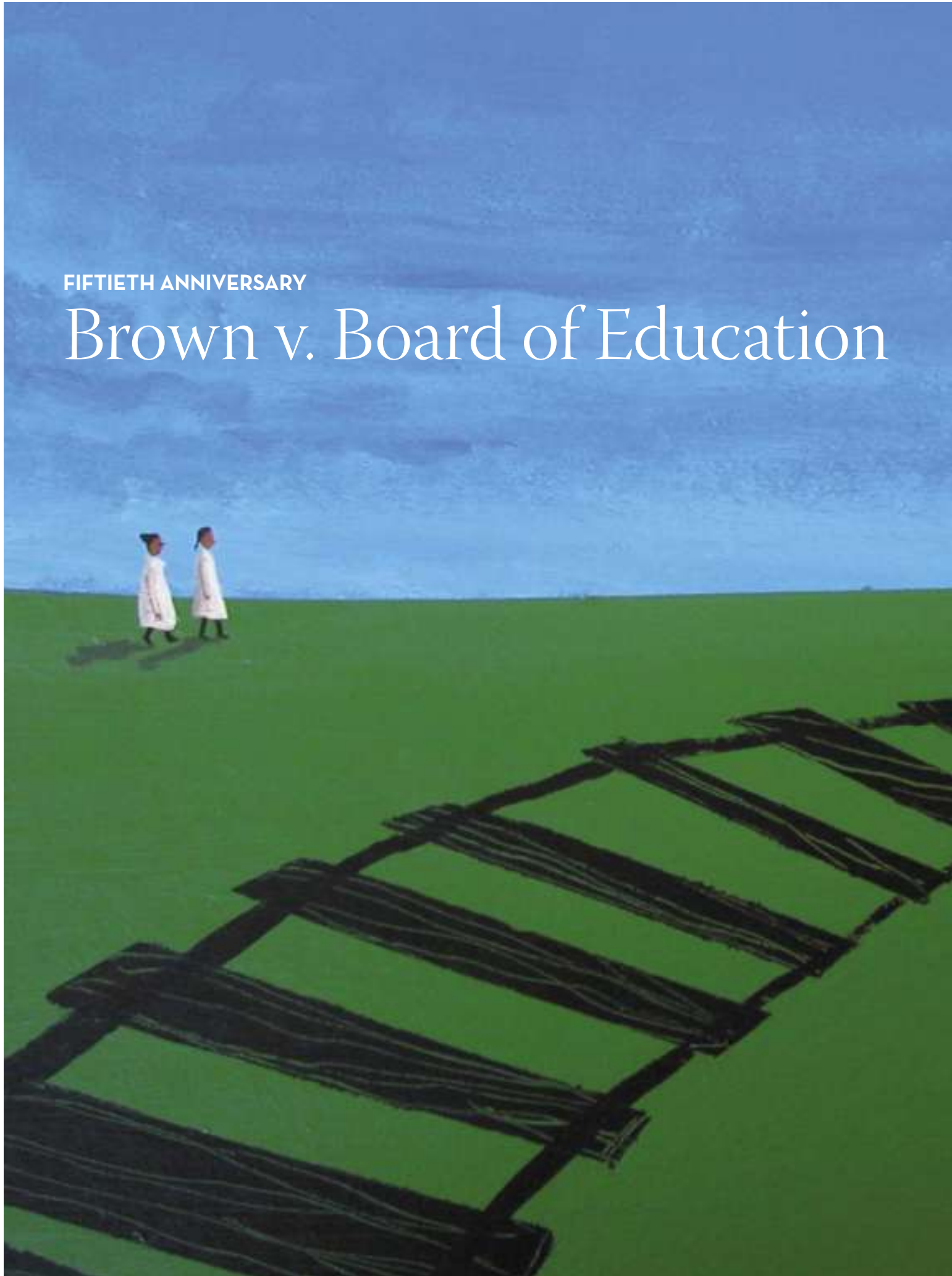


FIFTIETH ANNIVERSARY

# Brown v. Board of Education





This May, our nation will mark the 50th anniversary of *Brown v. Board of Education*, the historic Supreme Court ruling that ended official segregation in public schools.

In the pages that follow, you will find articles and resources to help today's students understand the legacy of *Brown* and to help them appreciate the ongoing struggle to integrate America's schools.

**Illustration by R. Gregory Christie**



Linda Brown at segregated school, 1954

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

— FOURTEENTH AMENDMENT TO THE UNITED STATES CONSTITUTION, RATIFIED IN 1868

We conclude that, in the field of public education, the doctrine of “separate but equal” has no place. Separate educational facilities are inherently unequal. Therefore, we hold that the plaintiffs and others similarly situated for whom the actions have been brought are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment.

— CHIEF JUSTICE EARL WARREN, *BROWN V. BOARD OF EDUCATION*, 1954

**“We ain’t asking for anything that belongs to those white folks. I just mean to get for that little black boy of mine everything that any other South Carolina boy gets. I don’t care if he’s as white as the drippings of snow.”**

—The Rev. J.W. Seals, Summerton, S.C., 1953

BY BRIAN WILLOUGHBY

# An American Legacy

It is, on its face, a story of separateness.

It is the story of two little girls walking through a railroad switchyard in 1950s Topeka, Kan., lunch bags in hand, unable to attend a nearby white school, making their way to the black bus stop beyond the tracks.

And it is the larger story of countless other African American children walking great distances, against great odds, to reach their own segregated schools as buses filled with white children passed them by.

But it is, at its heart, a story of togetherness, of courageously good-hearted and open-minded Blacks and Whites — and others — working together toward a constitutional ideal.

“When you look at *Brown* you are looking at a moment so powerful it is the equivalent of the Big Bang in our solar system,” says historian and commentator Juan Williams. “It led to the Civil Rights Act of 1964 and the Voting Rights Act of 1965. It led to sit-ins and bus rides and freedom marches. And even today, as we argue about affirmative action in colleges and graduate schools, the power of *Brown* continues to stir the nation.”

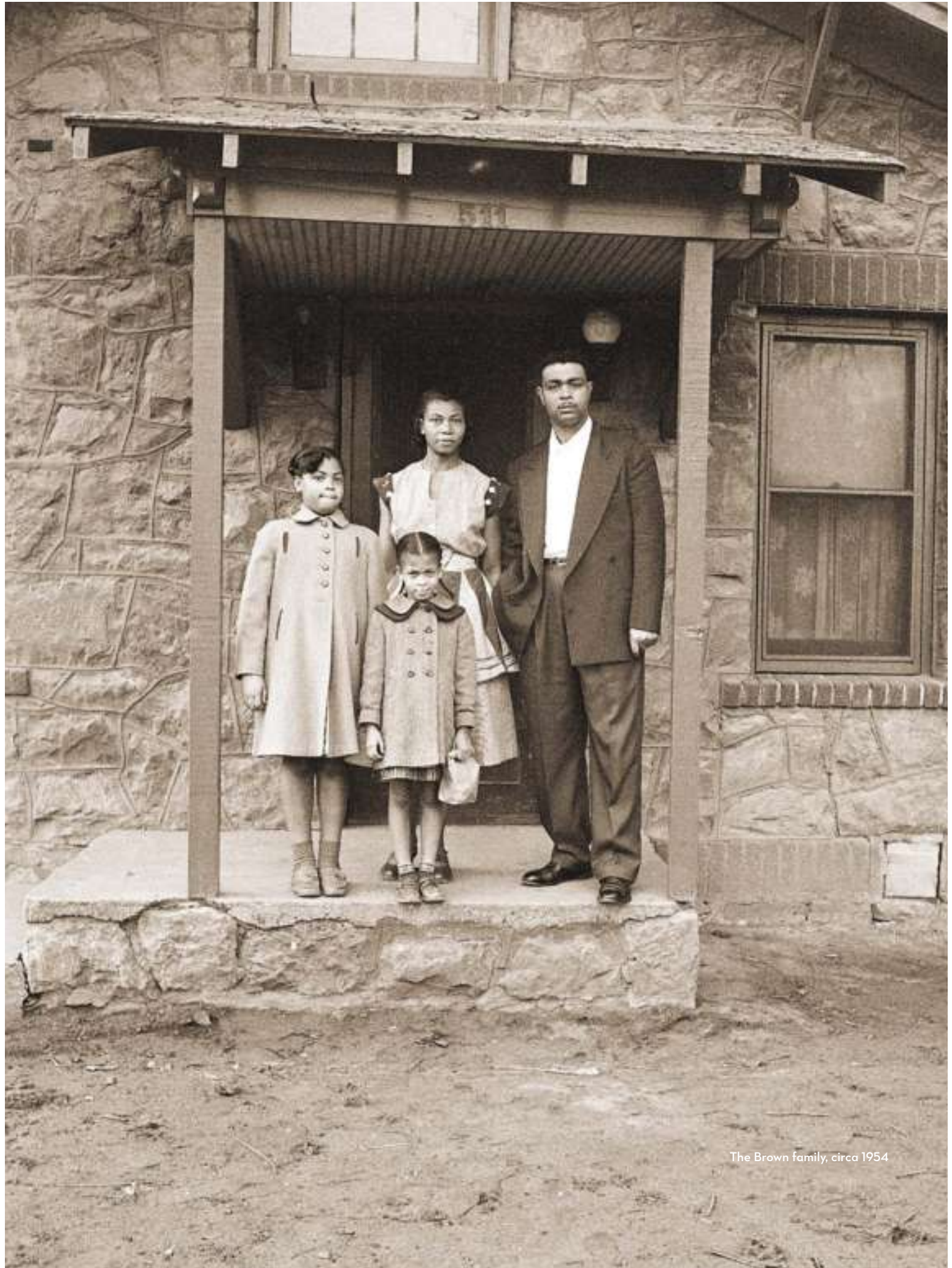
This year marks the 50th anniversary of the *Brown v. Board of Education* decision. On May 17, 1954, the U.S. Supreme Court struck down the separate but equal doctrine in American public schools.

