

The Controversial Legacy of *Brown v. Board of Education*

Brown v. Board of Education's impact is clear even after 70 years. The case, that determined that segregated schools were unequal and spawned the 1955 ruling that ordered schools to be desegregated "with all deliberate speed"¹ had a significant impact on schools. However, the impact of *Brown* goes beyond schools. *Brown*'s impact has been controversial, as the case had positive and negative outcomes. This response will note how *Brown* positively affected desegregation cases and the Civil Rights Movement but had unintended negative impacts on education. *Brown* must be studied since we as a society must be conscious of our mistakes to fully realize *Brown*'s purpose.

Brown influenced several cases that addressed racial discrimination in education. Notably, the decision prevented several desegregation plans with racist elements from being enacted. For example, *Goss v. Board of Education* prevented a Tennessee desegregation plan from allowing students to transfer into schools where they'd be in the racial majority.² Despite being approved by the District and Appellate courts, the Supreme Court cited the racial factors of the plan as going against its ruling in *Brown*.³ Similarly, the *Green v. County School Board* decision in 1968 noted the "command of *Brown*" when reversing the District and Appellate courts' decisions that upheld a plan that would have allowed students "freedom of choice" between schools.⁴ *Goss* and *Green* owe their successes to *Brown*. Since the *Green* and *Goss* decisions prevented potentially harmful desegregation plans from being enacted in Southern

¹ "Brown v. Board of Education of Topeka (1)," Oyez, accessed March 7, 2024, <https://www.oyez.org/cases/1940-1955/347us483>; "Brown v. Board of Education of Topeka (2)," Oyez, accessed March 7, 2024, <https://www.oyez.org/cases/1940-1955/349us294>.

² *Goss v. Board of Education*, 373 U.S. 683 (1963).

³ *Goss v. Board of Education*, 373 U.S. 683 (1963).

⁴ *Green v. County School Board*, 391 U.S. 430 (1968).

school districts, the cases can be taken as a positive impact of the *Brown v. Board of Education* case. However, other cases owe their success to *Brown*.

Swann v. Charlotte-Mecklenburg Board of Education also stems from the *Brown* decision. *Swann* took a more assertive stance on desegregation as the Supreme Court vowed to “eliminate...all vestiges of state-imposed segregation” from public schools.⁵ Ultimately, the 1971 decision determined that affirmative action was required for desegregation, offering busing students as an example.⁶ The *Swann* decision shows the powerful impact of *Brown*. While previous cases influenced by *Brown* dealt with the reversal of discriminatory desegregation plans, *Swann* shows how *Brown* led to more aggressive steps being taken to integrate schools. Essentially, the Supreme Court’s decisions in *Goss*, *Green*, and *Swann* all stem from *Brown*, and these rulings led to steps being taken to prevent and actively fight against segregation in education. However, the positive legacy of *Brown* goes beyond the courts.

Brown has another positive legacy in the Civil Rights Movement. *Brown* acted as a spark for the movement as it “fuel[ed] a wave of freedom rides, sit-ins, voter registration efforts, and other actions leading ultimately to civil rights legislation in the late 1950s and 1960s.”⁷ Clearly, *Brown* had an overwhelmingly positive effect on the movement. Therefore, *Brown* could be considered as a force responsible for the positive outcomes of the civil rights movement. Also, since *Brown* led to the creation of civil rights legislation, it shows how one case from the 1950s

⁵ *Swann v. Board of Education*, 402 U.S. 1 (1971).

⁶ Thomas F. Pettigrew, “School Desegregation and the Pipeline of Privilege,” *Du Bois Review* 18, no. 1 (2021): 2, <https://www.cambridge.org/core/services/aop-cambridge-core/content/view/1D2D1A7D93227287BFA152EC1864F046/S1742058X21000242a.pdf/div-class-title-school-desegregation-and-the-pipeline-of-privilege-div.pdf>

⁷ Richard Rothstein, “Brown v. Board at 60: Why have We Been So Disappointed? What Have We Learned?,” *Economic Policy Institute*, Apr. 17, 2014, 1, <https://files.epi.org/2014/EPI-Brown-v-Board-04-17-2014.pdf>.

created concrete positive change in the form of legislation. Taken with the desegregation cases it influenced, *Brown* helped reduce discrimination through the courts, civil rights activism, and legislation. While *Brown*'s positive impact easily can be seen through the desegregation cases of the 1960s and 1970s and its influence on the civil rights movement, recent scholarship questions *Brown*'s success in education.

