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Cover Page Footnote

The authors are listed in alphabetical order to indicate equal authorship.

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Abstract

In November 2012, the Board of Education of Howard County, Maryland, approved a proclamation that expressed “profound regret that the Howard County Public School System maintained segregated and unequal public schools both prior, and subsequent to” *Brown v. Board of Education*. The proclamation describes Howard County’s slow response to comply with the 1954 decision, such that the school system was not officially desegregated until eleven years later in 1965. Through the analysis of stakeholder interviews and board meetings, we explore the various ways and the extent to which the Board of Howard County’s apology was bestowed with meaning. We argue that the apology was utilized as a narrative device to define the role of the Board, delineate the injustice committed, establish (dis)continuity between past and present injustices, and work out who has been wronged. Stakeholders used *de jure* segregation as a lens to understand contemporary *de facto* segregation and reflected on its continuing harm to current members of the community. We conclude by discussing the potential of public apologies as forms of governance that mold responsible and responsive public officials.

Introduction

In November 2012, the Board of Education of Howard County, Maryland, approved a proclamation that expressed “profound regret that the Howard County Public School System maintained segregated and unequal public schools both prior, and subsequent to, the 1954 United States Supreme Court decision” (Board of Education of Howard County, 2012). The proclamation, which is composed of eight paragraphs on one page, describes the Board of Education of Howard County’s slow response to comply with *Brown v. Board of Education*, such that the school system was not officially desegregated until eleven years later in 1965. It recognizes the efforts of local civil rights activists, stating that the Board “did not expedite their policy despite the repeated requests of the Howard County Branch of the NAACP,” and concludes with the Board’s resolutions to “[renew] its commitment to ensuring that all students of color are given equal opportunity and access to rigorous classes and are held to high expectations” and to “ensure that each student, regardless of race, ethnicity, gender, disability, or socioeconomic

status, receives the educational opportunities necessary to ensure the fulfillment of the student's potential and dreams" (Board of Education of Howard County, 2012).

Such public apologies for school segregation in the United States (US) are rare. Only one other case has been reported, in 2011 in Charlottesville, Virginia. Defying the court order to desegregate and in accordance with Virginia's law that allowed the Governor to close any school under order to desegregate, Charlottesville's school board, in what it referred to in 2011 as a "disgraceful act," closed two of its schools for five months during the 1958-1959 school year, electing to halt the education of the White students rather than allow them to learn alongside Black youth. The apology passed by the Charlottesville City School Board recounts how the school system abetted Virginia's 'Massive Resistance' to desegregation (Charlottesville City School Board, 2011).

In both cases, the apologies refer back to the decade post *Brown* when resistance to the federal order to desegregate public schools was robust, widespread, and manifested through a variety of strategies, including redistricting and the expansion of private schooling (Ogletree, 2004; Orfield & Eaton, 1996). Howard County's resistance to desegregation was consistent with nearby school systems, although Baltimore County, as an exception, had immediately desegregated after *Brown*. Compliance with *Brown* nationwide was slow until the enactment of the Civil Rights Act in 1964 and the Elementary and Secondary Education Act in 1965, which gave the Department of Health, Education, and Welfare the power to withhold much-needed federal funding and to file a complaint with the Department of Justice about any state that engaged in discrimination (Clotfelter, 2004; Orfield & Eaton, 1996; Rosenberg, 1991). Since the late 1970s, public schools in the United States have re-segregated—both economically and racially—with the expiration of court orders, housing discrimination, and White flight (Clotfelter, 2004; Orfield & Eaton, 1996), raising the question of what an apology for legalized segregation means within a segregated educational landscape.

In this paper, we focus on the case of Howard County Public Schools in Maryland, examining thoroughly how its apology was developed and received, in order to understand the significance of apologies for *de jure* school segregation today. Through the analysis of stakeholder interviews and board meetings, we explore the various ways and the extent to which Howard County's apology was bestowed with meaning. We argue that the apology was utilized as a narrative device to define the role of the Board, delineate the injustice committed, establish (dis)continuity between past and present injustices, and work out who has been wronged. Stakeholders used *de jure* segregation as a lens to understand contemporary *de facto* segregation and reflected on its continuing harm to current

members of the community. We conclude by discussing the potential of public apologies as forms of governance that mold responsible and responsive public officials.

Making Sense of Public Apologies

In their 2006 seminal study of apologies, Barkan and Karn claimed that the practice of public apologies, previously considered to be at best an exceptional tool in public affairs, had entered once and for all into "the center of the political dynamic" (Barkan & Karn, 2006, p. 5). As early as 1998, Krauze described the same development by declaring an *age of apology* (Krauze, 1998; See also Gibney, Howard-Hassmann, Coicaud, & Steiner, 2008). Commitments to historical truth and to the acknowledgment of the experiences of minority groups in addition to a general obsession with the past and with questions of public recognition (Löfström, 2011; Torpey, 2006) have provided the foundation for this "proliferation of demands for public apologies...across the political spectrum and across the globe" (Harris, Grainger, & Mullany, 2006, p. 716). And while Barkan and Karn still attested to a relatively "low profile of the apology discourse" (2006, p. 21) in U.S. political debates, examples like President Clinton's Tuskegee apology (Harter, Stephens, & Japp, 2000), apologies by several major cities for their role in the Atlantic slave trade, as well as the House of Representatives' 2008 apology for slavery, racism, and segregation show that public apologies are far from absent in the US. In fact, Nobles (2008) demonstrates that in the U.S. context apologies have often played a specific role in publicly problematizing deep-seated racial inequalities.

Nobles (2008) also reminds us that public apologies have no single unified purpose across cases, even if some shared assumptions about basic formal requirements seem to exist, as suggested below. Public apologies have been employed to restore personal and institutional reputations (Fine, 2013), to start processes of self-interrogation (Barkan & Karn, 2006), to set new boundaries of acceptable behavior (Wohl, Hornsey, & Philpot, 2011), to prevent retribution (Weyeneth, 2001), to (re)establish public trust (Harter, Stephens, & Japp, 2000), to negotiate ideas of political membership and belonging (Nobles, 2008), and to teach the general value of historical consciousness (Nobles, 2008; Weyeneth, 2001). Furthermore, several case studies attest that apologies have not always simply opened the door to more inclusivity and accountability in public affairs, but have been equally successful in deflecting responsibility (Kampf, 2009), rewriting history from the perpetrator's perspective (Barta, 2008), and drawing narrow, exclusionary boundaries around political communities (Löfström, 2011). For these and other reasons, not all have whole-heartedly welcomed the *age of apology*.