The 11-page decision — much shorter than other major decisions of the era, and written by Chief Justice Earl Warren in purposefully unemotional language — was firm and clear:

“We conclude that in the field of public education the doctrine of ‘separate but equal’ has no place. Separate educational facilities are inherently unequal.”

The decision was unanimous. Reaction was not. Newspaper editorials variously praised and condemned the decision. White Southerners vowed opposition. Predictions of ugly resistance came true.





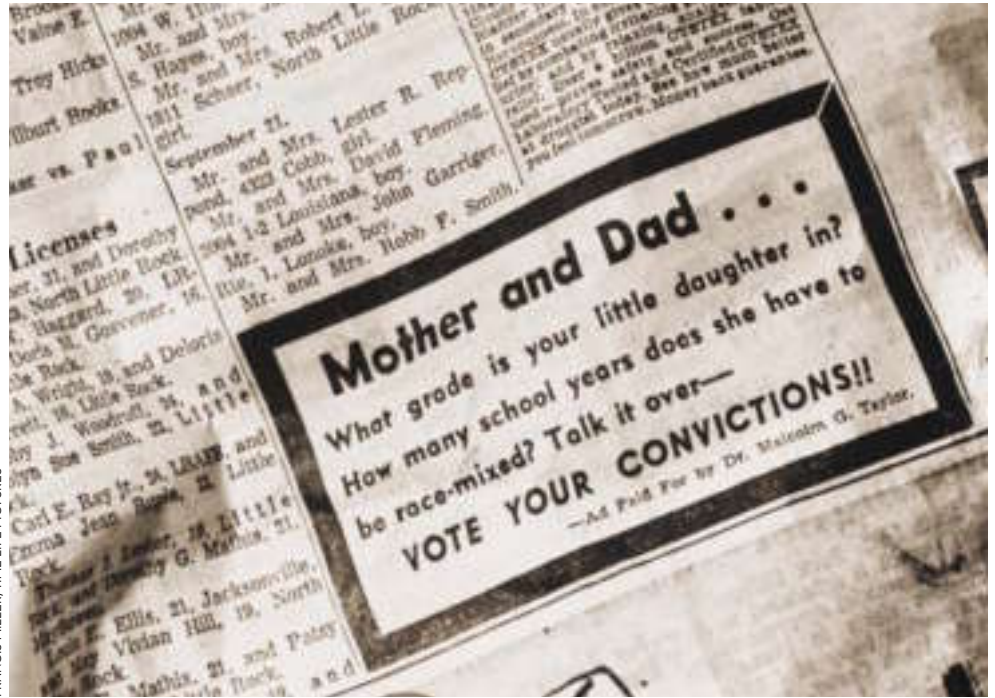
The Brown family, circa 1954

Color lines, certainly, had already been crossed by 1954. Jackie Robinson, for example, had made history on the baseball field the previous decade.

But for those who resisted integration, watching a sport was very different than sending a child to school. Because opposition was fierce, those who fought for integration faced tremendous hardships. Often they lost jobs, were denied credit and were ostracized in white and sometimes even black society.

The half-century since *Brown* has been a series of gains and losses, from segregation to integration and on to a new kind of segregation. Other movements — feminism, the fights for other minority rights, gay rights, advocacy by and on behalf of people with disabilities — were aided, bolstered and fueled by *Brown*. And while *Brown* focused on schools, it also helped in the fight for desegregation of everything from public golf courses to public buses.

On one hand, *Brown* remains the hallmark of the promise of equality for this nation. On the other, *Brown*'s promise remains, if not broken, certainly unfulfilled.



FRANCIS MILLER/TIME LIFE PICTURES

**THE ROAD TO BROWN**

It's fitting that Linda Carol Brown and younger sister Terry Lynn had to walk along railroad tracks for their daily journey to school, fitting that so many other children determined to have an education journeyed such long paths to school. The route to *Brown* was similarly long and arduous, court cases linked together, steaming forward to a destination countless miles away.

The NAACP's Legal Defense Fund pulled the train. In mid-20th century America the NAACP was the most powerful civil rights organization, with membership growing tenfold in the 1940s, to nearly half a million.

And Thurgood Marshall served as conductor, the lead NAACP attorney for *Brown* and the mastermind behind much of its strategy. Marshall would later become the nation's first African

**BROWN V BOARD TIMELINE**  
SCHOOL INTEGRATION IN THE UNITED STATES



GETTY IMAGES/PALMA COLLECTION

**1857** With the *Dred Scott* decision, the Supreme Court upholds the denial of citizenship to African Americans and rules that descendants of slaves are “so far inferior that they had no rights which the white man was bound to respect.”

< **1861** Southern states secede from the Union. The Civil War begins.

**1863** President Lincoln issues the Emancipation Proclamation, freeing slaves in Southern states. Because the Civil War is ongoing, the Proclamation has little practical effect.

**1865** The Civil War ends; the Thirteenth Amendment is enacted to abolish slavery.

**1868** The Fourteenth Amendment is ratified, guaranteeing “equal protection under the law”; citizen-

ship is extended to African Americans.

**1875** Congress passes the Civil Rights Act of 1875, which bans racial discrimination in public accommodations.

**1883** The Supreme Court strikes down the Civil Rights Act of 1875 finding that discrimination by individuals or private businesses is constitutional.

> **1890** Louisiana passes the first Jim Crow law requiring separate accommodations for Whites and Blacks. >>

**1849** The Massachusetts Supreme Court rules that segregated schools are permissible under the state's constitution. (*Roberts v. City of Boston*) The U.S. Supreme Court will later use this case to support the “separate but equal” doctrine.



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## “If you got the guts to go, I got the guts to take ye.”

—A black mother in Kentucky, supporting her 10-year-old son's desire to attend a Whites-only school, as quoted in *Reporting Civil Rights: Part One: American Journalism, 1941-1963*

American Supreme Court justice.

*Brown* itself was made up of five separate but similar court cases in four states and the District of Columbia, representing tens of families:

- *Briggs v. Elliott* in South Carolina;
- *Davis v. County School Board of Prince Edward County* in Virginia;
- *Gebhart v. Belton* (a collection of cases itself, sometimes cited as *Belton v. Gebhart* or *Bulah v. Gebhart*) in Delaware;
- *Bolling v. Sharpe* in the District of Columbia (which ended up with a separate court decision); and
- The actual *Brown v. Board of Education of Topeka* in Kansas.

These cases had been working their way through state and federal courts for several years. Details varied and strategies differed, but each case attacked the forced segregation of black students.

Other cases — *Cumming v. Richmond (Ga.) Board of Education*, *Missouri ex rel. Gaines v. Canada*, *Sipuel v. Board of Regents of the University of Oklahoma*, *Sweatt v. Painter*, and *McLaurin v. Oklahoma State Regents for Higher Education* — were precursors to *Brown*, earlier attempts at integration and equal rights. (See timeline.)

And two 19th century Supreme Court cases had created the laws that *Brown* sought to overturn:

- 1896's *Plessy v. Ferguson*, which opened the door to state-sanctioned racial discrimination across the South.
- And 1857's *Dred Scott*, which ruled that Blacks, slave or free, were “so far inferior that they had no rights which the white man was bound to respect.”

### REACTING TO BROWN:

#### HOPE AND HATRED

When the *Brown* decision was announced, the Chicago *Defender*, a long-standing African American newspaper, said



Anti-integration activist, Arkansas, 1959

FRANCIS MILLER/TIME-LIFE PICTURES

this: “Neither the atom bomb nor the hydrogen bomb will ever be as meaningful to our democracy as the unanimous declaration of the Supreme Court that racial segregation violates the spirit and the letter of our Constitution.”

While fear of reprisal kept many Blacks from celebrating publicly, the decision still inspired tremendous emotion. James T. Patterson's book, *Brown v. Board of Education: A Civil Rights Milestone and its Troubled Legacy*, describes one reaction:

“Sara Lightfoot, a 10-year-old black girl, vividly recalled the moment that news of *Brown* reached her house. ‘Jubilation, optimism and hope filled my home,’ she wrote later. ‘Through a child’s eye, I could see the veil of oppression lift from my parents’ shoulders. It seemed they were standing taller. And for the first time in my life I saw tears in my father’s eyes.’”

But not all Blacks celebrated. Some worried that desegregation would further alienate Blacks in white society; that it would lead to the elimination of

jobs for black school teachers; that it would do little to eliminate the racism in people’s hearts and minds.

Zora Neale Hurston, a noted African American author, put it this way: “How much satisfaction can I get from a court order for somebody to associate with me who does not wish me near them?”

Among Whites, many in the North and West, unaffected by the ruling, still saw it as positive. Conversely, white southern leaders and southern newspapers loudly and angrily denounced the decision.

Consider the May 18, 1954, editorial in the Jackson, Miss., *Daily News*:

*Human blood may stain Southern soil in many places because of this decision, but the dark red stains of that blood will be on the marble steps of the United States Supreme Court building.*

*White and Negro children in the same schools will lead to miscegenation. Miscegenation leads to mixed marriages and mixed marriages lead to the mongrelization of the human race.*

Georgia Gov. Marvin Griffin said, “No matter how much the Supreme



Court seeks to sugarcoat its bitter pill of tyranny, the people of Georgia and the South will not swallow it.”

Such harsh words foreshadowed the difficulty of implementing *Brown*.

#### ‘WITH ALL DELIBERATE SPEED’

*Brown* was actually decided in phases. After striking down *Plessy* and declaring segregation unconstitutional, the Warren Court handled the issue of implementation separately. *Brown II*, as it has come to be known, was handed down more than a year later, on May 31, 1955.

In that decision, the Supreme Court sent all cases back to lower courts, asking

**“*Brown v. Board of Education* stands as a national confession of error, a true landmark. It propelled the modern civil rights movement, a still-incomplete social revolution. It reaffirmed the American spirit of equality and rekindled hope of peaceful transformation. It is a living monument, a cause for celebration.”**

—New York Times editorial on May 17, 1984, marking the 30th anniversary of *Brown*

states to desegregate their schools “with all deliberate speed.”

