70 years since *Brown v. Board of Education* outlawed school segregation: The class issues, then and now

Nancy Hanover, Tom Mackaman
11 June 2024

May 17, 2024, marked 70 years since the US Supreme Court decision in the landmark case of *Brown v. Board of Education of Topeka, Kansas* (1954), which upended the apartheid Jim Crow system in the American South. In one of the most important Supreme Court cases in its history, the unanimous ruling outlawed state-enforced racial segregation in schools.

The plaintiffs' argument had two parts. The first premise was that "separate but equal" was unconstitutional under the 14th Amendment, which guarantees the right to equal protection of the laws. Second, Thurgood Marshall, leading the NAACP team, made the ground-breaking legal argument that segregation was *inherently* unequal.

Linda Brown's case was selected because her school was not underfunded in comparison to the nearby white school; it was "separate" but not "unequal" based on dollars spent. This unusual situation—most black schools in the South received unequal funding—allowed Marshall and the other NAACP lawyers to focus on the constitutionality of segregation itself.

They drew on the work of African American psychologists Mamie and Kenneth Clark, who designed a "doll test," in which a group of mostly black girls were shown two dolls, one white and one brown, and asked a series of questions. Despite their ostensible race, most of the children preferred the white doll to the black one. Some of the children would cry and run out of the room when asked to identify which doll looked like them. Clark's research showed that segregation damaged children by creating a sense of inferiority that had real, lifelong consequences.

The court agreed. In his conclusion to the 1954 decision, Chief Justice Earl Warren asked, "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?" He concluded on behalf of the assembled justices, "We believe that it does."

With these words, the court vitiated the infamous 1896 ruling of *Plessy v. Ferguson*, which codified "separate but equal" and legitimized state laws "based on color." In that earlier case, the Supreme Court ruled against Homer Plessy, a mixed-race Creole man who boarded a whites-only railcar in New Orleans in a fight to overturn Louisiana's Separate Car Act of 1890. The Supreme Court upheld the Louisiana law and claimed it did not violate Constitutional protections so long as facilities were equal. In the case's sole dissent, John Marshall Harlan insisted the US Constitution "is color-blind, and neither knows nor tolerates classes of citizens." *Plessy* legalized "classes of citizens" based on race.

Plessy laid the groundwork for an entire edifice of state-ordered segregation in the South affecting all aspects of social life. As Helen Halyard pointed out in her review of Adolph Reed's book *The South:*

> Under Jim Crow, everything was done to humiliate and degrade the African American population. If blacks looked at whites in a certain way, it could mean death. Interracial marriage was illegal… Even casual interactions between whites and blacks were not allowed. Beginning in the 1890s, a raft of laws stripped the right to vote from the majority of blacks, and all public space was segregated by law or custom—schools and colleges; buses, trains, streetcars; water fountains and bathrooms; diners and movie theaters.

Jim Crow education, the focus of *Brown*, was inadequate for all students, black and white. However, black schools were seldom equally funded. Most black children could not access their schools by public transportation, walking long distances year-round. At many schools in the South, black children learned from outdated textbooks, often hand-me-downs from white schools. It was commonplace for black schools to lack running water, flush toilets or electricity. An NAACP study of funding in the mid-to-late 1920s found that Georgia spent $4.59 per year on each African American child as opposed to $36.29 on each white child.

Though *Brown* is generally understood to be an important ruling, several common misconceptions surround it. It is often implied that it and similar decisions were gifts handed down from noble Supreme Court justices and enforced by "civil rights presidents." The current US president, Joe Biden, commemorating the 70th anniversary on May 17, captured some of this sentiment. He described *Brown* as a "prayer being answered," as if workers and youth did not risk their lives in the struggle for civil rights.

It is true that the US ruling class, in the 1950s and 1960s, was in the heyday of what has turned out to be, in retrospect, a relatively brief period of social reformism. This was made possible by two factors. One was the immense wealth of American capitalism and its domination of markets on a global scale. In this period of economic preponderance, certain concessions were made to the working class, including its most oppressed layer—the black workers of the South.

Second, the ruling class only made its concessions in the face of a mass movement that won the support of radicalizing youth throughout the country. The emergence of that mass movement, in turn, grew out of a specific set of historical conditions, both objective and political.

The civil rights movement would have been inconceivable without the "Great Migration" of millions of blacks from agricultural work in rural areas to wage labor in the cities of the South, the North and the West. Efforts to challenge Jim Crow under conditions of countryside isolation had been met with racist terror. It is not accidental that the civil rights movement grew first in the industrial and urban areas of the South—Atlanta, Montgomery, and Birmingham. And it won the support of

© World Socialist Web Site

powerful new detachments of the working class in the cities of the North—New York, Chicago, Detroit, Pittsburgh, Philadelphia, Cleveland, Los Angeles, and many more. Here the NAACP and other political organizations could operate freely and raise funding.