Critics have dismissed public claims of responsibility for actions in the distant past as anachronistic and have suggested the divisive potential of debates about historical legacies (Cunningham, 1999; Weyeneth, 2001). Most pervasive is the critique that public apologies amount to little more than symbolism, “empty talk,” “lip service,” or the “politics of gesture” (Cunningham, 1999, p. 288). According to an even more cynical reading, these seemingly empty gestures place the causes of contemporary inequalities firmly in the past, which allows office holders, citizens, and denizens to “immunize” themselves against current calls for action and change (Wohl, Hornsey, & Philpot, 2011, p. 78) and to use the past as a scapegoat: “Demonizing the past may permit history’s victims to avoid introspection and personal initiative, just as it may excuse history’s winners from acting with a sense of social responsibility in the present” (Weyeneth, 2001, p. 28). The charge that apologies are mere lip service, however, often relies on a stringent distinction between *real* material consequences and *empty* symbolic gestures that is overly simplistic. Apologies are expressive speech acts (Searle, 1979) that “constitute action through language” (Clarke & Fine, 2010, p. 106) and, as such, they offer “something real of nonmaterial value” (Weyeneth, 2001, p. 31).

As speech acts, public apologies rely on certain formal conditions. This is not to say that apologies cannot take on various forms and strategies, but as Harris, Grainger, and Mullany (2006) claim, “political apologies which are not explicit in terms of a quite narrow range of...strategies and linguistic forms tend to undermine both the sincerity and, hence, the perceived validity of the apology as a formal speech act which must be acknowledged as such” (p. 720). In other words, students of apologies “seem remarkably in agreement” (Marrus, 2007, p. 79) about some basic shared features displayed by most political apologies. These usually include a historical acknowledgement, the expression of regret, a claim of responsibility by the wrongdoer, and some potential commitment to future actions that provide appropriate remedies (Clarke & Fine, 2010; Lakoff, 2001; Schedler, 2007). Nobles (2008) concludes her comparative study by suggesting that effective public apologies engage in some reinterpretation of history, establish a strong link to the present, and include a call for action.

However, there remains plenty of contested territory and practical variation when it comes to what makes public apologies *meaningful*. Even some of the seemingly necessary features are contested in the literature. The direct and explicit link between the past wrong, the actors in the present, and their behavior in the future, for example, is essential to some observers (Lakoff, 2001; Nobles, 2008), while others, like Cunningham (1999), have claimed that apologies can be fruitful even if this link between the apologizer and the wrong cannot be established and

even if no commitment to changed behavior flows from it. Cunningham (1999) claims that "those apologizing are saying: 'Your group was treated in a way that we believe was wrong; we were not (directly) responsible but we recognize the suffering'" (p. 289). In this view, an apology can simply be the recognition of past suffering, which can "in itself...act as a form of restitution or reparation" (Cunningham, 1999, p. 289). Most accounts, however, view the claim of responsibility as essential to a meaningful apology (Schedler, 2007).

Since public apologies generally follow a "group logic" (Nobles, 2008, p. 21), these debates about responsibility raise deep questions about representation. Who or what counts as a meaningful representative of the wrongdoer in the case of group apologies, especially in the context of what Wyeneth (2001) calls *retrospective* apologies, i.e., cases when apologies are offered "by and to generations far removed in time from the historical events" (p. 21)? While groups can perform speech acts, "provided there is a shared intent and a performatory act" (Schedler, 2007, p. 133), these acts often question straightforward notions of responsibility that we encounter in cases of individual apologies (Schedler, 2007). Barkan and Karn (2006), for example, speak of "an expanded conception of social responsibility" (p. 17) in the case of group apologies, one that does not necessitate the acceptance of a strict causal or moral responsibility, but is instead concerned with the acknowledgement of historical continuity and an active sharing of the burden of the past. We could even say that when groups or governments apologize, they do not simply acknowledge a historical and institutional continuity, but they bring this very continuity into being. The speech act of a public apology thus becomes performative, as it creates the reality of treating groups or governments *as if* they were continuous moral agents, even if their individual group members have no direct relationship to the act in question (Digeser, 2001; See also Poole, 2008). This performative aspect of the act "breathes life into a historical relationship" (Clarke & Fine, 2010, p. 105). Accordingly, a "present-day government can apologise (in the sense of accepting responsibility) because it is the current embodiment of an institution which transcends the particular individuals which constitute it at any particular time" (Cunningham, 1999, p. 290). This clashes with the view that "one cannot be held responsible for events, policies, etc. which preceded one's existence" (Cunningham, 1999, p. 288; See also Schedler, 2007), but even skeptics acknowledge that the practice of assuming collective or institutional responsibility exists and can perform essential roles in social and political life (Nienass & Poole, 2012). Schedler (2007), for example, largely denies the possibility for meaningful, contemporary group apologies for slavery in the U.S. context, but admits that "in practice successor regimes do make reparations for the wrongs of previous regimes" (p. 135).

This debate on retroactive group apologies is even further complicated by the closely related distinction between “discrete historical events” and ongoing injustices (Wohl, Hornsey, & Philpot, 2011, p. 75). In question is whether an injustice – i.e., the original *event* that necessitates the apology – can be placed firmly in the past or whether (and how) it lives on in the present as a continuous source of harm (Nobles, 2008). The distinction partially determines to what extent current political actors are implicated (Rothberg, 2019); it is often the question at the heart of debates triggered by public apologies and cannot be treated purely in abstract terms. The case of school segregation in the context of ongoing racial segregation and inequality in education addressed in this paper highlights this ambiguity between past and present harms.