An earlier draft of the ruling had used the words “at the earliest practicable date,” but that language was struck down, in part as an appeasement to

the anticipated resistance of the South. Using the more open-ended “deliberate speed” wording, *Brown* set no deadlines and left much of the decision-making in the hands of local school officials.

From 1955 to 1960, federal judges would hear more than 200 school desegregation cases. Border states reached 70 percent integration within about two years. Southern states, from grade to graduate school, were hardly changed:

- In 1956, Autherine Lucy, a black woman seeking admission to the University of Alabama, was called vile



THE HISTORIC NEW ORLEANS COLLECTION

**1896** The Supreme Court authorizes segregation in *Plessy v. Ferguson*, finding Louisiana’s “separate but equal” law constitutional. The ruling, built on notions of white supremacy and black inferiority, provides legal justification for Jim Crow laws in southern states.

**1899** The Supreme Court allows a state to levy taxes on black and white citizens alike while providing a public school for white children only. (*Cumming v. Richmond (Ga.) County Board of Education*)

**1908** The Supreme Court upholds a state’s authority to require a private college to operate on a segregated basis despite the wishes of the school. (*Berea College v. Kentucky*)

**1927** The Supreme Court finds that states possess the right to define a Chinese student as non-white for the purpose of segregating public schools. (*Gong Lum v. Rice*)

**1936** The Maryland Supreme Court orders the state’s white law school to enroll a black student because there is no state-supported law school for Blacks in Maryland. (*University of Maryland v. Murray*)

**1938** The Supreme Court rules the practice of sending black students out of state for legal training when the state provides a law school for whites within its borders does not fulfill the state’s “separate but equal” obligation. The

Court orders Missouri’s all-white law school to grant admission to an African American student. (*Missouri ex rel. Gaines v. Canada*)

**1940** Thirty percent of Americans — 40 percent of Northerners and 2 percent of Southerners — believe that Whites and Blacks should attend the same schools.

A federal court requires equal salaries for African American and white teachers. (*Alston v. School Board of City of Norfolk*)

**1947** In a precursor to the *Brown* case, a federal appeals court strikes down segregated schooling for Mexican American and white students. (*Westminster School Dist. v. Méndez*) The verdict prompts California Governor Earl Warren to repeal a state law calling for segregation of Native American and Asian American students.

**1948** Arkansas desegregates its state university. >>

names and pelted with rotten eggs by angry Whites. Officials excluded her from campus, then expelled her. The university remained all white until the early 1960s.

- In 1957, bloody riots erupted as nine black students attempted to enter Central High School in Little Rock, Ark. President Eisenhower, a reluctant player in the extended battle, eventually surrounded the school with 1,100 soldiers from the U.S. Army and the Arkansas National Guard. Troops stayed all year.

- In 1960 in New Orleans, armed marshals shielded 6-year-old Ruby Bridges as she passed an angry crowd of 150 Whites who threw tomatoes and eggs.

- And by 1964 in Prince Edward County, Virginia — a full decade after *Brown* — not a single black child had been admitted to a white school. In fact, the county defiantly closed its public schools for five years rather than integrate them.

#### **'SLEEPWALKING BACK TO PLESSY'**

The passage of the Civil Rights Act of 1964 finally gave some teeth to *Brown*. That act, supported by the executive branch, empowered the federal government to cut funding to schools that continued to segregate their students and gave the U.S. Department of Justice authority to file lawsuits seeking desegregation of schools.

As Supreme Court Justice Hugo Black wrote at the time, “There has been entirely too much deliberation and not enough speed in enforcing the constitutional rights which we held in *Brown*.”

But even then, integration was fought in a variety of ways. Using the fact that, legally speaking, Mexican Americans were considered “white,” schools in Texas and other states created “integrated” schools of Mexican Americans and Blacks, leaving all-white schools unchanged.

It wasn't until 1971 that widespread integration began. That's when a North Carolina case — *Swann v. Charlotte-Mecklenburg Board of Education*

## **Beyond Black and White**

All five of *Brown v. Board of Education's* cases involved African American plaintiffs. But the historical legacy and aftermath of *Brown* drew from a richer cultural and political spectrum.

There was 1927's *Gong Lum v. Rice* in Mississippi, in which a Chinese American girl fought for the right to attend the white school rather than the black school. The Lum family made the case that the girl wasn't black. The court ruled she wasn't white, allowing school officials to categorize children as they saw fit.

In the 1940s — but still pre-dating *Brown* — there was *Mendez v. Westminster School District*, when a Mexican American family fought for and won the right to attend integrated schools in California.

The NAACP closely watched the California case, since its concerns mirrored those of the cases that would become *Brown*. Earl Warren, the man who would later write the *Brown* decision, was governor of California at the time.

The California case illustrated the layers of segregation and oppression present in mid-20th century America. The Mendez family had moved into the district in which their children faced discrimination because they were called on to oversee the farm of a Japanese American family who had been interned during World War II.

Similar stories are found at the time of the *Brown* decision.

In one school district in rural Texas in the mid-1950s, Mexican American students were held in Spanish-language classrooms — even if they were able to speak English — in 1st and 2nd grades before being integrated with white students.

That doesn't sound too bad, by the standards of the era, but consider this: Most Mexican American students were kept in 1st grade for four years, followed by several years in 2nd grade. Most students reached 3rd grade at precisely the age they dropped out to go to work with their families in the fields.

In 1957, a court ruled the practice was “purposeful, intentional and unreasonably discriminatory” and ordered a new system for assigning students.

*Brown*, too, would be used to wage battles for inclusiveness on behalf of children with disabilities.

At the time of *Brown*, nearly every state prohibited children with epilepsy from attending public school, even though medications were available to control seizures.

In praising *Brown*, Lillian Smith of Clayton, Ga., wrote this in a 1954 letter to the *New York Times*:

“All these children, some with real disabilities, others with the artificial disability of color, are affected by this great decision.”

—BRIAN WILLOUGHBY

— allowed school systems to bus students as a way of integrating schools in segregated neighborhoods. Busing remains a volatile issue, but this decision is the one that prompted the highest levels of integration.

The number of black students attending majority-white schools in the South rose from 2 percent in the mid-1960s to nearly 45 percent in the late 1980s, the peak of school integration.

But success brought other changes. The mid-1980s also saw the first lifting of

federal court sanctions, allowing schools to return to racial segregation. By 1991, integration levels had returned to pre-1971 levels.

Gary Orfield of Harvard University's Civil Rights Project put it this way: “We are, in essence, sleepwalking back to *Plessy*.”

The 1970s through the 1990s also spotlighted new forms of segregation, fueled by a history of so-called “white flight” from cities to suburbs, particularly in the North and Midwest. By the opening of the 21st century, the nation's

most segregated public schools were found not in the South but in Illinois, New York and New Jersey.

There, and in other areas across the country, black and Latino students live in segregated, urban neighborhoods and attend overcrowded, underfunded, low-achieving schools, while most of their white counterparts attend affluent, nearly all-white schools in suburban America.

Separate and unequal continues: More than 80 percent of black and Latino segregated schools are in high-poverty areas, compared with 5 percent of segregated white schools.

Today, the arguments are about affirmative action and the disparities created by the use of property taxes to fund schools. Just last year, the Supreme Court offered a split decision on affirmative action admissions to college, upholding race-based admissions at the University of Michigan's Law School but striking down a similar process used for Michigan's undergraduates.

The issues have changed, but the fundamental question remains: How equal are America's educational opportunities?

### SO MANY THINGS

In the end, *Brown* is as simple as equality and as complex as justice.

*Brown* is the courage of Barbara Johns, a 16-year-old girl in Farmville, Va., who in 1951 led a black student walkout of 450 young people, shaming adults into taking up the cause of integration. As one of the *Brown* lawyers explained at the time, "We didn't have the nerve to break their hearts."

It is the activism of Esther Brown, a white Jewish woman who, along with the NAACP, fought school segregation in several Kansas cities, becoming herself a target of white hatred.

It is the persistence of McKinley Burnett, the Topeka NAACP president, who well before the *Brown* case tried to persuade the Topeka Board of Education to integrate its schools.

It is the hindsight of Kenneth Clark, a psychologist who testified in *Brown* about the harm done to black children by segregation. Forty years after *Brown*, Clark wrote that the U.S. "likely ... will never rid itself of racism and reach true integration. While I very much hope for the emergence of a revived civil rights movement with innovative programs and dedicated leaders, I am forced to recognize that my life has, in fact, been a series of glorious defeats."

It is all those children of color, in so many states, moving with determination and hope toward the promise of equal education.

And it is those two little girls in Topeka, walking on the packed earth of a railroad switchyard, reminding us all that education in this free land is less free for some children than it is for others, the journey longer, more fraught with pitfalls, then and now.

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*Brian Willoughby is the senior writer/editor of Tolerance.org.*

**1948** The Supreme Court orders the admission of a black student to the University of Oklahoma School of Law, a white school, because there is no law school for Blacks. (*Sipuel v. Board of Regents of the University of Oklahoma*)

**1950** The Supreme Court rejects Texas' plan to create a new law school for black students rather than admit an African American to the state's whites-only law school. (*Sweatt v. Painter*) The Supreme Court rules that learning in law school "cannot be effective in isolation from the individuals and institutions with which the law interacts." The decision stops short of overturning *Plessy*.

The Supreme Court holds that the policy of isolating a black student from his peers within a white law school is unconstitutional. (*McLaurin v. Oklahoma State Regents for Higher Education*)

Barbara Johns, a 16-year-old junior



DONALD UHRBROCK/TIME-LIFE PICTURES

**1953** Earl Warren is appointed Chief Justice of the Supreme Court.

The Supreme Court hears the second round of arguments in *Brown v. Board of Education of Topeka*.

**1954** In a unanimous opinion, the Supreme Court in *Brown v. Board of Education* overturns *Plessy* and declares that separate schools are "inherently unequal." The Court delays deciding on how to implement the decision and asks for another round of arguments.

The Court rules that the federal government is under the same duty as the states and must desegregate the Washington, D.C., schools. (*Bolling v. Sharpe*)

**1955** In *Brown II*, the Supreme Court orders the lower federal courts to require desegregation "with all deliberate speed." >>

at Robert R. Moton High School in Farmville, Va., organizes and leads 450 students in an anti-school segregation strike.

