Since the end of the 1960s, civil rights attorneys in the United States have brought lawsuits that challenge the ways schools are funded: school finance is often largely based on property tax, which inherently reinforces inequalities between wealthy and poor school districts. In 1994, six poor rural districts in North Carolina sued the state alleging that the funding formula chronically disadvantaged low-wealth counties. Five urban districts joined them a few months later. Despite their larger tax bases, the urban districts alleged that they dealt with significant financial burdens that the state did not adequately address.

How did the differences between urban, suburban and rural school districts play out in the case? This analysis examines the production of legal, social and jurisdictional spaces in education-related lawsuits. In the context of fragmented rural and metropolitan landscapes, how could plaintiffs reconcile their different positions for the sake of legal strategy? How did the Leandro v. State of North Carolina case, in turn, highlight the inherent conflict between the interests of the rural and the urban poor? The case provides insights into the production of social and political spaces in legal strategy and in court decisions.

School finance remains an understudied aspect of the history of education in the United States, and its structural role in exacerbating inequalities is often understated. In 1987, the Public School Forum of North Carolina conducted the first formal statewide study of school finance in North Carolina, and found that the district with the highest property wealth per child in 1987, Dare County, had over eight times the ability of the poorest communities such as Halifax County to support its schools.

Drawing on archival research at the state, county and district level, as well as legal analysis, I analyze these disparities in rural, suburban and urban contexts—focusing specifically on Halifax County, a poor, rural county in the northeastern part of the state, and Durham city and county districts, an urban and a suburban district that operated separately until 1992.

Literature on educational law has mostly focused on the desegregation era, during which civil rights lawyers contested the many mechanisms that upheld dual school systems for white students and students of color. North Carolina, a Southern state, has a long history of maintaining racial segregation by explicit as well as indirect means.

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2 Leandro v. State, 488 S.E.2d 249 (N.C. 1997). The six rural districts were Hoke, Halifax, Robeson, Buncombe, Vance and Cumberland. The five urban districts were Asheville, Raleigh (Wake County), Charlotte-Mecklenburg, Durham, and Winston-Salem.
By the 1990s, however, state school finance lawsuits no longer addressed structural inequalities, and focused instead on what resources children needed to achieve on state standardized test—regardless of racial segregation, and regardless of whether it was fair for inequities to persist through funding schemes and district-line gerrymandering. This work will study the particular national and state context of the 1980s and 1990s to offer an explanation as to why legal strategies shifted so dramatically. Different localities, depending on their geographical characteristics, presented competing ways of framing the issue of educational inequality and its causes.

A robust historical scholarship has examined the intentionally segregative impact of school district line drawing, and has documented dynamics of inclusion and exclusion that these isolated entities create, especially in metropolitan contexts. The North Carolina example provides stark evidence of the fiscal and political dimensions of these processes, and highlights the false equalities that gerrymandering creates. It shows that the engineered fragmentation of urban and rural landscapes has also consistently impeded efforts to promote educational equality.


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5 Justice Robert Orr, interview with author, October 9, 2018.
6 Recent work in contemporary history has contributed to highlighting these false equalities. Ansley T. Erickson, Making the Unequal Metropolis: School Desegregation and Its Limits, University Of Chicago Press, 2016; Emily E. Death of a Suburban Dream: Race and Schools in Compton, California, University of Pennsylvania Press, 2014; Adam Nelson, The Elusive Ideal: Equal Educational Opportunity and the Federal Role in Boston’s Public Schools, 1950-1985, University of Chicago Press, 2005. The bulk of this scholarship was focused on metropolitan contexts only.