

# Brown vs. board of education critical analysis

[Education](#)



**Brown V. Board of Education** In the early 1950's, racial segregation in public schools was normal across America. Although all the schools in a given district were supposed to be equal, most black schools were far inferior to their white counterparts. In Topeka, Kansas, a black third-grader had to walk miles just to get to her all black elementary school. Her father, Oliver Brown, had tried to enroll her in a white elementary school but was refused.

Brown went to McKinley Burnett, the head of Topeka's branch of the National Association for the Advancement of Colored People (NAACP) and asked for help. They were eager to help the Browns since it had long wanted to challenge segregation public schools. Other black parents joined Brown, and, in 1951, the NAACP requested an injunction that would forbid the segregation of Topeka's public schools. Brown and the NAACP appealed to the Supreme Court on October 1, 1951 and their case was combined with other cases that challenged school segregation in South Carolina, Virginia, and Delaware.

On the other hand, the precedent of *Plessy v. Ferguson* allowed separate but equal school systems for blacks and whites, and no Supreme Court had overturned *Plessy* yet. The Supreme Court first heard the case on December 9, 1952, but failed to reach a decision. In the reengagement, heard from December 7-8, 1953, the Court requested that both sides discuss " the circumstances surrounding the adoption of the Fourteenth Amendment in 1868. " The reargument shed very little additional light on the issue.

The Court had to make its decision based not on whether or not the authors of the Fourteenth Amendment had desegregated schools in mind when they

wrote the amendment in 1868, but based on whether or not desegregated schools deprived black children of equal protection of the law when the case was decided, in 1954. Eventually the Supreme Court struck down the “separate but equal” doctrine of Plessy for public education and ruled in favor of the plaintiffs, and required the desegregation of schools across America.