**A 1952** The Supreme Court hears oral arguments in *Brown v. Board of Education*. Thurgood Marshall, who will later become the first African American justice on the Supreme Court, is the lead counsel for the black school children.



**Number of states 48**

(Alaska and Hawaii were five years from joining the union.)

**Number of states that mandated segregation 17, plus the District of Columbia**

(Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia and West Virginia)

**Number of states that allowed but did not mandate segregation 4**

(Arizona, Kansas, New Mexico and Wyoming)

**Number of states that had laws prohibiting segregation 16**

**Number of states with no laws regarding segregation 11**

(Note: In these last two categories, *de facto* segregation – segregated neighborhoods and schools that occurred based not on laws but on socioeconomics and living patterns – were common.)

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# THE UNITED STATES, CIRCA 1954

**“My daughters will never attend a school with Negroes so long as there is breath in my body and gunpowder will burn.”**

—Bryant Bowles, an avid segregationist in Delaware, 1954

In 1954, 17 U.S. states mandated segregation. These laws affected about 9 million white children and 2.3 million black children in public schools.

Four other states allowed segregation but did not require it.

The remaining 27 (Alaska and Hawaii were five years away from becoming states) either had laws prohibiting segregation or had no laws regarding segregation. In those states, segregation still occurred based not on laws but on socioeconomics and living patterns.

The scene varied from state to state, but the patterns were clear



in the South:

White hospital patients could be tended only by white nurses; black patients, only by black nurses. Textbooks used by white students were kept separate from those used by black students; interchanging them was forbidden. Even in prisons, white prisoners could not be shackled with black inmates on chain gangs.

James T. Patterson, in *Brown v. Board of Education: A Civil Rights Milestone and its Troubled Legacy*, paints this picture of 1950s Kansas, a border state

balancing elements of South and North:

"Topeka did not impose a color line in the waiting rooms of its bus and train stations or on its buses. Yet five of the seven movie houses barred black people, a sixth was for blacks, and the seventh admitted blacks to its balcony – 'Nigger Heaven,' it was called. The park swimming pool was closed to blacks except for one day in the year. A restaurant regularly patronized by the white lawyer who was

to handle the *Brown* case on behalf of Topeka featured a sign, 'Colored and Mexicans served in sacks only.'"

In 1954, collective shock over the brutal murder of Emmett Till had not yet galvanized the nation; Rosa Parks hadn't yet refused to give up her seat on a Montgomery bus; and the Rev. Martin Luther King Jr.'s "I Have a Dream" speech was still years – and worlds – away.

–BRIAN WILLOUGHBY

**1955** Between 1955 and 1960, federal judges will hold more than 200 school desegregation hearings.

**1956** Forty-nine percent of Americans – 61 percent of Northerners and 15 percent of Southerners – believe that Whites and Blacks should attend the same schools.

Tennessee Governor Frank Clement calls in the National Guard after white mobs attempt to block the desegregation of a high school.

**1956** Under court order, the University of Alabama admits Autherine Lucy, its first African American student. White students and residents riot. Lucy is suspended and later expelled for criticizing the university.



FRANCIS MILLER/TIME LIFE PICTURES



NEW YORK TIMES CO./DRENNAN/ARCHIVE PHOTOS

The Virginia legislature calls for "massive resistance" to school desegregation and pledges to close schools under desegregation orders.

**1957** More than 1,000 paratroopers from the 101st Airborne Division and a federalized Arkansas National Guard protect nine black students integrating Central High School in Little Rock, Ark.

**1958** The Supreme Court rules that fear of social unrest or violence, whether real or constructed by those wishing to oppose integration, does not excuse state governments from complying with *Brown*. (*Cooper v. Aaron*)

Ten thousand young people march in Washington, D.C., in support of integration.

**1959** Twenty-five thousand young people march in Washington, D.C., in support of integration.

Prince Edward County, Va., officials close their public schools rather than integrate them. White students attend private academies; black students do not head back to class until 1963, when the Ford Foundation funds private black schools. The Supreme Court orders the county to reopen its schools on a desegregated basis in 1964. >>



# Brown is...

Prominent Americans reflect on the historic desegregation ruling

TEACHING TOLERANCE asked a number of commentators, activists, educational leaders, politicians and others to respond to a series of open-ended questions about the legacy and impact of *Brown v. Board*. Here is a sampling of their responses. >>





**Jean AbiNader**, board member of the Arab American Institute and former president of the U.S.-Arab Chamber of Commerce



**Julian Bond**, longtime civil rights activist, former Georgia legislator and chairperson of the NAACP



**Morris Dees**, attorney, advocate and co-founder of the Southern Poverty Law Center



**John Hope Franklin**, author, scholar and the James B. Duke Professor Emeritus of History at Duke University

### HOW DID BROWN AFFECT YOUR OWN EDUCATION?

**CHERYL BROWN HENDERSON** I began my formal schooling in the fall of 1955 in the wake of (*Brown v. Board*). The only glaring difference was that unlike my mother and sisters I have been educated kindergarten through graduate school without being taught by a person of color.

**ROD PAIGE** I was in my junior year of college, at Jackson State University, in 1954. The psychological impact

of *Brown v. Board* impacted me directly, as it did every other African American in the United States. There was tremendous jubilation, a feeling of finally having arrived, a feeling that we had overcome a great burden, and that now, the world of opportunity was opening up for us.

**BEVERLY DANIEL TATUM** While I come from a long line of African American educators (I am a fourth-generation college professor), my generation is the only generation to have been educated entirely in predominantly white schools. I have had educational choices throughout my education that were not available to my parents or the generations that preceded them.

**MINNIJEAN BROWN TRICKEY** What *Brown* actually did for me personally was to open the possibility that I could attend the big beautiful school that was 11 blocks from my house ... Central High School, with a stadium, a gym ... science labs ... new textbooks. *Brown* made me think I could attend Central, because it was there, and I had a right to go to the school of my choice. *Brown* also forced the reluctant President Eisenhower to act to protect me from the unruly mobs surrounding Central High School, by sending federal troops.

**JUAN WILLIAMS** I attended public schools in Brooklyn, N.Y., during the 1960s. Those schools were very integrated. It was before the massive



ART SHAY/TIME-LIFE PICTURES

**1960** In New Orleans, federal marshals shield 6-year-old Ruby Bridges from an angry crowd as she attempts to enroll in school.

**1961** A federal district court orders the University of Georgia to admit African American students Hamilton Holmes

and Charlayne Hunter. After a riot on campus, the two are suspended. A court later reinstates them.

**1962** A federal appeals court orders the University of Mississippi to admit James Meredith, an African American student. Upon his arrival, a mob of more than 2,000 white people riots.

**1963** Sixty-two percent of Americans – 73 percent of Northerners and 31 percent of Southerners – believe Blacks and Whites should attend the same schools. >>



LYNN DELHAM/TIME-LIFE PICTURES



FRANCIS MILLER/TIME-LIFE PICTURES



**Cheryl Brown Henderson**, daughter of the late Rev. Oliver Brown, namesake of *Brown v. Board*, and co-founder of the Brown Foundation



**Gary Locke**, governor of Washington state



**Rod Paige**, U.S. Secretary of Education



**Dan Rather**, anchor and managing editor of CBS Evening News

white flight from the Crown Heights section of Brooklyn. I went to schools with Jewish children, Irish children, Italian children and a stunning range of immigrant children from around the world. But as each year went by the number of white children in the schools declined as the neighborhood became more and more black and brown.

**HOW, IF AT ALL, HAS BROWN V. BOARD CHANGED OPINIONS ABOUT THE MYTH OF RACIAL INFERIORITY?**

**JULIAN BOND** For African Americans, it reinforced pre-existing assumptions they had of equality with Whites, and gave sanction from the nation's highest court that their long-denied (struggle) for equality was just and right.

**CHERYL BROWN HENDERSON** Much like the Truman administration's decision to integrate the armed forces, the *Brown* decision played a pivotal role in addressing the country's image abroad. We could not hold ourselves up as a world leader speaking with a moral voice, when U.S. policy makers were engaged in human rights abuses at home. *Brown* began the process of changing attitudes and beliefs about the value of all people by forcing the country to take a critical look at itself.

**MINNIJEAN BROWN TRICKEY** Nothing has truly changed opinions about racial inferiority in the United States. ... (R)acial inferiority was embedded in the national psyche, beginning with the indigenous peoples who were already here, continuing with Africans who were imported. ... Almost as soon as slavery was outlawed, *Plessy* was ushered in to codify and actually rejuvenate racism. Now that

**“Brown was an American action. It was an action that impacted the United States of America and all of us. It was good for our nation. It was not just good for the ethnic African American community, but for every community, even Anglos who attended schools that had shut out that part of the world.”** –Rod Paige



JOSEPH SCHERSCHIEL/TIME LIFE PICTURES

Fort Worth, Texas, 1956

[compared with *Brown*] was a well-implemented decision.

**DAN RATHER** ... (I)n the parts of America where segregation was a way of life, it was taken as an almost unexamined fact among Whites that people of African American heritage were in some way mentally inferior. This ugly surmise was accepted and very seldom questioned where I grew up. Fifty years ago, just about every white person I knew held this view in one way or another; today, I don't think I personally know anyone who believes such a thing. That's as dramatic and important a change as one could imagine, and it is absolutely clear

in my mind that it began with ... *Brown v. Board*.

**WHAT OTHER MOVEMENTS, CAMPAIGNS OR CAUSES DID BROWN V. BOARD AID OR INSPIRE?**

**MINNIJEAN BROWN TRICKEY** It was designed for schools, but it created openings to challenge discrimination in every other area, from interstate transportation to voting. ... If a whole bunch of white men – rich, powerful white men of the Supreme Court – could see the error of segregation, I think it definitely opened up the possibility that everyone could see some hope in other areas, too.

