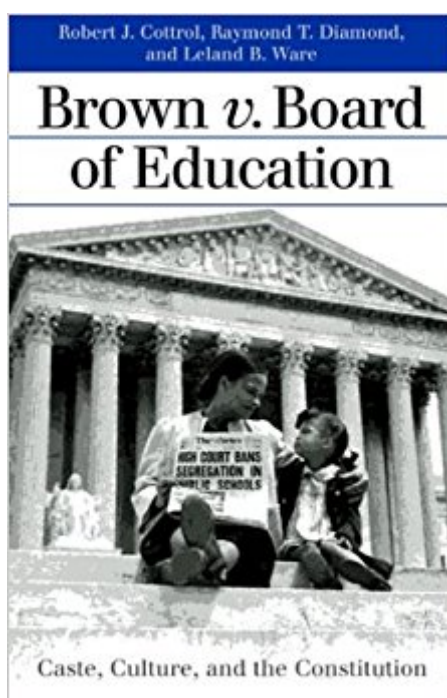


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# Brown V. Board Of Education: Caste, Culture, And The Constitution (Landmark Law Cases & American Society)



## Synopsis

Before 1954, both law and custom mandated strict racial segregation throughout much of the nation. That began to change with *Brown v. Board of Education*, the landmark decision that overturned the pernicious "separate but equal" doctrine. In declaring that legally mandated school segregation was unconstitutional, the Supreme Court played a critical role in helping to dismantle America's own version of apartheid, Jim Crow. This new study of *Brown*—the title for a group of cases drawn from Kansas, Virginia, South Carolina, Delaware, and the District of Columbia—offers an insightful and original overview designed expressly for students and general readers. It is concise, up-to-date, highly readable, and very teachable. The authors, all recognized authorities on legal history and civil rights law, do an admirable job of examining the fight for legal equality in its broad cultural and historical context. They convincingly show that *Brown* cannot be understood apart from the history of caste and exclusion in American society. That history antedated the very founding of the country and was supported by the nation's highest institutions, including the Supreme Court whose decision in *Plessy v. Ferguson* (1896) supported the notion of "separate but equal." Their book traces the lengthy court litigations, highlighting the pivotal role of the National Association for the Advancement of Colored People and including incisive portraits of key players, including co-plaintiff Oliver Brown, newly appointed Chief Justice Earl Warren, NAACP lawyer and future Supreme Court justice Thurgood Marshall, and Justice Felix Frankfurter, who recognized the crucial importance of a unanimous court decision and helped produce it. The authors simply but powerfully narrate the obstacles these individuals faced and the opportunities they grasped and clearly show that there was much more at stake than educational rights. *Brown* not only changed the national equation of race and caste—it also changed our view of the Court's role in American life. The dramatic story of the road to and from *Brown*, despite the retrenchments of recent years, needs to be heard anew. As we prepare to commemorate the decision's fiftieth anniversary in May 2004, this book invites readers to walk that road again and appreciate the lasting importance of what is indisputably a landmark case.

## Book Information

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## Customer Reviews

This work explores the cultural context of the groundbreaking Brown decision, which outlawed segregated schools, from the Civil War through the Plessy ruling, which held that blacks had no rights that whites were bound to honor. The authors highlight the pivotal role of the NAACP, which had long challenged customs that conflicted with the country's ideals through prior lawsuits, culminating in Brown. The authors also focus on many of the figures involved in this historic legal battle, including Charles Houston, first head of the NAACP, and Thurgood Marshall, NAACP lawyer and future Supreme Court justice. Although Brown eliminated the legal bases for the American caste system, its substantive value remains open to question. Beyond removing the legal barriers to school integration, the decision has had limited effect on the residential segregation that perpetuates segregated schools. Brown reflects both the potential and the limitations of the court's ability to reflect, influence, and reconcile cultural customs with the highest ideals of racial equality. Vernon Ford Copyright © American Library Association. All rights reserved --This text refers to an out of print or unavailable edition of this title.

“A vivid and comprehensive account of the historical, legal, and political dramas surrounding one of the most important Supreme Court cases of the twentieth century. With humanity and wisdom, the authors defend the decision from some of its most influential critics and evaluate the forces that shaped it as well as those that it set into motion. Accessible and shrewd in its judgments, this will be one of the definitive accounts of the Brown decision for years to come.”

—Jeffrey Rosen, legal affairs editor of *The New Republic* and author of *The Unwanted Gaze: The Destruction of Privacy in America*

Provides readers with a good overview of the most important decision by the Supreme Court in the twentieth century. The emphasis on culture as well as politics and law is particularly valuable.

—Mark Tushnet, author of *Making Civil Rights Law: Thurgood Marshall and the Supreme Court*,

I wish I could read all those in the series

When one sees the title "Brown v. Board of Education", it immediately stirs up notions of a Supreme Court case involving desegregation of public schools in America. Robert Cottol, Raymond Diamond, and Leland Ware have given us some of that feel, but not enough in this book. The book, only 240+ pages to start with, does not even touch on the Brown case (or any of the six cases that collectively were referred to as "Brown") until page 119. The first half of the book is spent exploring the history of segregation in education and in America as a whole. I believe that this is an important topic, but not of enough importance to require half of a book that is supposed to be about this one Supreme Court case. Aside from the fact that there is little in the book that deals with the case itself (besides the history of segregation in education, there is a substantial section of the book that deals with direct ramifications of ordered desegregation and the reactions of state and local governments to this order), the book is well written. I enjoyed reading the book, but I think that I would refer readers to a broader history of the Supreme Court and interventions in race relations, such as the new Klarman book "From Jim Crow to Civil Rights: The Supreme Court and the Struggle for Racial Equality" instead of this book. If, however, one is looking for a concise book that does indeed provide the story of segregation in American education, including the historic decision in 1954 that abolished that segregation, this is a great book to read and understand.

This book looks at the case of Brown vs. Board of Education that outlawed segregation in schools 50 years ago this month. The actual case only takes up several chapters in the middle of the book. What is important is that the book tries to put the case in terms of legal, and societal, context. Chapters leading up speak about the legal challenges to segregation that appeared in the 50 prior years since Plessy v. Ferguson enshrined the doctrine of "separate but equal" in our nation's laws. Because law is built upon precedence, these cases mark the stones on which the group of cases, eventually to be grouped under Brown, would stand. The authors take us inside the Supreme Court and helps analyze the decision making process, and examine the subsequent practices and pitfalls of the implementation of that decision. It is a case that even a half century later the repercussions are still felt in America. This is not a scintillating read. The focus is on the law and the legal actions leading up to and after the decision. But it is an excellent book to put this event into legal context.

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