Debates around representation and temporality thus indicate that there remains much discussion on what an effective group apology entails, in which context it is deemed appropriate, and whether a mere fulfillment of all formulaic steps can account for its impact or *success* (however measured) in specific political constellations, despite some schematic overlap in the systematic accounts of public apologies. This is why Clarke and Fine (2010) claim that apologies “are more than the sum of [their] parts” (p. 85). As suggested above, agendas for public apologies are context-specific and, given their exposure to public debate, are “highly mediated” (Harris, Grainger, & Mullany, 2006, p. 720). Furthermore, their effects are symbolic and diffuse (Nobles, 2008). Apologies are thus to be studied on the level of meaning-making by interrogating how the relevant actors under specific conditions make sense of the practice and the events under consideration. As Lakoff (2001) claims, “no single canonical ‘apology’ form will fit with equal appropriateness into any context” (p. 209). The proof, as we will argue, is therefore found in a detailed account of the sense-making of actors on the ground. In our case, this demands that we ask what an apology for legal segregation means today in a differently segregated space and in the multicultural school system of Howard County. Lakoff (2001) suggests that one can view “apologies as plot points in a story” (p. 211) being told, a narrative device. An apology is a mediation between different stories, and “a good apology convinces...participants that their narratives are rational” (Lakoff, 2011, p. 211). Accordingly, we illuminate how the Board’s apology in Howard County was utilized as a narrative device—in which stories it is embedded and how it is used to make sense of racial and educational inequality.

Methodology

We conducted a qualitative case study (Yin, 2017) of Howard County’s apology that methodically progressed from examining the official public record through document and video analysis to the meaning-making of stakeholders through

interviews. To begin, we collected the publicly available minutes for board meetings where the apology was referenced and accompanying documents, such as drafts of the apology. The minutes, which reported on decisions made, offered a skeleton of the apology’s development, but they lacked detail about formative discussions. In order to capture the debate among board members, we reviewed the publicly available videos of the relevant board meetings and created detailed, chronological summaries of the discussions held around the apology that primarily occurred among board members, but, in some cases, also included community members and school system staff who offered public testimony or were invited to partake in the Board’s discussion.

Our review of the documents and videos led us to develop a list of central figures in the apology’s development, who we subsequently recruited for interviews. We also used snowball sampling to identify potential interviewees by asking participants to recommend other individuals we should contact in reference to the apology. In spring 2019, we traveled to Howard County, Maryland, to conduct seven individual, semi-structured interviews. The interviews offered the opportunity to learn how different stakeholders assigned meaning to the apology, to better understand the context that gave rise to the apology, and to investigate the apology’s relevance, if any, to the school system’s ongoing efforts to address educational inequity and contemporary school segregation. All interviews were conducted in person, with the exception of one that was conducted over the phone. Each interview was guided by a protocol that included common and individualized questions guided by our analysis of the meeting minutes and videos. The table below (Table 1) provides an overview of the individuals interviewed and their relationship to the apology. Several participants brought to the interviews documentation they deemed relevant to the apology, including personal notes, email exchanges, drafts of the apology marked with revisions, and the curricula created for the 50th and 60th commemorations of *Brown*, which were added to our data set.

Table 1. Interview Participants

Interviewee	Relationship to Apology in 2012
Sandra French	<ul style="list-style-type: none"> • Chair of the Board
Allen Dyer	<ul style="list-style-type: none"> • Board member • Brought idea of apology to the Board
Ellen Giles	<ul style="list-style-type: none"> • Board member
Renee Foose	<ul style="list-style-type: none"> • Superintendent of school system • Convened community members & school staff to revise apology
Dorothy Cook	<ul style="list-style-type: none"> • Community member • Testified about experiences as student during delay of desegregation
Towanda Brown	<ul style="list-style-type: none"> • Community member • Held leadership position in the Council of Elders of the Black Community of Howard County
Mark Stout	<ul style="list-style-type: none"> • Instructional coordinator for secondary social studies across school system • Organized curricula related to 50th and 60th commemorations of <i>Brown</i>

In order to understand the meaning assigned to Howard County's apology, we analyzed our data for the ways that various stakeholders inserted the apology into the stories they tell to make sense of their experiences as board and community members and of (in)justice in the past and present. We paid particular attention to both the formulaic and interpretive characteristics of apologies described in the literature, including who stakeholders perceived to be the authors and the audience of the apology and how they presented its immediate and long-term significance.

Findings

Defining the Board's Role

Allen Dyer brought the idea for the apology to the Board in 2010 after community member Dorothy Cook petitioned for her ailing father to receive his diploma for graduating from a segregated school. Cook's father had missed his graduation ceremony because he had been hospitalized after an accident and was denied his diploma. Dyer, who attended the private gathering at Cook's church where the diploma was retroactively issued, was aghast that the Board did not confront the complicated implications of the event: "That historical artifact of racial bigotry just

comes up, and I was stunned that we were going to be presenting some sort of award to someone from a colored school.” He saw the event as an important reminder for the Board that African American students in Howard County had only had access to under-resourced, segregated schools up to the 6th grade, and it motivated him to initiate an apology that would force the Board to confront its history.

The eventual unanimous passage of the apology offered a ray of accomplishment for the Board, which was struggling to move initiatives forward as it faced several issues described by board Chair Sandra French as “contentious” in 2012. Among its challenges, the Board met resistance in attempting to redraw boundary lines to balance student numbers across its campuses, and the community was shaken by the suicide of a student whose experience later inspired a Maryland state law against cyberbullying. Internally, the Board was marked by interpersonal conflict. Through media coverage and our interviews, we learned that Dyer had sued the Board nine times from 2001 to 2011, including when he was a member, with various claims of mismanagement. Even after Dyer left the Board, it was rife with tension. For instance, Cynthia Vaillancourt, who served on the Board from 2010 to 2018, was accused by fellow board members of violating board confidentiality in a resolution that passed with a vote of 5 to 2. In our interview, Sandra French explained that the apology’s importance to the board members is reflected in part in how supportive they were of the proclamation despite their frustration with Dyer. Debate about the apology’s merits was filtered through the general climate of the Board at the time; both Dyer and Mark Stout interpreted pushback to the apology as an expression of interpersonal conflict. Nonetheless, stakeholders engaged with different arguments for and against the actual merits of a public apology both during and after public deliberation. These debates initially centered around whether the Board was the appropriate body to issue an apology and, if so, what responsibilities it entailed.