PHOTO CREDITS: PAGE 49: JEAN ABINADER, ARAB AMERICAN INSTITUTE; JULIAN BOND, PAUL GREEN, MORRIS DEES, PENNY MEYER, JOHN HOPE FRANKLIN, DUKE UNIVERSITY; CHERYL BROWN HENDERSON, THE BROWN FOUNDATION; GARY LOCKE, WASHINGTON GOV. OFFICE; ROD PAIGE, U.S. DEPT. OF EDUCATION; DAN RATHER, GETTY IMAGES; LORETTA SANCHEZ, U.S. CONGRESS; BEVERLY DANIEL TATUM, SPELMAN COLLEGE; MINNIJEAN BROWN TRICKEY, PERSONAL; ROD MEYER, NATIONAL EDUCATION ASSOCIATION; MICHAEL R. WENGER, PERSONAL; JUAN WILLIAMS, CADE MARTIN





**Loretta Sanchez,**  
Congresswoman  
from California



**Beverly Daniel  
Tatum,** president of  
Spelman College  
and author of *Why  
Are All the Black  
Kids Sitting Together  
in the Cafeteria?*



**Minnijean Brown  
Trickey,** social-  
justice activist and  
member of the Little  
Rock Nine who inte-  
grated Central High  
in 1957



**Reg Weaver,** former  
middle-school sci-  
ence teacher and  
president of the  
National Education  
Association

**“When you look at *Brown* you are looking at moment so powerful it is the equivalent of the Big Bang in our solar system.”** —Juan Williams

**MICHAEL R. WENGER** (*Brown*) ... inspired a number of other movements, including the movement for Mexican farm worker rights led by Cesar Chavez, who formed the United Farm Workers in 1962. The movements for equal rights for women and for the rights of disabled citizens also can be traced to the civil rights struggles of African Americans, and therefore, to the *Brown* decision.

**DAN RATHER** It is important to note that *Brown v. Board* did not, by itself, open (school doors) completely and perfectly, but *Brown v. Board* was

the prybar that began the long and unfinished work of making America a desegregated society.

**HOW DID *BROWN V. BOARD* AFFECT THE CIVIC RESPONSIBILITIES OF AMERICANS, INCLUDING PEOPLE OF COLOR AND WHITE PEOPLE?**

**MORRIS DEES** In many communities *Brown v. Board* caused Whites and Blacks to work together to better education for all people. Before *Brown v. Board*, a lot of Whites really didn't

take a personal interest in black education since white children were in segregated schools. On the other hand, it worked in an opposing fashion: The decision instigated white flight and Whites' abandonment of their civic responsibilities. Private schools were opened, and communities refused to support bond issues.

**MICHAEL R. WENGER** *Brown* ... empowered people who historically had been relegated to second-class

> **1963** Two African American students, Vivian Malone and James A. Hood, successfully register at the University of Alabama despite George Wallace's "stand in the schoolhouse door" — but only after President Kennedy federalizes the Alabama National Guard.

For the first time, a small number of black students in Alabama, Mississippi, Louisiana and Mississippi attend public elementary and secondary schools with white students.

**1964** The Civil Rights Act of 1964 is adopted. Title IV of the Act authorizes the federal government to file school desegregation cases. Title VI of the Act prohibits discrimination in programs and activities, including schools, receiving federal financial assistance.

The Rev. Bruce Klunder is killed protesting the construction of a new segregated school in Cleveland, Ohio.

**1968** The Supreme Court orders states to dismantle segregated school systems "root and branch." The Court identifies five factors — facilities, staff, faculty, extracurricular activities and transportation — to be used to gauge a school system's compliance with the mandate of *Brown*. (*Green v. County School Board of New Kent County*) In a private note to >>



SHELL HERSHORN/TIME-LIFE PICTURES



**Michael R. Wenger**, special consultant to the Joint Center for Political and Economic Studies



**Juan Williams**, journalist, NPR commentator and author of *Eyes on the Prize: America's Civil Rights Years, 1954-1965*

**“We should celebrate *Brown* on its golden anniversary, but our celebration will be a hollow one if we do not insist that our elected officials put an immediate end to the inadequate and unequal funding of public schools that serve poor children.”**

—Reg Weaver

citizenship, created a spirit of common cause and common sacrifice among people of color and many white people, especially young people, and inspired the leadership of Dr. King and others, including white people like Walter Reuther, then head of the United Auto Workers Union, and Rabbi Joachim Prinz, both of whom were prominent speakers at the March on Washington in August, 1963, where Dr. King delivered his famous “I Have A Dream” speech.

**ARE STUDENTS BETTER OFF TODAY THAN BEFORE *BROWN V. BOARD*?**

**BEVERLY DANIEL TATUM** Certainly having legal access to the well-funded schools often found in white communities is better than being legally denied access. However, it is important to say that many adults who grew up in segregated schools often cite the high expectations communicated to them by their black teachers, and the positive learning environment that they experienced. Regrettably many of those black teachers were displaced when school districts merged ... and students of color sometimes found themselves in unwelcoming or even hostile learning environments.

**REG WEAVER** Even though Jim Crow in our schools is dead, the reality is that millions of African American, Hispanic

and other minority children still go to segregated schools and receive an education inferior to that received by most white children. Many schools in urban and rural areas are in critical condition – buildings are crumbling and overcrowded, too many teachers are uncertified, class sizes are too large, and student achievement is dimly low. ... For many children, the reality is still separate and unequal.

**JUAN WILLIAMS** The cultural acceptance of inferior schools for black and brown children is gone. Americans know this is wrong. The problem is that people close their eyes. But legal action and public policy arguments rage today over how to improve those schools. That is why the controversy over vouchers, charter schools and the use of magnet schools is at the center of any discussion of public education in America today.

**WE OFTEN THINK OF *BROWN V. BOARD* IN A BLACK/WHITE CONTEXT. HOW HAS THE DECISION AFFECTED OTHER MINORITY AND IMMIGRANT GROUPS?**

**GARY LOCKE** *Brown* recognized the complexity of racism and the profoundly permanent effects of



Segregated school, Kansas, 1953

CARL IWASAKI/TIME-LIFE PICTURES

segregation on minority students – what Thurgood Marshall referred to as the “badge of inferiority.” *Brown* also attacked a pernicious, cowardly and inhumane practice – the physical separation of a segment of our society solely because of race. This same mentality led to the internment of the Japanese during World War II, and can be found elsewhere in our history. The *Brown* decision elevated public debate on the harms of segregation and arguably forced a more responsible view of past mistakes and what we can learn from them.

**LORETTA SANCHEZ** All Americans, both new and more established Americans, have been affected by this court decision. The fact that new Americans are not classified and put into particular schools speaks to that fact. In Orange County alone, we have children from homes where the primary language spoken is one other than English. At last count, there were 93 different languages being spoken around the county.

**HOW DID *BROWN V. BOARD* AFFECT HISTORICALLY BLACK COLLEGES AND UNIVERSITIES, AS WELL AS**

## OTHER AFRICAN AMERICAN SOCIAL INSTITUTIONS, BUSINESSES AND HOUSES OF WORSHIP?

**JULIAN BOND** Over the long haul it may actually have hurt some black colleges; by opening the doors of white schools, it allowed a black brain-drain of students and eventually faculty to occur, weakening these schools considerably. It undoubtedly hurt black public school teachers and principals — not the decision itself, but the perverse way the



FRANCIS MILLER/TIME LIFE PICTURES

Justice Brennan, Justice Warren writes: “When this opinion is handed down, the traffic light will have changed from *Brown* to *Green*. Amen!”

**1969** The Supreme Court declares the “all deliberate speed” standard is no longer constitutionally permissible and orders the immediate desegregation of Mississippi schools. (*Alexander v. Holmes County Board of Education*)

**▲ 1971** The Court approves busing, magnet schools, compensatory education and other tools as appropriate remedies to overcome the role of residential segregation in perpetuating racially segregated schools. (*Swann v. Charlotte-Mecklenberg Board of Education*)

**1972** The Supreme Court refuses to allow public school systems to avoid desegregation by creating new, mostly

white South unwillingly, grudgingly and reluctantly permitted it to be enforced. They insisted on closing black schools and transferring black students to white schools.

**JOHN HOPE FRANKLIN** Black newspapers like Pittsburgh *Courier*, the Chicago *Defender*, the Norfolk *Journal and Guide* used to have major distribution in cities across the nation. When white newspapers started to carry black news sections (which were sometimes left out from papers for white readers) and were later integrated, the influence of

or all-white “splinter districts.” (*Wright v. Council of the City of Emporia; United States v. Scotland Neck City Board of Education*)

*Brown*’s legacy extends to gender. Title IX of the Educational Amendments of 1972 is passed prohibiting sex discrimination in any educational program that receives federal financial assistance.

**1973** Section 504 of the Rehabilitation Act is passed prohibiting schools from discriminating against students with mental or physical impairments.

The Supreme Court rules that states cannot provide textbooks to racially segregated private schools to avoid integration mandates. (*Norwood v. Harrison*)

The Supreme Court finds that the Denver school board intentionally segregated Mexican American and black students from white students. (*Keyes v. Denver School District No. 1*) The Court distinguishes between state-mandated segregation (*de jure*) and segregation that is the result of private choices (*de facto*). The latter form of segregation, the Court rules, is not unconstitutional

The Supreme Court rules that education is not a “fundamental right” and that

black newspapers began to decline. *Brown v. Board* also has significant effect on libraries: Blacks gained access to libraries and information. Books by African American writers and new subjects, like black history and literature, have been added.

**BEVERLY DANIEL TATUM** Many social organizations that were once all white are now “integrated.” However, ... residential segregation has largely persisted for African Americans. White flight continues to be a reality in urban/suburban communities,

the Constitution does not require equal education expenditures within a state. (*San Antonio Independent School District v. Rodriguez*) The ruling has the effect of locking minority and poor children who live in low-income areas into inferior schools.

**1974** The Supreme Court blocks metropolitan-wide desegregation plans as a means to desegregate urban schools with high minority populations. (*Milliken v. Bradley*) As a result, *Brown* will not have a substantial impact on many racially isolated urban districts.