In the cities black workers faced discrimination and forms of segregation, but they also gained immense political experience in the labor movement and in the major class battles of the 1930s and 1940s, including the mighty growth of the industrial unions and the sit-down factory occupation movement.

At the same time, beginning in the 1920s, socialism began to assert its influence. The quantum leap came with the 1917 Russian Revolution. The international socialists, led by Lenin and Trotsky, explained to the American workers that there could be no advance in the class struggle without the fighting unity of all sections of the working class. This entailed a direct struggle against the chauvinist conceptions of the American union bureaucracy. Inspired by the Russian example, key leaders of the black labor movement and intelligentsia became socialists.

World War II increased black workers' demands for equality. In 1942, the *Pittsburgh Courier* published a letter from cafeteria worker James G. Thompson calling on his fellow black Americans to adopt the "double V for a double victory" against the "Axis forces" abroad and those who perpetrated "ugly prejudices here."

A. Phillip Randolph, a member of the Socialist Party and president of the powerful Brotherhood of Sleeping Car Porters with about 18,000 members, threatened to organize a march on Washington of 100,000 to demand fair employment practices for blacks and protest segregation in the armed forces, prompting President Franklin Roosevelt to issue Executive Order 8802. The order barred racial discrimination in federal employment and among those unions and companies involved in war-related work.

Having returned to the South from fighting the racist Nazis abroad, black workers were not about to tolerate racism at home. Their return coincided with the largest strike wave in US history in 1945-1946, involving an estimated 5 million workers. Meanwhile, millions of workers and peasants across Asia, the Middle East, Africa and the Caribbean rose up to throw off the shackles of colonialism.

The continuation of lynchings into the early 1960s and images of southern police attacking children with dogs and fire hoses exposed the hypocrisy of the American ruling class claims to be defending "freedom" all over the world.

These conditions, objective and political, laid the groundwork for the emergence of the movement against Jim Crow—not the generous mood of Supreme Court justices and American presidents.

Another misconception is that *Brown* and similar court rulings summarily ended Jim Crow. The ruling left unanswered how and when desegregation would occur. A follow-up ruling called *Brown v. Board of Education II* handed down on May 31, 1955, did little to clarify matters. It ordered schools to integrate "with all deliberate speed." In fact, integration occurred in the face of ongoing racist opposition organized by the southern wing of Democratic Party and only with the continuing development of the mass civil rights movement.

Immediately after *Brown*, Senator Harry Byrd of Virginia coordinated a campaign of "massive resistance" against the ruling. His "Southern Manifesto" was signed by 101 politicians, 97 of them fellow Democrats. The reactionary document called for states and districts to refuse federal court orders and for defunding any school that complied. Byrd's actions led to the shutdown of the public schools in Prince Edward County, Virginia for five full years.

In 1957, Arkansas governor Orval Faubus called out the National Guard to physically block nine students from attending Little Rock Central High School. The youths eventually enrolled, entering the building under the guard of the 101st Airborne. Faubus responded by promoting racist attacks and maneuvered to close all four of the city's public high schools for an entire year. Similar scenes repeated across the South.

The brutality of the segregationists in the wake of *Brown* led to a widening of the struggle for civil rights. The Montgomery Bus Boycott began on December 5, 1955, lasting a full year. In 1960-61, the sit-in movement began in Greensboro, North Carolina and the Freedom Riders began their courageous challenges to segregation. In the summer of 1964 the Freedom Summer was kicked off in Mississippi with the aim of registering as many African Americans to vote, breaking down decades of disfranchisement. These struggles were interracial and were marked by murders of civil rights workers, black and white, including James Chaney, Andrew Goodman and Michael Schwerner (June 21, 1964), and Viola Liuzzo (March 25, 1965).

A final misconception is that the sole purpose of Jim Crow laws such as *Plessy* was to promote racism—that is, that racism was the end in-and-of-itself. In fact, the entire function of segregation from its emergence in the late 19th century had been to separate and divide black and white workers and poor. As Martin Luther King put it, "racial segregation as a way of life did not come about as a natural result of hatred between the races" but "was really a political stratagem employed by the emerging Bourbon interests in the South to keep the southern masses divided and southern labor the cheapest in the land."

King never broke free of the Democratic Party, but by his last years in the late 1960s he had come to reckon with the limitations of the legal focus of the civil rights movement. The very gains of the civil rights movement had brought the class question to the fore. Much of Jim Crow had been dismantled. But the grinding poverty of the South remained, while in the North, the signs of the "urban crisis"—the shutdown of basic industry— were gathering.