When Dyer made the apology an agenda item, the Board faced a conversation about its own position in this public speech act, especially as an elected body. As Schedler (2007) states, the question for public apologies by government agencies “is whether the government is a mere spokesperson for the electorate, which authorizes the government to communicate the shared admission and expression of regret, or whether the government is the *relevant group* [emphasis added] with the shared admission and expression of regret” (p. 134). In a board hearing, French had raised the possibility that the apology should come from the community as a whole or that the community should at least have significant input, but this approach to authorship was swiftly reproached by several of her colleagues. The apology was not, as board member Cynthia Vaillancourt

described, “a stakeholder issue,” and should not be understood, as board member Brian Meshkin explained, as “a motion of the people of Howard County.”

Consequently, the apology was to be the Board’s reflection on its specific role as an institution then—before and subsequent to *Brown*—and now. This led to the question of how far the current Board could assume responsibility for the Board in the 1950s and 1960s. Dyer urged his fellow board members to assume this responsibility by publicly acknowledging the Board’s historical and institutional continuity: “The Board in the 50s was us, the same Board that we are...we need to formally recognize our role as the Board, although it was the Board back in 1954 and 1965...it’s still the same Board, we are accepting responsibility for what that Board did.” Ellen Giles picked up on the same idea in our interview, but makes a slight distinction between responsibility, which the current board members could not directly assume, and establishing an institutional identity over time: “I don’t think the Board is responsible for what someone did in the 50s and 60s...we can’t make them take responsibility...they’re dead, so we [would] walk around and blame people who aren’t here anymore, but we are the body now, we speak for this organization.” Dorothy Cook reiterated this perspective and linked it to the Board’s accountability, quite literally insisting that the current Board needs to give *an account* of the past: “They’re not responsible, but they should still be held accountable, they didn’t do it, because they were...like I was, a child, but, the Board in itself should be held accountable...they should explain what they didn’t do.” By giving an account, the Board would thus be forced to narrate and acknowledge a past that could have been different had the institution of the Board acted differently.

In debating and endorsing the apology, the Board and its members were forced to not only discuss their historical legacy, but also to performatively create a moral identity through time (Digeser, 2001) that would inform its responsibilities in the present. This performance of ownership, in turn, gives the community an addressee in requesting actions for the ongoing ramifications of the past. As Towanda Brown from the Council of Elders of the Black Community of Howard County remarked, her endorsement of the apology came from its potential to have “somebody taking ownership to say, yes, that’s where it came from, this is why we still have it, and this is what we’re going to do about it.”

Not all board members shared the view that an apology was a necessary or even productive step in order to tackle ongoing injustices. Board member Brian Meshkin initially brought forth a general critique of public apologies as “cheap talk,” or worse, as a distraction from the more pressing work of governing responsibly in the present. Looking back sixty years, he explained, was “not consistent with what our obligation is as members of the Board.” Instead, Meshkin

believed that taking action to remedy current day inequalities would be more meaningful and aligned with the mandate of their institutional responsibilities: “The way we apologize for this is to eliminate the achievement gap, the way we apologize on this is make this topic of race relations and those type of things a more ever-present part of our discussions.” He invoked recent examples like the apologies by the United States Congress and by the Maryland state legislature for slavery² and invited others to reflect on their lack of impact in not so subtle terms: “This is political BS, we have to go beyond the talk.” Meshkin’s criticism was reflected in his own revisions to the apology once he had come around to endorse the idea. He prioritized using the apology as a call to action to, for example, eliminate the racial achievement gap.

Others also picked up the trope of apologies as empty, self-serving, and potentially distracting. Renee Foose recalled her skepticism around the apology: “There was no value added to it...it ended up being just an exercise with...no tangible results, no intangible results, nothing.” In an official reaction from the local National Association for the Advancement of Colored People (NAACP) chapter, its president David Steele described Dyer’s efforts as “commendable” but stated he has “determined that there are other actions the Board could take that would better serve the community,” such as continued support of the county’s Black Student Achievement Program. In a similar vein, Frank Turner, member of Maryland’s House of Delegates for the 13th district, which includes Howard County, described the act as “‘very nice,’ but added that he was more concerned about ensuring the school system furthers efforts to address the achievement gap” (Burris, 2012).

None of the proponents claimed that the apology provided any sort of immediate remedy for ongoing injustices, but, in distinction to Meshkin’s position, that made the apology far from meaningless in their eyes. The apology’s supporters linked direct, if symbolic, benefits to the act of publicly showing remorse as a Board of Education. Dyer claimed that it was first of all an “act of recognition” of those who experienced segregation. Moreover, in more than one instance, the apology was linked to a moral imperative—simply, as Dyer stated, “the right thing to do...as a human being”—and thus seen as quasi-independent from any immediate consequences. In a similar vein, board Chair Sandra French stated that she was confronted with a moral decision: “I thought about it very carefully, and I decided it was the right thing to do, and so the proclamation meant something to me, and I’m proud to have my name on that proclamation,” especially, French added, given her “bully pulpit” as board Chair with “moral authority.”

Moreover, stakeholders understood that the general historical awareness imposed by the apology was beneficial as a basis for understanding contemporary

political debates. As Nobles (2008) shows in her study of public apologies, apologies engender disputes not only about different interpretations of history (which was not at issue here since no board member rejected the factual history of segregation and the delay of desegregation), but also about the added value of historical consciousness for debates about justice more generally. Dyer pointed to the necessity of looking back in no uncertain terms: “How can anyone stand up and say the past doesn't count? All you've got to do is look around...it's impossible to look at current events and not see the past history of all this racial...hatred that is still just bubbling all over the place.” Towanda Brown similarly explained the merit of the apology as the establishment of a public truth that becomes undeniable: “I can go back and I can say this is the foundation of why we are where we are...people will take that document and say people did sign it and agree that this is valid and this is true, you can't dismiss that this is the truth of what happened in this county.”

This line of thought, where historical awareness is considered to be the very precondition for pursuing equitable outcomes in the present, questions Meshkin's depiction of the apology as a distraction. Board member Ellen Giles remarked that the apology “[stuck] a pin in it,” and as such allows not only a positioning of the Board vis-a-vis the *past qua past* (i.e., a retroactive moral condemnation), but also constitutes, as French suggested, a “marching order.” Giles' comments suggest that the apology created a narrative for the school system's current efforts: “History is told by the victors, if you don't go back and look at who didn't win and get a sense of where that came from, then you are going to draw the wrong conclusions as you go forward.” According to this view, an apology is made meaningful by future actions (Lakoff, 2001), and a public expression of remorse provides the motivational backbone to current commitments. Whether or not it motivated equity work in Howard County's schools today, the apology clearly compelled stakeholders to make, or reject, links between the past and the present, either by analogy or by interrogating the ongoing ramifications of segregation. In doing so, they were pressed to be explicit and specific about their commitments, responsibilities, and tasks as public officeholders in the present.