Non-English-speaking Chinese students file suit against the San Francisco Unified School District for failing to provide instruction to those with limited English proficiency. The Supreme Court rules that the failure to do so violates Title VI’s prohibition of national origin, race or color discrimination in school districts receiving federal funds. (*Lau v. Nichols*)

**1978** A fractured Supreme Court declares the affirmative action admissions program for the University of California Davis Medical School unconstitutional because it set aside a specific number of seats for black and Latino students. The Court rules that race can be a factor in university admissions, but it cannot be the deciding factor. (*Regents of the University of California v. Bakke*) >>

and worship services continue to be highly segregated; even black people who live in predominantly white communities often choose to travel to other locations to attend a church with a black congregation.

**BROWN V. BOARD WAS NOT EASILY IMPLEMENTED, AND SCHOOLS IN MANY AREAS HAVE GONE FROM INTEGRATION TO RESEGREGATION. DO YOU THINK WE'RE STILL RESISTING THE SPIRIT OF BROWN V. BOARD? IF SO, HOW?**

**JOHN HOPE FRANKLIN** (T)here has been a return to neighborhood schools, effectively returning to segregated schools that follow housing segregation patterns. Even in Durham, N.C., where I live, where there is significant desegregated housing, still, many parents send their children to segregated schools by choice.

**GARY LOCKE** The battles have changed since *Brown*, but the stakes are the same and they are very high. Equality in public education is a birthright, and we must continue in our efforts to close this achievement gap. Just as *Brown* made historic progress 50 years ago, today we have an important opportunity – and a moral responsibility – to advance the cause of equality in our schools.

**ROD PAIGE** I think the most devastating segregation now is the division among the academic accomplishments of children. It's among those kids who have the academic foundations to learn and those who do not. It's among kids who have access to early cognitive development programs and those who do not. It's among those children who have solid parental support for their literary pursuits and those who do not.

**BEVERLY DANIEL TATUM** Yes, the resistance is visible in the continuing pattern of residential segregation. However, we can also see increased comfort with interracial interaction



Linda Brown (center) and classmates, 1953

CARL IWASAKI/TIME-LIFE PICTURES

**“Dismantling the results of hundreds of years of white supremacy required more than a Supreme Court decision.”** –Minnijean Brown Trickey

as seen in the growing numbers of multiracial families, and the greater diversity in the workplace.

**BROWN V. BOARD HAPPENED 50 YEARS AGO. WHERE WILL WE BE, IN TERMS OF INTEGRATED EDUCATION AND OTHER ISSUES RAISED BY BROWN V. BOARD, IN THE COMING 50 YEARS?**

**MORRIS DEES** Fifty years from now a lot of the problems will have disappeared. As minority students get an opportunity for better education and integrating themselves as professionals into society, there will be less resistance to going to school with people of color. Eventually, our grandchildren and great-grandchildren will think it is quite ordinary.

**BEVERLY DANIEL TATUM** ... The growing divide between the rich and the poor is of concern. The poor (regardless of race) are increasingly socially isolated, and while this isolation is a problem for

poor Whites, it is even more difficult to overcome for poor people of color. The socioeconomic divide seems to be getting worse and does not bode well for our society.

**DAN RATHER** I have no doubt that 50 years from now my children and grandchildren will live in an America that is far more desegregated than it remains now — which is in turn far more desegregated than even the pioneers of ending segregation may have foreseen 50 years ago.

**WAS BROWN V. BOARD WORTH IT?**

**JULIAN BOND** Yes, it was. But the result could have been better had not the resistance been so strong and the commitment so weak.

**JUAN WILLIAMS** *Brown* not only triggered radical changes in schools but it was the singular event that prompted heightened expectations for equality among black and white

Americans. ... (*Brown*) led to the Civil Rights Act of 1964 and the Voting Rights Act of 1965. It led to sit-ins and bus rides and freedom marches. And even today, as we argue about affirmative action in colleges and graduate schools, the power of *Brown* continues to stir the nation.

#### WHAT CAN SOMEONE DO TODAY, WITH REGARD TO THE ISSUES OF *BROWN V. BOARD*, TO MAKE A DIFFERENCE?

**JEAN ABINADER** *Brown v. Board* demonstrated that activism does not only mean being in the streets. It

means that all of us, as voters, parents, students, immigrants, workers, clergy, educators, etc., can make a difference in our own way if we participate, organize and mobilize.

**BEVERLY DANIEL TATUM** Work to interrupt the cycle of racism and classism. Challenge the stereotypes about people of color. Teachers in particular can actively embrace multicultural education in their classrooms, and encourage their students to think critically about the stereotypes they see in the media.

**MINNIJEAN BROWN TRICKEY** Education, of course, for all citizens! ... The commitment to education in this country is secondary to military actions and spending. We should think about our real societal values. Maybe we should begin to “democratize” the U.S., by making a true commitment to education for all people.

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— Reported by Cynthia Pon, Emily Vickery, Dana Williams and Brian Willoughby of the *Teaching Tolerance and Tolerance.org* staffs

**1982** The Supreme Court rejects tax exemptions for private religious schools that discriminate. (*Bob Jones University v. U.S.*; *Goldboro Christian Schools v. U.S.*)

**1986** For the first time, a federal court finds that once a school district meets the *Green* factors, it can be released from its desegregation plan and returned to local control. (*Riddick v. School Board of the City of Norfolk, Virginia*)

**▼ 1988** School integration reaches its all-time high; almost 45 percent of black students in the United States are attending majority-white schools.

**1991** Emphasizing that court orders are not intended “to operate in perpetuity,” the Supreme Court makes it easier for formerly segregated school systems to fulfill their obligations under desegregation decrees. (*Board of Education of Oklahoma City v. Dowell*) After being released from a court order, the Oklahoma City school system abandons its desegregation efforts and returns to neighborhood schools.

**1992** The Supreme Court further speeds the end of desegregation cases, ruling that school systems can fulfill their obligations in an incremental fashion. (*Freeman v. Pitts*)

The Supreme Court rules that the adoption of race-neutral measures does not,

by itself, fulfill the Constitutional obligation to desegregate colleges and universities that were segregated by law. (*United States v. Fordice*)

**1995** The Supreme Court sets a new goal for desegregation plans: the return of schools to local control. It emphasizes again that judicial remedies were intended to be “limited in time and extent.” (*Missouri v. Jenkins*)

**1996** A federal appeals court prohibits the use of race in college and university admissions, ending affirmative action in Louisiana, Texas and Mississippi. (*Hopwood v. Texas*)

**2001** White parents in Charlotte, N.C., schools successfully seek an end to the desegregation process and a bar to the use of race in making student assignments.

**2002** A report from Harvard’s Civil Rights Project concludes that America’s schools are resegregating.

**2003** The Supreme Court upholds diversity as a rationale for affirmative action programs in higher education admissions, but concludes that point systems are not appropriate. (*Grutter v. Bollinger*; *Gratz v. Bollinger*)

A federal district court case affirms the value of racial diversity and race-conscious student assignment plans in K-12 education. (*Lynn v. Comfort*)

A study by Harvard’s Civil Rights Project finds that schools were more segregated in 2000 than in 1970 when busing for desegregation began.

**2004** The nation marks the 50th anniversary of *Brown v. Board of Education*.

—COMPILED BY JENNIFER HOLLADAY



RALPH CRANE/TIME-LIFE PICTURES

**“The problem of the 21st century will be the problem of the color line. ... By any standard of measurement or evaluation the problem has not been solved in the 20th century and thus becomes part of the legacy and burden of the next century.”**

—Historian John Hope Franklin, echoing turn and the words of W.E.B. DuBois at a different century’s turn

BY GARY ORFIELD AND ERICA FRANKENBERG

# Where are we now?

School desegregation, celebrated as a historic accomplishment, is being abandoned in practice as much of urban America turns back to segregated neighborhood schools. The abandonment is driven, in part, by Supreme Court decisions ending desegregation orders.

Some say that this demonstrates that desegregation failed and that we are worse off than before the famous court decision whose 50th anniversary we are celebrating.

Others assume — perhaps because of the little discussion of desegregation in educational policy debates — that we have done all that can be done.

Still, an overwhelming majority of Americans favor desegregated schools. Likewise, almost all parents want their children to be prepared to get along with children of all backgrounds in a society that is on pace to become half non-white within their lifetimes.

According to a recent Gallup Poll, increasing majorities of Americans believe that integration has improved the quality of education for both Blacks and Whites. This does not mean that most Americans do not also prefer neighborhood schools — they do — but it makes clear that most people would like integrated schools if they didn’t have to do anything in order to get them.

The truth about the desegregation story is that we did accomplish a great deal — when we were serious about it.

When all branches of government worked together for a few years in the 1960s, the South went from almost total racial separation to become the region with the nation’s most integrated schools. In fact, most parents whose children went to integrated schools and most students who now attend them see it as a very positive experience that tends to have lasting impacts on their lives.

But we, the people, haven’t put any real effort into desegregation in several decades. Perhaps because we have failed to demand continued diligence in creating an integrated society, our executive and legislative leaders have forgotten the promise of *Brown* — while the courts have been moving backward.



At the dawn of the 21st century, education for Blacks is more segregated than it was in 1968.

Black students are the most likely racial group to attend what researchers call “apartheid schools,” schools that are virtually all non-white and where poverty, limited resources, social strife and health problems abound. One-sixth of America’s black students attend these schools.

Whites are the most segregated group in the nation’s public schools. Only 14 percent of white students attend multiracial schools (where three or more racial groups are present).

Latino students are the most segregated minority group in U.S. schools. They are segregated by race and poverty; immigrant Latinos also are at risk of experiencing linguistic segregation.

Asian American students are the most integrated group in the nation’s public schools. Three-fourths of Asian Americans attend multiracial schools.

#### WHY SHOULD WE CARE?

School desegregation originally began to ensure the constitutional rights for black — and later Latino — students under the Fourteenth Amendment. Fifty years later, we have additional reasons to continue *Brown’s* worthy pursuit.

First, racial segregation is strongly linked to segregation by class: Nearly 90 percent of intensely segregated schools for Blacks and Latinos are also schools in which at least half of the student body is economically disadvantaged.