Brown's legal achievement confirms this view. It spelled the end of inequality before the law, no small feat. Yet social inequality has remained. Put somewhat differently, while the Supreme Court could mandate the end of legal segregation, *Brown* said nothing about mandating high-quality, sufficiently funded education for every child. This has never been realized. The trajectory, as the intervening decades have shown, has been in the opposite direction.

As it turned out, *Brown* represented a high-water mark in the period of social reforms. Little more than 15 years later, as the post-war economic boom began to unravel, the policies of the Democratic Party and the ruling class as a whole underwent a further lurch to the right. The "Great Society" and the "War on Poverty" were shipwrecked by the Vietnam War and the protracted decline in the global position of American capitalism.

In 1971, the Nixon administration ended the convertibility of dollars into gold. This was the outcome of American industrial decline, expressed in the growth of international debt and an extreme balance-of-payments crisis. By the end of that decade the ruling elites turned to a program of social counterrevolution, gutting social spending and wielding unemployment as a battering ram against the working class. Public education was slashed in order to subsidize tax cuts for the rich and for large corporations, and other "funding priorities" such as America's gargantuan military and its sprawling police and prison apparatus.

Hand-in-hand with this assault on living standards, the ruling class began to promote affirmative action programs and what Nixon dubbed "black capitalism." While thoroughly jettisoning the policy of social reform, Democrats and Republicans joined hands to elevate a privileged section of upper-middle-class blacks and other minorities into positions of power. Alongside black mayors, generals, and CEOs, many school systems were placed under black superintendents who carried out the de-funding of education every bit as thoroughly as their white counterparts. Meanwhile, black elites specialized in casting all problems in education as race-based. They advocated for more set-asides and opportunities to for-

© World Socialist Web Site

profit black “edu-business” firms.

This social element has, unsurprisingly, used the occasion of the *Brown* anniversary to denounce it. Bettina L. Love, a professor at Teachers College Columbia University and regular featured opinion contributor to *Education Week*, penned an article, “70 Years of Abandonment: The Failed Promise of ‘Brown v. Board’; Why the nation must revisit the separate but equal doctrine.” She writes:

> Black people must demand this country revisit the separate but equal doctrine. Centuries have taught us that we cannot force this country to live up to the promise of integration…. As we mark the 70-year anniversary of a decision this country has clearly shown it never intended to uphold beyond the window dressing of the rhetoric of integration, let us turn to the reality and not idealism. Our schools are separate, and most white Americans appear unwilling to integrate them based on the evidence. So, if separate is the reality for millions of Black and brown students for the foreseeable future, the demand needs to be for reparations.

The idea that “separate but equal” should be “revisited” to argue for reparations is reactionary in the extreme. Love speaks for a social layer that views the conception of universal, high-quality education as a barrier to their personal privilege and profit. Their call for racial re-segregation—viewed by Love and other black “education consultants” as an opportunity to peddle race-based curricula for their own financial gain—is a sign that deeply reactionary currents have once again come to hold sway in the Democratic Party. It is a layer that feasts off of poverty and social inequality.

This is itself the outcome of the protracted attack on public education waged by Democrats and Republicans at the national, state and local levels over the last 50 years. Schooling has become deeply riven by class. Currently, 43 percent of all US schoolchildren are poor enough to qualify for free or reduced-price lunches, a standard benchmark for financial distress. Children are overwhelmingly segregated by income. In urban areas, this income segregation has the appearance of being simultaneously racial. Nearly 80 percent of highly segregated schools are found in districts also considered to be highly impoverished. But the reality is that elite black families, like their white counterparts, can send their children to “the best schools money can buy.”

The only viable answer to the ongoing destruction of public education is ending the subordination of social life to profit and war. The trillions currently spent to fund Israel’s genocide in Gaza, arm Ukraine to attack Russia, build up for war with China and prepare for World War III must be appropriated by the working class and diverted to schools, public health, mass transit, and social needs.

The urgency of this fight is underscored by the repudiation of *Brown* and all that remains of democratic rights by the highest levels of American government—including by the justice who replaced Thurgood Marshall.

On May 23, Clarence Thomas made a pointed attack on *Brown* as an “overreach” and “extravagant uses of judicial power.” Thomas—whose wife Virginia played a key role in Donald Trump’s coup attempt on January 6, 2021—speaks as a leader of the fascist-dominated Supreme Court. Attacking *Brown* goes hand-in-hand with the evisceration of American democracy.

The defense of democratic rights, including the right to free, high-quality education for all, is inseparable from the fight to abolish capitalism and establish a global socialist society. That struggle falls entirely to the international working class.

To contact the WSWS and the Socialist Equality Party visit:

wsws.org/contact

© World Socialist Web Site