

## **Segregation through Brown vs. the Board of Education: A Setback or Landmark Case**

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### **Abstract**

**This article takes a look into the current state of public schools in the United States. It examines whether or not we are adhering to the verdict of the Brown vs. the Board of Education case and the dream of Dr. King. In addition, it explores a possible solution for dealing with the separate but equal issue.**

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### **Introduction**

Brown vs. The Board of Education a landmark case or one not worth fight for? Has segregation ended? Are public education facilities integrated and do Africa-Americans, Latinos, and Caucasian students have the same abilities to excel in school? These are all questions that are discussed throughout this article. If you have not thought about the issue of segregation in public schools, this article will inform and transform or solidify your thoughts in regards to this situation.

## **Background**

Brown vs. The Board of Education was a case taken all the way to the Supreme Court that questioned the notion of “separate but equal.” This was not the first case dealing with this issue that made it to our high court. Charles Hamilton Houston also known as the “Moses” of the struggle fought this same fight seventy years prior to Brown. Houston is said to be the one who paved the road for the 1954 case of Brown vs. Board of Education, which the verdict, separate but equal was unconstitutional, was passed four years after his death (Jr., 2007). “The laws and policies struck down by this court decision were products of the human tendencies to prejudice, discriminate against, and stereotype other people by their ethnic, religious, physical, or cultural characteristics” (Brown Foundation for Educational Equity, 2004, p. 1). “The Brown decision initiated education and social reform throughout the United States and was a catalyst in launching the modern Civil Rights Movement. Bringing about change in the years since the Brown case continues to be difficult” (Brown Foundation for Educational Equity, 2004, p. 1).

## **Problem**

The current problem in America is it seems we are going backwards in time instead of forward. After the verdict of Brown, schools were integrated. But since the late 1970’s and 1980’s, American schools have been growing more segregated (Feldman, 2005). It is stated that “Public schools are more segregated now than they were when Thurgood Marshall wrote his dissent in 1974” (Demise of Brown, p. 2). More urban school systems are becoming overwhelmingly poor and minority and most suburban school systems are overwhelmingly white and middle class. One scholar has suggested that the “(urban/suburban school) district boundary line is the new Jim Crow segregation line” (Feldman, 2005, p. 2). It has been noted that “predominantly white parents flee cities in search of higher performing districts, low-income parents, who are predominantly minority, cannot afford to move and are left behind in the cities” (Feldman, 2005, p2). Robert Jackson, the founder of the Campaign for Fiscal Equity, stated that “...if New York City schools were not 84 percent Black, we wouldn’t be going through this”, this being providing a sound base education for New York City public school students (Allen, 2006, p. 2). Because of this current state in education, there are many new cases before the High Court – Parents Involved in Community Schools vs. Seattle and Meredith vs. Jefferson County Board of Education (Jr., 2007). In addition, it has been found that far too many children of color begin a tragic journey in segregated, impoverished school that ends in juvenile halls and adult prisons. A case in Rochester, New York focused on the extremely high poverty concentration and the effects of this concentration on student performance.

According to this case,

Ninety-one percent of students in Rochester suburbs are white and only 16 percent are poor. In the Rochester school system, the picture is reversed. More than 80 percent are nonwhite and an astonishing 90 percent are poor in the Rochester school system. (Feldman, 2005, p. 3)

The stats in this situation show that 84 percent of the suburban high school seniors graduate on time while 27 percent of their counterparts did. The courts agreed that this was an issue; however refused to take action, because "it could not do so without 'subvert[ing]...local control'" (Feldman, 2005, p. 3).

### Change

This issue must be addressed in education. With the evidence pointing toward a renewed segregation, America could find itself back on the steps of Central High School with the Little Rock Nine or in Cleveland, Texas at Cleveland High School in 1968 when the school integrated. Understanding this topic brings about painful memories, Americans must discuss it, because to just write it off as coincidental adds fuel to the fire. Has America come that far; have Dr. King's "Dream" and the Brown vs. the Board of Education decision really and truly come to fruition? Looking at the current state of the school system as it relates to demographics, educator, legal officials, and our high courts must begin this discussion with how did we get here and why?

There are ways this problem can be eliminated. There will always be inner-city schools and suburban schools; however, there doesn't have to be a vast difference in the demographics or the number of campuses. When looking at colleges and universities it is noticeably a mixture of students in most instances. By limiting the number of schools and building larger campuses to mimic colleges and universities, students would have opportunities to intermingle with a variety of individuals from all walks of life and ethnicities. For example, the four high schools in Humble Independent School District in Humble, Texas could be merged into one large campus to house the 10,000 plus students at the high school level (Agency, 2006). The value here is all students would be attending the same school; therefore, there would not be any difference in the amount of funds each campus would receive nor would there be a difference in the expectations of the students, because the climate and culture would be the same for all students and there would only be one high school to fund. When looking at a larger district like Houston Independent School District in Houston, Texas one campus would not be sufficient for high school students, because there are over 49,000 students (Agency, 2006). For districts this large you might be looking at several campuses: north, south, east, and west, for example.

Understanding the exertion, time, and commitment to change it would take for this proposal to happen can be perplexing but there must be a beginning point. Conversations about ending or rectifying this issue of segregation must be discussed or

we might just find that more schools are segregated or we find ourselves back during the prelude of *Brown vs. the Board of Education*. This segregation could be based on class, ethnicity, or a mixture of the two. Just as stated in the *Brown* case:

...if the colored children are denied the experience in school of associating with white children, who represent 90 percent of our national society in which these colored children must live then the colored child's curriculum is being greatly curtailed. The Topeka curriculum or any school curriculum cannot be equal under segregation. (Cozzen, p. 1)

How can young people be expected to function in a society where we keep them separated and not offer them an opportunity to interact with people who look different and have different ideologies? "Integrate Don't Segregate" (Jr., 2007, p. 3). As our high court stated so eloquently on May 17, 1954 through the voice of Chief Justice Earl Warren,

We come then to the question presented: Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other "tangible" factors may be equal deprive the children of the minority group of equal educational opportunities? We believe that it does... We conclude that in the field of public education that doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal. Therefore, we hold that the plaintiffs and other 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. (Cozzen, p. 3)

With the ruling against separate but equal in 1954, we must now turn and look at our public schools nationwide and look to see if we have gone backwards in time. As our high court stated over 50 years ago, separate but equal is unconstitutional.

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