These schools are traditionally associated with fewer resources, fewer advanced course offerings, more inexperienced teachers and lower average test scores. At the same time, despite the unequal resources that are traditionally associated with high poverty and minority schools, students in these schools are being subjected to increasingly rigorous testing that can have serious stakes attached for student promotion and graduation.

Second, decades of social science research has found that racially diverse classrooms improve student experiences:

enhanced learning, higher academic achievement for minorities, higher educational and occupational aspirations, increased civic engagement, a greater desire to live, work, and go to school in multiracial settings, and positive, increased social interaction



among members of different racial and ethnic backgrounds. Significantly, these benefits affect both white and minority students.

#### THE POWER TO CHANGE

Today our public schools are more segregated than they were in 1970, *before* the Supreme Court ordered busing and other measures to achieve desegregation.

Supreme Court decisions of the 1990s have made it easier for urban school districts to be released from decades-old desegregation plans.

In some areas, very high levels of integration remain. In others, particularly our large central city districts that educate one-quarter of black and Latino students, high levels of isolation by race and poverty exist. In many large suburban districts, rapid racial change and spreading segregation are occurring.

We have learned a great deal about how to design policies to encourage racial diversity, such as coordinating efforts to tackle residential and school desegregation.

As our country grows increasingly multiracial and this diversity expands

*A Multiracial Society with Segregated Schools: Are We Losing the Dream?*, a 2003 report from social scientists at Harvard’s Civil Rights Project, outlines the nature and scope of contemporary school segregation. Download a free copy online at [www.civilrightsproject.harvard.edu](http://www.civilrightsproject.harvard.edu); click on “Research.”



GETTY IMAGES

Racial segregation in schools is strongly linked to segregation by class. Nearly 90 percent of intensely segregated, black and Latino schools are also schools where at least half of the student body is economically disadvantaged.

Residential segregation impacts schools. With the decrease in busing to achieve school integration and the overwhelming return to neighborhood schools, where we live matters.

Today's segregated schools are still unequal. Segregated schools have higher concentrations of poverty, much lower test scores, less experienced teachers and fewer advanced placement courses.

Students in integrated schools perform better on tests, possess elevated aspirations for educational and occupational attainment, and lead more integrated lives.



LOUISE J. GUBBI/IMAGE WORKS

the school does not minimize interracial exposure. To that end, teachers must be trained in techniques to create positive environments that maximize the benefits of racial diversity. And students must rise up and help us cross our nation's long-standing racial and ethnic divide.

Finally, we — young and old, rich, poor and working class — all of us, across racial and ethnic lines, must remember the words of the Rev. Dr. Martin Luther King:

“Desegregation simply removes ... legal and social prohibitions. Integration is creative, and is therefore more profound and far-reaching. Integration is the positive acceptance of desegregation and the welcomed participation of Negroes into the total range of human activities.”

His solution, as ours should be, is not to abandon desegregation, but to deepen it.

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*Gary Orfield is a professor of education and social policy at the Harvard Graduate School of Education and co-director of the Civil Rights Project at Harvard University. Erica Frankenberg is a doctoral student at the Harvard Graduate School of Education.*

into our suburban areas, we must think carefully about not replicating policies of resegregation that have produced the overwhelmingly minority and poor inner-city school systems.

The growth of the charter school movement, which neglected segregation issues and has unfortunately contributed to resegregation, especially for black students, is an example of how essential it is to incorporate equity provisions into any new education reform, particularly when residential segregation remains so high.

We must ensure that where desegregated schools exist, segregation within





**“(Brown) embodies the best of our hopes and ideals. It resonates with our best selves and our highest and most honorable callings. It springs from our bedrock national commitment to freedom, justice and equality. In a sense, Brown is a metaphor for the American dream.”**

—From *Brown v. Board of Education: A Brief History with Documents*, by Waldo E. Martin Jr.

# A New Milestone Decade

BY MICHAEL R. WENGER

On May 17, 1954, the world changed. The unanimous declaration by the U.S. Supreme Court in *Brown v. Board of Education* that “separate” is “inherently unequal” became the legal cornerstone of efforts to dismantle racial segregation, not only in public schools, but in public accommodations, the workplace, housing and the voting booth.

*Brown’s* reverberations were not limited to the law. The decision empowered those who had been second-class citizens and set the stage for an unparalleled decade of sweeping social, political and economic change.

From 1954 to 1964 the journey toward racial justice was relentless. Each year of that decade produced milestone events in the journey.

This “Milestone Decade,” culminating with the enactment of the Civil Rights Act of 1964, was fueled by a spirit of common cause and common sacrifice among diverse groups and individuals in communities across the country. Blacks and Whites, especially young people, marched together — and died together — for the cause of justice. Their sacrifices inspired others — groups like the farm workers led by Cesar Chavez — to launch additional quests for freedom.

Unfortunately, the journey toward justice has not reached its ultimate destination. Today, we confront persistent racial and ethnic disparities in education and economic opportunity as well as deep racial and ethnic divisions. In too many places, our schools are still largely separate and unequal.

The 50th anniversary of *Brown* presents a unique opportunity to launch “A New Milestone Decade,” reawakening the spirit of common cause and common sacrifice.

Imagine the public attention we could spark if we took advantage of the many 50th anniversary milestones that will occur from 2004 to 2014 to re-energize the journey toward justice for all.

Imagine the new allies we could enlist in a determined effort to create a society of truly equal opportunity in an era of changing demographics, technological revolution and globalization.

Imagine the power we could generate if we put aside turf wars and political partisanship and invited all fair-minded Americans to join a journey toward justice during “A New Milestone Decade.”

In communities across the country, dedicated organizations and individuals, often in isolation, work to build a more inclusive and just society. Creating “A New Milestone Decade” can unite us all in common cause, widening our circle of allies and building relentless momentum for completing the journey begun a half century ago.

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*Michael R. Wenger is a special consultant to the Joint Center for Political and Economic Studies.*



# MILESTONES TO REMEMBER



Central High School, 1957

## IN 2005, WILL YOU REMEMBER ...

The determination of Rosa Parks who, in 1955, refused to move from her bus seat? Will you remember the conviction of the black residents of Montgomery, Ala., who boycotted city buses and walked and carpoled to work for 381 days, demanding the end of segregated busing in the city and elsewhere?

## IN 2006, WILL YOU REMEMBER ...

The voice of the U.S. Supreme Court, which declared in 1956's *Browder vs. Gayle* that Mrs. Parks and Montgomery's boycotters were right – that bus segregation laws defied our Constitution's principles of equality and freedom?

## IN 2007, WILL YOU REMEMBER ...

The bravery and fear of nine black school children who integrated Little

Rock's Central High School in 1957, encountering white rage so hot that federalized troops had to attend school, too?

## IN 2008, WILL YOU REMEMBER ...

The hope of 10,000 students who participated in the 1958 Youth March for Integrated Schools?

## IN 2009, WILL YOU REMEMBER ...

The groundswell of youth – 25,000 strong – who joined the second Youth March for Integrated Schools in 1959?

## IN 2010, WILL YOU REMEMBER ...

The defiance of North Carolina college students who in 1960 began sit-ins at Whites-only lunch counters, prompting a nation to confront segregation in public facilities?

## IN 2011, WILL YOU REMEMBER ...

The blood spilled by Freedom Riders – black, white and brown, Christian and Jew, from across the U.S. – who dared to travel the South in 1961 in integrated buses and were met all too often by violence?

Will you remember Freedom Rider Walter Bergman, beaten so badly by



Cesar Chavez, 1962

a white mob in Anniston, Ala., that he suffered a stroke and spent the rest of his life in a wheelchair?

## IN 2012, WILL YOU REMEMBER ...

The victims of a 1962 riot at the University of Mississippi, which was spawned by violent white resistance to the enrollment of James Meredith, a black student? Will you remember the 28 federal marshals who were shot, the 130 people injured and the death of European reporter Paul Guilhard, killed by a mob's rage?

Will you remember that in 1962, Cesar Chavez created the United Farm Workers Association to confront the plight of California's Latino migrant farm workers



Rosa Parks on integrated bus, 1956

March on Washington for Jobs and Freedom, 1963



Freedom Riders, 1961



1964 and spoke to equality: “In the United States of America, in our democracy, you don’t have to pay to vote”?

Will you remember that in 1964 Patsy Mink became the first Asian American woman elected to the U.S. Congress – a reminder that great Americans come from all ethnicities and races?

– and reminded us all that political and economic freedom transcends the black/white paradigm?

**IN 2013, WILL YOU REMEMBER ...**

The 250,000 people who traveled from across our great nation to converge at the 1963 March on Washington for Jobs and Freedom? Will you take the time to read the entire “I Have a Dream” speech the Rev. Dr. Martin Luther King Jr. delivered that day?

**IN 2014, WILL YOU REMEMBER ...**

Our nation ratified the 24th Amendment in

Will you remember that in 1964 the Rev. Bruce Klunder was killed – run over by a bulldozer – protesting at a construction site for a new segregated school in Ohio? Will you remember that the struggle for equal education exists in every region of our great nation?

Will you remember the efforts of the 1,000

young volunteers during 1964’s Freedom Summer to register African Americans in Mississippi to vote? Will you remember that their work was not easy – that three civil rights workers were murdered that summer, that dozens of volunteers were beaten, 37 black churches bombed and 30 homes burned?

Will you remember that, finally, after centuries of endurance by people of

color, after a decade of organized, multiracial struggle and sacrifice, the U.S. Congress finally passed the Civil Rights Act of 1964, prohibiting racial discrimination in public accommodations and employment?

**AND NEVER FORGET...**

The struggle for justice, equality and freedom did not end in 1964.

– MICHAEL R. WENGER AND JENNIFER HOLLADAY



Patsy Mink (right), 1964

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## SPECIAL SECTION

# CLASSROOM ACTIVITIES

Pages 40-63 of this magazine are designed for use with students in grades 7-12. Photocopy these pages and use them in your classroom, in combination with the activities below.