Delineating the Injustice

The apology effectively delineated what wrong was committed in Howard County's schools and still needed to be worked through in 2012. What specifically was being apologized *for*? School segregation broadly? School segregation before and/or after the *Brown* decision? The delay in desegregating? Racial inequity in educational opportunities and outcomes? The apology as written in the Board's proclamation expresses profound regret for maintaining “segregated and unequal

public schools both prior and subsequent to” *Brown*, and it gives most attention to the Board’s delay (Board of Education of Howard County, 2012). The official record, therefore, defines the injustices as legalized segregation before *Brown*, illegal segregation following *Brown*, and the Board’s dereliction of fulfilling *Brown*’s mandate. Segregation following *Brown* can be directly traced to the Board’s actions and agency, but segregation prior to *Brown* points to additional perpetrators—policymakers and community members—who developed and insulated Jim Crow laws in Maryland and beyond. Despite the apparent clarity offered in the proclamation, correspondence among board members and community members, debate during board meetings, and our interviews reveal a divergence of understandings about what harms were committed that required an apology. These exchanges point to how the apology was utilized to make sense of what injustices were committed in or inherited from the past.

The primary debate about what the apology was *for* centered around the comparative emphasis put on racial segregation in general—both before and after *Brown*—or on the Board’s delay of desegregation. Naming the injustice draws a boundary around the Board’s agency and, thereby, what the school system is and is not held responsible for. Moreover, it implies whether the apology is part of a larger narrative about racial inequity and oppression in Howard County, making it more ambitious, or a response to particular misdeeds committed in the 50s and 60s.

This distinction was caught up in a debate about the extent to which the proclamation was linked to the school system’s commemorations of the 50th and 60th anniversaries of the *Brown* decision or was a discrete initiative. Board member Allen Dyer, the apology’s initiator and strongest advocate, was adamant that the apology was for school segregation broadly and stood independently from the Board’s work to design curricula for the 60th anniversary in 2014: “There was a very strong effort to try to tie it to *Brown v. Board of Education*...but I resisted that because it’s not about doing what the Supreme Court tells you to do, it’s about doing the right thing and they didn’t.” Dyer offered a more expansive indictment of the Board than noncompliance with *Brown*. For him, the Board failed at its moral core. Accordingly, Dyer’s draft of the apology from June 2012 was significantly more sweeping, both temporally and substantively. This version of the proclamation began with the 1864 Maryland constitution that provided for racial segregation in public schools and noted the mention of “colored schools” in the board minutes from 1871. It went on to list various ways that Black students experienced “unequal treatment...during the century of segregated public schools in Howard County,” including a lack of transportation to schools, shorter school years, lower salaries for Black school teachers, and inadequate educational materials. As the apology was revised to address the concerns of various board

members, community members, and school leaders, it became more limited in scope.

Towanda Brown, from the Council of Elders of the Black Community of Howard County, also expressed that closely tying the apology to *Brown* inappropriately underestimated the harms committed and inaccurately characterized the Board:

Even though *Brown v. Board of Education* came out, we still were not compliant with the Supreme Court mandate to integrate the schools and they still had to be forced to do what it was that *Brown v. Board of Education* said they needed to do...it just shows you that regardless of what a Supreme Court decision is, if people don't want to do it at the local level, they're not going to do it unless you put some visibility out there on it and still they're going to try and mask it if they can.

For Brown, the Board's misdeed was their ongoing resistance to desegregation, not its particular noncompliance with the Supreme Court decision. In her perspective, *Brown* was important as a "catalyst" for the Board's eventual desegregation of the schools; however, the very fact that the Board needed this mandate as well as significant community pressure from Black families and civil rights activists demonstrated its priorities. Limiting the problem to the claim that desegregation, in Brown's words, "just didn't happen exactly when it was supposed to" minimizes the injustices committed and the Board's depravity.

Tying the apology more closely to *Brown* meant putting greater emphasis on the Board's delay of desegregation and placing the injustice more firmly in a discrete moment in the past. Ellen Giles was adamant that the apology was part of the school system's preparations for the 60th commemoration of *Brown* and that it was only passed in 2012 so that Dyer could have his signature on the proclamation before his term ended. It was, according to Giles, part of the 60th committee's efforts "to look at ways in which we could more meaningfully reflect" in comparison to the 50th anniversary, which was, according to her, "perfunctory" and inadequate. There were, indeed, practical connections between the apology and the commemorations of *Brown*. Research done for the 50th anniversary uncovered details of Howard County's response to the Supreme Court decision. Oral histories conducted for this event revealed the integral efforts of local civil rights activists, including Robert Kittleman, Leola Dorsey, and Silas Craft of the NAACP, in pushing the Board to desegregate more quickly than it had planned. Mark Stout led the design of lesson plans for 2004 and 2014 that exposed students (at least those

whose teachers elected to utilize the lessons) to the school system’s delayed compliance with *Brown*. A 10th-grade lesson focused on the extent that “the *Brown v. Board* decision impact[ed] the evolution of educational policy in Howard County Public Schools today,” and a lesson designed for the 9th and 11th grades asked students to consider if “the integration of the Howard County Public Schools” was a “timely response (*with all deliberate speed*)” to the Supreme Court’s 1954...decision.” However, Stout did not recall that the apology was officially part of the 60th commemoration and understood the apology to be an independent initiative, which was supported by our review of the publicly available documents that showed no mention of an apology in the proclamation regarding the 60th anniversary.