Although *Brown* clearly had a positive impact over the years, recent research notes *Brown*'s negative impact on education. For example, multiple sources note that after *Brown*, countless Black teachers and administrators were fired.⁸ Also, *Brown* is credited with causing school systems to shut down, as many people were unwilling to desegregate.⁹ Additionally, *Brown* forced Black students to travel across cities to attend majority white schools (often with racist teachers).¹⁰ Taken together, the firing of Black educators, the closure of school systems, and the hostile conditions of integration all show the negative effects of *Brown*. While *Brown*'s promise of integration was well-intended, there clearly were flaws in the decision. The conditions *Brown* created for Black students and educators show the early negative impacts of the case. Compounding matters, recent scholarship also notes *Brown*'s influence in the current state of education.

⁸ Pettigrew, "School Desegregation," 3; Charley Brooks, "Discursive differences in teaching the *Brown v. Board of Education of Topeka* decision and the preservation of narratives of American progress," *History Education Research Journal* 18, no. 1 (2020): 9; April L. Peters, "Desegregation and the (Dis)Integration of Black School Leaders: Reflections on the Impact of *Brown v. Board of Education* on Black Education," *Peabody Journal of Education* 94, no. 5 (2019): 522; Clint Smith, "School Segregation and *Brown v. Board*: Crash Course Black American History #33," Crash Course, February 11, 2022, video, 12:28, <https://www.youtube.com/watch?v=NBlqcAEv4nk>.

⁹ Smith, "School Segregation and *Brown v. Board*."

¹⁰ Brooks, "Discursive differences," 9.

Besides the initial effects of *Brown*, recent sources argue that the case's negative impact led to the current state of racism in education. For example, several articles credit *Brown* with creating a racial achievement gap between Black and white students.¹¹ Additionally, researchers concur that despite *Brown* promising to end segregation in education, schools are still fairly segregated today.¹² Overwhelmingly, the recent scholarship shows how *Brown* allowed for the toxic conditions in today's education. The racial achievement gap suggests a negative effect of *Brown*, while the fact that schools are still segregated shows that *Brown* was, at best, ineffective. Recent scholarship shows a markedly negative impact of *Brown*, as the case initially led to the firing of Black educators and has created (or failed to stop) discriminatory and harmful conditions in education today.

The impact of *Brown v. Board of Education* is controversial. While *Brown* allowed for Supreme Court cases to be decided in support of desegregation and stoked the Civil Rights Movement, it caused many Black administrators to lose their jobs, subjected Black students to racist conditions in their new schools, and allowed for harmful elements in modern education. While this paper does not cover the ways *Brown* positively impacted education, it attempts to show positive effects on Supreme Court cases and the Civil Rights Movement while showing how even a revered case is not perfect. Despite the imperfect legacy of *Brown*, the case still

¹¹ Rothstein, "Brown v. Board at 60," 1; Peters, "Desegregation and the (Dis)Integration of Black School Leaders," 526.

¹² Pettigrew, "School Desegregation," 3; Charley Brooks, "Discursive differences in teaching the *Brown v. Board of Education of Topeka* decision and the preservation of narratives of American progress," *History Education Research Journal* 18, no. 1 (2020): 9; Clint Smith, "School Segregation and Brown v. Board: Crash Course Black American History #33," Crash Course, February 11, 2022, video, 12:28, <https://www.youtube.com/watch?v=NBlqcAEv4nk>.

signifies a step toward equality. It is up to us to continue calling out injustices in education, as that is the only way the potential of *Brown* can finally be realized.

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