like charter schools, which aren't working very well," and more urban magnet schools, which can strengthen efforts to integrate and stabilize neighborhoods. By 2040, he points out, no racial majority will exist in this country.

"We have to make a choice about whether to live as one nation or many metropolitan neighborhoods, and I don't think people have done that. New York City, for example, is not functioning. Seattle and Portland function better, with much lower segregation rates. The country has to decide whether it wants to be more like Seattle and Portland than Chicago and Detroit," says Orfield. "I'm cautiously optimistic about the future. Martin Luther King Jr. was right when he said that the arc of the moral universe is long, but it does bend toward justice."

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By Cathy Madison, a freelance writer and editor based in the Twin Cities