Characterizing the Board’s actions according to their legality also defined the primary injustice as segregation post-*Brown* and the Board’s delay of desegregation. Dorothy Cook recalled the indignation that she and her family felt about having to continue to attend segregated schools long after *Brown* when they were “aware of what [their] rights were”: “I knew there was a law, we talked about it, my parents were...into politics...I was like, that's not fair...I know I can go to a White school.” Armed with the knowledge of their rights nine years after *Brown*, Cook’s parents courageously appealed to the Board for permission to send their daughter to the White school where she would enroll as one of three Black students the following year. Cook emphasized the injustice of the school system’s delay that kept her in schools with, as she described, inferior educational materials and resources: “Why did I have to wait nine years?...My [older] sisters could've had that opportunity, they were cheated out of it.” She described the Board’s wrongdoing through legal language: “We were denied a better education, opportunities that we were entitled to, a law was passed...you broke the law, you broke a law.” We are not suggesting that Cook looked approvingly at segregation prior to *Brown*, but in order to make sense of the Howard County Public School’s offense, she relied on a discourse of legality that tied the scope of the injustice to noncompliance and placed it in the past.

Establishing the Continuity of the Injustice

The question of what the apology was *for* is in part a temporal issue of *when* the injustice occurred—marking its beginning and end. For all stakeholders, the injustices of the past had some sort of connection to the injustices of the present; however, they diverged on the nature of the link. Was the apology retrospective (Wyeneth, 2001)—directed toward those in the past—although with abstract lessons for the present? Or, was the apology contemporaneous (Wyeneth, 2001)—directed toward living community members, making the connection between past

and present injustices concrete? The apology in Howard County was invoked to make meaning of the relationship between past and present and, more specifically, of what is inherited from past injustices.

There was no evidence that the apology was wholly retrospective and irrelevant to the present. From the inception of the idea to apologize, stakeholders advocated strongly for including a current-day commitment to ensuring equal educational opportunity. The debate about the apology's impact addressed how it would improve contemporary racial inequalities in education, including the disproportionate disciplining of Black students and racial achievement gaps (or opportunity gaps (Ladson-Billings, 2006)). All agreed that racial injustices in Howard County's schools occurred in both the past and present.

However, the link that stakeholders drew between segregated schools prior to *Brown* and current-day educational inequities varied considerably. The ways that the apology was used to make sense of the link between past and present injustices was revealed when we confronted interviewees with recent reports about current-day racial and socioeconomic segregation both between and within Howard County schools (e.g., Green, 2017) and asked if they understood there to be a relationship between segregation then and now. This line of questioning indicated how the apology as a narrative device layered segregations, utilizing contemporary segregation as a lens to understand *de jure* segregation and vice versa (Garver, 2016).

For most, the connection between segregation pre-1965 and today was loose because they understood the causal factors to be completely distinct: While segregation in the past was by law, segregation today was the result of residential choices and the housing market. Mark Stout explained, “[segregation today] is...not forced segregation, but segregation by choice and I think some of it has to do with socioeconomics obviously, but some of it does have to do with people wanting to be around [others similar to them]...for example, the Korean community almost entirely lives in [one neighborhood]...it's neighborhood choice.” These abstract forces are in direct contrast to the seemingly clearer roots of segregation prior to 1965, as exemplified by Sandra French's search for a perpetrator: “I don't know who you blame [current-day segregation] on, whether it's the economy, or what the rental agents charge.” Contemporary segregation stands in contrast to the perception of Howard County as an inclusive haven for interracial families dreamed up by developer James Rouse in the late 1960s. Ellen Giles explained that Rouse's vision has disintegrated over time as housing prices soared: “What Rouse's vision was, was that we would have a mix and what happened in a way was that it was too successful and market prices drove things in a way that were not deliberate.”

Some came close to identifying specific actors behind contemporary segregation, or at least accomplices to the pernicious forces of the housing market. Stakeholders consistently cited the community’s ongoing resistance to the school system’s efforts to redraw boundary lines for student assignment in more equitable ways, referring to families’ concerns for property values and sense of entitlement to send their children to the nearest school that had determined where they purchased a home. In summer and fall 2019, this conflict erupted after the current superintendent, Michael Martirano, proposed a redistricting plan that would more evenly distribute low-income students, many of whom are Black and Latinx, in the process of balancing over- and under- enrollment across the system’s schools. The protest, some of which was explicitly racist and some of which sought alternative approaches to equity, gained national attention for its intensity.³ The incident was framed by the media as disrupting the community’s perception of itself as a progressive, intercultural, and interracial haven, with the *Washington Post* referencing the 2012 apology as another moment that served to remind community members of its legacy of racial inequality (St. George, 2019). The resistance of particular families comes closer to the clarity of pre-1965 segregation, but contemporary motivations often appear race-neutral since they are masked by concerns for housing values, advocacy for neighborhood schooling, and residential choice. The strong reputation of Howard County’s schools has attracted wealthy families, many of whom are not White, which further distances the mechanisms and optics of racial inequality in the schools then and now.

In comparison to Mark Stout, Ellen Giles, and Sandra French, Allen Dyer and Renee Foose were less convinced of the school system’s and elected officials’ commitment to integrating the schools and thereby implied greater parallelism between segregation then and now. Renee Foose explained that diversifying the system’s schools was never made a priority by the Board, and she doubted that board members were “even aware of current-day segregation” because “they are not on the ground enough to notice that.” She went on to assert that integration is not necessary to have “exceptional programming” and high expectations, reflecting the paradigm shift in how educational equity has been pursued from redistributing students to equalizing opportunity (Superfine, 2013). The housing market, elective ethnic enclaves, community resistance, a lack of commitment to diversifying student bodies, and a new paradigm for educational equity that minimizes the importance of integration all intersected to account for current day segregation in a way that lacked the clarity of the mechanisms behind segregation before 1965.

Some utilized the apology to draw more concrete connections between injustices in the past and present, framing the apology as contemporaneous. In her

testimony to the Board in June 2012, Dorothy Cook expressed that her sisters are owed an apology for the quality of education they received in segregated schools, pointing out direct intergenerational effects of *de jure* segregation today. She explained in the hearing and to the *Baltimore Sun* after the apology was issued (Burris, 2012) that children educated in segregated schools are still alive today and their schooling continues to limit their potential and livelihood. The *Baltimore Sun* also quoted Sherman Howell from the African American Coalition of Howard County noting how the older generation was not given educational opportunities that allow them to support the younger generations in school: “When you look at people who are 65, there is still evidence of that wrongdoing to them. My experience has been that they can't effectively assist their grandkids in terms of their homework and those kinds of things” (Burris, 2012). Sandra French and Allen Dyer also emphasized the *presentness* of pre-1965 segregation by referring to the generational difference between themselves and other board members who did not have personal experiences within segregated school systems. French explained, “the newer board members may not have had that background or that history, but I did.” French not only referenced her personal memories, but also the stories of community members who appealed to her as the chair of the Board. French recalled how African American parents who grew up in a segregated system used to tell her about their experiences as students and how they were particularly attuned to when “their children were not succeeding the way they believed they should” today. Approaches to parenting and advocacy in the community continue to be shaped in part by past educational injustices.