### GENERAL DISCUSSION QUESTIONS

1. What do you think segregated schools were like in pre-1954 America? In what parts of the country were schools segregated? Were schools in your state segregated? How was the experience of a black student in public school different from that of a white student?
2. The *Brown* decision called for school desegregation to happen with “all deliberate speed.” How quickly – and how fully – do you think schools desegregated?
3. The Supreme Court decision has come to be known, in shorthand form, as *Brown v. Board of Education*. But that one name represents several cases. What other cities and states were involved in court battles to end public school segregation? How were these cases alike? How were they different?
4. What is segregation? Does it still exist? Other than schools, where have segregation battles been fought?
5. Different groups in the United States reacted differently to the *Brown* decision. How did African Americans react? Were all African Americans in favor of the decision? How did white Americans react? Where in the United States was the strongest reaction felt against *Brown*?
6. Is your school segregated? In what ways? What could you do to work against that segregation, bringing more integration to your school?
7. Do you believe in what *Brown v. Board* stands for? How close to – or far from – fully embracing the *Brown* decision are we, as a society? What else needs to happen for us to move closer to the ideals of *Brown*?
8. How would schools have looked in your area had the Supreme Court not ruled against segregation in 1954? How would your life, and the lives of other students, be different?

### PROJECT IDEAS

## An American Legacy

This concise history examines school segregation, the *Brown* case and its relevance in the ongoing struggle for school equity. Build on this history using one or more of the following activities.

1. The Supreme Court concluded in its *Brown* decision that “separate educational facilities are inherently unequal.” Using the web or school library, research how the resources of segregated schools differed. Construct 3-D models of a white school and a school for children of color in the pre-*Brown* era.
2. Create songs, raps, poems or spoken word pieces about the legacy of *Brown*. Host a school assembly to showcase students’ work.
3. Pretend it’s May 17, 1954. Write the front-page headline and lead story for your local newspaper. Use poster board or multi-media to display students’ stories – contrasted against the front page that actually ran in your community newspaper.

PAGES 40-48



## Brown Is ...

PAGES 49-56



These interviews with 14 prominent Americans delve more deeply into the legacy and impact of *Brown*. While the magazine offers excerpts of the interviews, full texts are available online at [www.teachingtolerance.org/magazine](http://www.teachingtolerance.org/magazine); click on “Brown Is ...”



1. Conduct interviews with people in your local community who experienced *de jure* segregation, who worked to overcome local school segregation or who advocate for contemporary school equity. Use *Teaching Tolerance's* interview questions as starting points. Compile written interviews into a booklet; distribute copies to school board members and other community leaders. If audio is available, work with local radio stations to create student-produced segments on *Brown*.

2. In her interview, Beverly Daniel Tatum says: “Many social organizations that were once all white are now ‘integrated.’ However, ... residential segregation has

largely persisted for African Americans. White flight continues to be a reality in urban/suburban communities, and worship services continue to be highly segregated.” Draw, photograph or describe in writing the places where you feel segregated. Create an “A World Apart” bulletin board display for the classroom or school hallway.

3. The people *Teaching Tolerance* interviewed believe that the promise of *Brown* has yet to be fully achieved. Inside your school's walls, does self-imposed segregation still exist? What are the boundary lines that divide students from one another? Are race and ethnicity still boundaries? What about style, athletic ability or wealth? Convene Mix It Up Dialogue Groups to talk about the social boundaries in your school and to identify ways to overcome those divisions. See [www.mixitup.org](http://www.mixitup.org); click on “Start a Mix It Up Dialogue Group.”

## Where Are We Now?

PAGES 57-59



This essay from Harvard's Civil Rights Project reminds us that American schools are resegregating. What's happening in your community?

1. Research your school district's history. When, why and how did it first begin its desegregation process? Are local schools integrated? Are they resegregating? What factors are impacting the level of integration? Discuss find-

ings at a community forum or school board meeting.

2. Integrated schools are better for all students. Brainstorm a list of integration's benefits. Use the list to create a pledge in support of continued efforts to integrate schools on the local and national levels. Gather signatures from students, parents, school workers and members of the community. Put the pledge online to garner interest

from outside your community.

3. Arrange a classroom exchange with a school that has different demographics than your school. How are students' educational experiences the same? How are they different? Help students identify a project that they can complete together – perhaps a documentary film project to visually capture disparities in their educational opportunities.

## A New Milestone Decade

PAGES 60-63



In this essay, advocate Michael R. Wenger asks students to continue the struggle for equality and justice in the U.S.

1. Students will find a variety of “milestones” listed on pages 62-63. Ask students to create timelines of their own lives for the years 2005-2014. What goals do they have for each of those years? How does attainment of those goals relate to the civil rights milestones?

2. Write letters to *Teaching Tolerance* describing actions today's students can take to honor our nation's civil rights history and to continue the journey toward a more just and integrated America.

Send letters to:

Teaching Tolerance  
400 Washington Ave.  
Montgomery, AL 36014

3. Invite speakers from local civil rights organizations to visit your classroom and describe the “persistent racial and ethnic disparities in education and economic opportunity as well as deep racial and ethnic divisions” that Wenger refers to in his essay.

### Share Your Ideas!

How are you using this special section of our magazine in your classroom? Please take a moment to email us at [editor@teachingtolerance.org](mailto:editor@teachingtolerance.org). We'll share your ideas on our website and offer you payment on publication.

## RESOURCES

### BOOKS

If you buy just one book to supplement lessons on *Brown*, purchase Waldo E. Martin Jr.'s *Brown v. Board of Education: A Brief History with Documents* (\$16.35). Offering complete or near-complete versions of relevant legal briefs and court decisions, the paperback provides a solid social history brought to life by newspaper editorials, political cartoons and other materials from the *Brown* decision era.

**Bedford/St. Martin's**  
[www.bedfordstmartins.com](http://www.bedfordstmartins.com)

*Brown v. Board of Education: The Challenge for Today's Schools* (\$19.95), edited by Ellen Condliffe Lagemann and LaMar P. Miller, offers a series of essays on a wide range of topics, including *Brown's* impact on non-black minority communities and immigrants.

**Teachers College Press**  
[www.teacherscollegepress.com](http://www.teacherscollegepress.com)

*Brown v. Board of Education: A Civil Rights Milestone and its Troubled Legacy* (\$16.95), by James T. Patterson, is a richly detailed retelling of *Brown*. One of the definitive *Brown* studies, Patterson's book includes numerous historic photographs as well as helpful charts and tables.

**Oxford University Press**  
[www.oup.com](http://www.oup.com)

*Dismantling Desegregation: The Quiet Reversal of Brown v. Board of Education* (\$19.95), by Gary Orfield, Susan E. Eaton and The Harvard Project on School Desegregation, addresses issues such as housing segregation, magnet schools and other issues related to and arising from attempts at integration.

**The New Press**  
[www.thenewpress.org](http://www.thenewpress.org)

*Reporting Civil Rights* (\$40) is a two-volume set that covers, through actual

newspaper and magazine accounts of the era, the entire struggle for civil rights in the United States. *Part One: American Journalism 1941-1963* captures the *Brown* decision, while *Part Two: American Journalism 1963-1973* covers many of the struggles associated with integration.

**The Library of America**  
[www.loa.org](http://www.loa.org)

*What Brown v. Board of Education Should Have Said: The Nation's Legal Experts Rewrite America's Landmark Civil Rights Decision* (\$18), edited with an introduction by Jack M. Balkin, is a bit heavy on legal scholarship, but the introduction offers a concise and critical look at *Brown's* history, impact and legacy.

**New York University Press**  
[www.nyupress.nyu.edu](http://www.nyupress.nyu.edu)

A quarter of a century after it was first published, Richard Kluger's *Simple Justice: The History of Brown v. Board of Education and Black America's Struggle for Equality* (\$25) remains the definitive history of *Brown*.

**Random House, Inc.**  
[www.randomhouse.com](http://www.randomhouse.com)

### ON THE WEB

The Brown Foundation for Educational Equity, Excellence and Research runs a 56K-friendly website featuring activity booklets for younger students and *The Brown Quarterly*, a publication for classroom teachers.

**www.brownvboard.org**

The National Park Service's *Brown v. Board of Education* site offers an overview of the historic site at Monroe Elementary School in Topeka, Kas.

**www.nps.gov/bvrb**

*Brown at 50*, operated by Howard University School of Law, provides an annotated chronology and full documents for relevant legal cases.

**www.brownat50.org**

The National Education Association's website catalogues *Brown* commemorative events from across the U.S. At press time, the NEA was also soliciting classroom activities.

**www.nea.org/brownvboard**

The official website of the Ruby Bridges Foundation brings visitors face-to-face with the now-grown 6-year-old girl who integrated New Orleans' schools. Articles by and about Ruby Bridges populate the site.

**www.rubybridges.org**

"Red, white, blue and *Brown* ... *Brown v. Board of Education* matters to all Americans" – this is the motto for the NAACP Legal Defense and Education Fund's commemorative website.

**www.brownmatters.org**

### FILMS

Moving from slavery to civil rights, *The Road to Brown* (\$49.95) provides a concise history of how African Americans finally won full legal equality under the Constitution. Its depiction of the interplay between race, law and history adds a crucial dimension to courses in U.S. History, Black Studies, Constitutional Law, Law & Society, Social Movements and Government.

**California Newsreel**  
[www.newsreel.org](http://www.newsreel.org)

Scheduled for release in Spring 2004, *With All Deliberate Speed: The Legacy of Brown v. Board* (\$24.95) addresses the challenges in implementing desegregation and analyzes the role of diversity and multicultural education in America today. The film includes interviews with leading scholars, including Jonathan Kozol and Beverly Daniel Tatum.

**Teleduction**  
[www.teleduction.com](http://www.teleduction.com)

Visit [www.teachingtolerance.org/](http://www.teachingtolerance.org/) magazine for additional book, web and film reviews.

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—R. Cooper, South Carolina

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—V. Vaughn, Kansas

“Powerful, informative and poignant.”

—T. Sturgill, Kentucky

# Mighty Times

View the *Mighty Times* movie trailer online at [www.teachingtolerance.org](http://www.teachingtolerance.org)

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