For Towanda Brown, the continuity of pre-1965 segregation was less about intergenerational effects within the Black community and more about how *de jure* segregation as part of a larger system of structural racism and White supremacy has played a role in reproducing racism within the White community. Brown was particularly concerned with the beliefs of the largely White teaching force in Howard County that, she explained, has low expectations for Black students:

We have a lot of ingrown teachers in this school system that are from [that] era, and if the people back then were against having Black students and Black families integrated, then you can imagine the mindset of the people that are teaching the students, so I thought to bring it to the forefront [through the apology] would be a way for people to acknowledge that we have a problem.

For Brown, the apology can draw attention to how many teachers in the schools today were socialized within a segregated school system when beliefs about White superiority were more explicitly taught in White families and communities,

drawing a concrete connection between injustices then and now. She noted that racist beliefs among White teachers and students are manifested in, for example, bullying against Black children and teachers' derogatory comments about Black students coming from single-parent households. Cook similarly attested that racism in Howard County's schools "might be dormant, but it's still here." Citing recent racist incidents in the school system, Stout found particular value in the apology since not all community members today may experience "profound regret" over pre-1965 segregation:

There are still elements in the school system that are kind of willing to accept that past more openly...we've had a couple incidents with Confederate flags in schools...swastikas...it's a small subset of the population, but they're still there...I think [the apology] was acknowledgement and awareness that things weren't always [multicultural and more inclusive]...and as we [have] seen nationally that can change again.

For Stout, the apology was a way to remind us that the injustices from the past have not disappeared and without vigilance may again gain dominance.

Working Out Who Has Been Wronged

When the apology was passed late in the evening on November 1, 2012, the room was essentially empty, raising the question of who the intended audience was and whether an audience needed to be present, if not to accept the apology, then at least to hear it. At stake in identifying who the apology was addressed *to* is working out who had been wronged in the past and who suffers negative repercussions in the present from pre-1965 segregation. Was the apology intended for the Black community, all students of color, or all students? On a material level, the resolution to this question can serve as a foundation to call for additional supports and services, while on a symbolic level, it creates prohibitions and permissions for who can claim pre-1965 segregation as part of their narrative and draws lines of difference and solidarity among minoritized groups.

The written apology moves from a focus on Black students' exclusion from well-resourced schools reserved for White students to a commitment to ensuring equal opportunity for *all* students of color and proclaims that *all* students can fulfill their potential regardless of race, ethnicity, gender, disability, or socioeconomic status. The term *people of color* was not used widely in the 50s and 60s, and its introduction into the apology makes clear how the apology is used to define not only who was wronged before 1965, but also who has suffered injustices since then.

Allen Dyer emphasized that the apology was addressed to all students. For Dyer, segregation harmed the whole community and was an affront to democracy. *Brown*, in his perspective, was righting a societal wrong that all citizens should be invested in: “It’s wrongheaded to look at *Brown v. Board of Education* and say that that decision is giving African Americans what they deserve because it’s not African Americans, it’s Americans.” For Sandra French, drawing a connection between the wrongs suffered by African Americans and by other marginalized groups was important to ensure that the apology served as the impetus to promote educational equity in Howard County today. She indicated that the apology was intended for all students of color: “We took it to ‘all subgroups’...that was always my end goal that, yes, that was then, and that was wrong, but what have we learned from it, and how do we dedicate our current actions.” French believed that the apology needed to move the school system to support their students in Howard County today, which is, according to publicly available data published in 2018, approximately 20% Black, 20% Asian, 10% Latinx, 40% White, and 5% multiracial. This diversity, she reasoned, demanded that the apology was relevant to all students who may suffer from unequal opportunity. Stout suggested that the current racial and ethnic diversity in Howard County makes the apology an appropriate gesture that helps to mark progress and to document change from the 60s to today. French also framed the apology as an opportunity to celebrate “how much we have changed as a nation and a school system” when she publicly reflected on the relationship between the apology and a leadership program for new immigrant parents featured at the November 15, 2012, board meeting.

Commitments in early drafts of the apology were addressed to a more targeted community. In an email exchange about revisions to the document in September 2012, Stout suggested to French that the language “each student of color” be changed to “all students.” At the time, French was hesitant about the idea after receiving feedback from the African American community that the harms directed to them specifically have often been masked by the language of “all.” (See Pollock, 2004, on the discourse of *all students*.) She replied to Stout:

I debated internally about ‘all’ vs. a more specific description. When [Superintendent] Foose, [Deputy Superintendent] Mamie Perkins and I met in May with about 30 leaders who represented various groups from Howard county’s African American community, Reverend Turner strongly emphasized their preference for ‘each’ versus ‘all’, because they have been burnt in the past when ‘all’ somehow ended up diluting attention given to, or not including,

Black children. I used students of color to also go beyond to include Hispanic...etc.

Black community members and advocates expressed concern about how broad or more inclusive language deflects attention from the particular needs of Black students. French seemed to regard "students of color" as a middle ground that maintains specificity and addresses the experiences of other minoritized groups that now constitute significant populations in Howard County's schools.

In contrast, Towanda Brown and Renee Foose immediately identified the "African American community" as the intended recipients of the apology. Brown reiterated the concerns in the African American community that French referenced in her email to Stout. She expressed how immigrant communities who elected to come to the United States have fundamentally different experiences than the African American community:

We didn't voluntarily come here, we were brought over on slave ships, we were removed from our families, we were...forced to work without any compensation and we were tortured. People that come from India and Asia...all came over voluntarily to find a better life. We didn't come to find a better life. We had a worse life here, and still have a worse life here in...certain circumstances...But [the school system] equate[s] it to be the same and all the movements now equate to the African American...experience, and it's not the same.

For Brown, African Americans have experienced a unique form of oppression that is rooted in part in Howard County's history of school segregation and desegregation and that cannot be reasonably claimed by other minoritized groups. Brown saw the attention dedicated to supporting Black students at stake in making these distinctions. She lamented the way that the school system equates the inclusion of Black history into the curriculum to the inclusion of recent immigrants' cultures and attributed its attempt to integrate all cultures equally as yielding to anticipated community pressure. Immigrants could bring their culture with them, she explained, while African Americans were stripped of their cultural roots, with many never knowing where in Africa they came from.

Assuming the African American community was the recipient of the apology, there is scant evidence that many African American community members welcomed the gesture or were even aware of it. Some efforts were made to incorporate feedback from African American community leaders from, for

example, the NAACP and the African American Community Roundtable. Community leaders were made aware of the idea and given the opportunity, if limited and brief, to submit feedback. David Steele's letter and testimony to the Board suggested that African American community leaders were lukewarm or ambivalent at best about the idea of the apology and wanted the Board to spend its energies on projects that supported Black students today. Beyond organizational leadership, there is little evidence that many in the African American community were aware that the apology was issued. Media coverage of the event was minimal. Towanda Brown explained that the lack of awareness was a matter of parents' priorities and busy lives. Foose's interpretation was more cynical: "[The African American community was] interested in [the apology] only because it was brought to them. It isn't something that they sought out...but they went along with it." Foose's insistence that the apology went under the radar, however, does not discount the ways in which it has been utilized to work out who in the community has been harmed and to establish boundaries and solidarities among community members.

Discussion: Self-Serving Apologies for Good Governance

It is tempting to look at the Board of Education of Howard County's apology with cynicism, since it was limited in circulation and few stakeholders were able to point to its tangible consequences for educational equity. The critique that public apologies are self-serving resonated for Dorothy Cook. When asked who the Board intended to address and affect with a public apology, Cook responded: "When the Board apologized they had primarily themselves in mind." However, Cook herself suggested that the self-serving character of the apology did not make it meaningless since it provided important recognition that the Board broke the law. Mark Stout's description of the apology as an effort to apologize *for* something rather than *to* someone reveals a similar perception of the gesture as Board-oriented.

We have suggested that if we look at the apology as a narrative device, then its role as a catalyst for the Board's self-reflection comes into the fore. In debating the merits of a public expression of regret, board members were compelled to give an account of their own agency and moral identity and to define injustices of the past and their relationship to ongoing inequalities. This was especially apparent in the case of a public expression of regret for school segregation, which sits on the threshold between retroactive and contemporaneous apologies (Wyeneth, 2001). As we have shown above, this meant that in efforts to distinguish between addressing a "discrete historical event" or an ongoing injustice (Wohl, Hornsey, & Philpot, 2011, p. 75), actors had to come to terms with different "temporalities of

justice" (Crawford, 2015) with different implications for the perceived responsibilities of the Board today.⁴

Self-reflection engendered by the apology carried the potential to mold the Board into a more equity-minded institution, leveraging historical awareness to bring about a responsible and responsive government (Nobles, 2008). This is what Dyer implied when he described the apology as a catalyst to facilitate a forum on the ethics of memory and the conditions for good governance. He viewed the apology as a mechanism to discipline the Board:

I see [an apology] as being...an approach, of an even-handed approach to government, and a recognition that we do have histories, history in Maryland...what a bunch of bad things have happened in Maryland...you have a responsibility to consider the actions of your predecessors, and that means not just [to] look at what these wonderful guys did, it also says, look at what the bastards did. And so that is something that should be ingrained inside your head as a board member.

In this way, public apologies for school segregation may have the potential to be truly (not cynically) self-serving by disciplining governing institutions, such as boards of education into bodies that are committed to understanding injustices in the past, their legacy in the present, and their own corresponding responsibilities.

Conclusion

Nobles (2008) claims that effects of apologies are often diffuse and any causal claims are bound to be spurious. When we broaden our lens beyond direct effects, public apologies' significance as narrative devices are illuminated. By tracing stakeholders' meaning making of and with the apology, we have shown various ways that the apology was weaved into narratives about school governance and past and present injustices. The Board of Education of Howard County's apology for the operation of a racially segregated school system was utilized by stakeholders to define the Board's role, delineate the injustice committed, establish (dis)continuity between injustices in the past and present, and work out who has been harmed. The apology is a productive site for understanding how the legacy and ongoing responsibilities of *de jure* segregation centered around a Black-White binary are constructed within the more racially and ethnically diverse student body in U.S. schools today. Unapologetically self-serving, the apology sought to mold the Board into a more responsible and responsive governing body in this contemporary context.

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Notes

- ¹ The authors are listed in alphabetical order to indicate equal authorship.
- ² Virginia was the first state to apologize for slavery in February 2007. Maryland’s legislature followed soon after in March 2007.
- ³ Education Secretaries Arne Duncan and John B. King Jr. authored an op-ed in the *Baltimore Sun* that drew direct connections between the resistance to Howard County’s plan and resistance to desegregation post-*Brown* (Duncan & King, 2019). The op-ed featured both an image of Howard County protesters, many of whom are Asian, advocating for “kids before politics” and an image of White protesters holding up a Confederate flag outside Little Rock Central High School in 1957. Despite the vocal outrage in response to the redistricting plan, the Howard County Council endorsed the plan in a non-binding resolution in October and the Board passed it, although a revised and less ambitious version, in November.
- ⁴ Crawford (2015) links different temporalities of justice to different forms of responsibility: “The first is passive responsibility, which is generally backward looking and after the event—namely the idea of being held to account which translates into the question ‘what did you do?’... The second is active responsibility which involves taking responsibility for addressing a problem. It is generally future-oriented and informs the notions of ‘being responsible’ and ‘taking responsibility’ for what is yet to come. Prominence is given to action in the present and to the prevention of unwanted situations or events in the future” (p. 475). In *Implicated Subjects*, Rothberg (2019) similarly distinguishes between diachronic and synchronic relations to injustice, but also reminds us that: “[T]here is neither strict continuity between past and present nor a clean break between the two temporal dimensions. Rather, implication emerges from the ongoing, uneven, and destabilizing intrusion of irrevocable pasts into an unredeemed present” (p. 9).