

## Brown v. Board of Education — the missing dimension

Peter Wallenstein

Public higher education has been a major missing dimension in discussions generated by the 50<sup>th</sup> anniversary of Brown v Board. This even though litigation regarding black access to higher education resulted in the U.S. Supreme Court weakening “separate but equal” in 1950 and paving the way for the assault on K-12 segregation that culminated in the first Brown decision four years later. A close look at the impact of Brown on higher education, especially at the undergraduate level, reveals significant features of the story of segregation, desegregation, and the Supreme Court’s 1954 decision.

The subject requires some reconsideration of conventional language. “Desegregation” is best understood as a process, not a single event. It is also essential to distinguish general undergraduate curricula from graduate and professional programs (including undergraduate programs in engineering). It makes little sense to characterize a university as “desegregated” when only one program, or a restricted collection of programs, would admit black students. A federal court ordered the University of Tennessee to admit its first black graduate students in 1952, but not until another court order, nine years later, did the first black undergraduates enroll at Tennessee. After a court order in 1950, blacks enrolled in the University of Virginia law and medical schools, but undergraduate exclusion persisted. Also under “separate but equal,” black applicants were admitted into undergraduate engineering programs at Virginia Polytechnic Institute beginning in 1953 and at the University of Virginia in 1955 (all-black Virginia State College did not offer engineering any more than law or medicine). But not

before 1960 were black undergraduates at either institution permitted to switch out of engineering into a program that would have been available to them at Virginia State.

Conventional rhetoric and imagery have black applicants seeking to gain access in the 1950s and 1960s to so-called all-white institutions. That was not the case. Ethnic Asians had long been attending the University of Maryland and Virginia Military Institute, for example. Since shortly after World War II, Chinese Mississippians had been enrolling—in considerable numbers, but the point is that they were enrolling at all—as undergraduates at the University of Mississippi. Ole Miss was not an “all-white” school the day before James Meredith enrolled under court order in 1962. The occasion for the furor was not a nonwhite student making his way past the obstacles to enrolling in an all-white institution, but a black student gaining access to what had always been an absolutely nonblack school.

Across the South at the undergraduate level, “separate but equal” remained the rule until after Brown v. Board of Education. But Brown caused a tremendous break in historical continuity, even if not everywhere all at once. Brown I (the original decision) led directly to policy changes in 1954 in undergraduate admissions in Maryland, West Virginia, Kentucky, and Missouri. In 1955, Brown II (the implementation decree) did the same in Oklahoma, Texas, and Arkansas. In each instance, without further litigation to obtain a ruling against segregation in undergraduate programs, modest black enrollment quickly took place.

The University of North Carolina, by contrast, declined to change its policy even after the 1955 ruling. But then it found itself challenged in federal court on the basis of Brown. Leroy Frasier and two classmates at a black high school, after being rejected by UNC on the basis of their racial identity, went to federal district court and won a ruling that Brown applied to undergraduate education. The school and the state appealed, but the Supreme Court upheld the decision, so Frasier

continued his studies at UNC, and other black undergraduates immediately enrolled at North Carolina State.

In state after state, Brown v. Board ended categorical exclusion of black undergraduates from previously nonblack institutions. Already by 1956, half the segregated states had changed their policies and practices—even if enrolling at a school did not yet necessarily mean being permitted to live on campus or represent the school in athletics. Between 1961 and 1963—before the tenth anniversary of Brown I—black undergraduates began taking classes at the state universities of Georgia, Tennessee, Mississippi, Florida, South Carolina, and Alabama. Earning undergraduate degrees in 1965—and marking the tenth anniversary of Brown II—were transfer students Vivian Malone at the University of Alabama, Stephan Mickle at the University of Florida, and Henrie Monteith at the University of South Carolina.

Brown had real results in higher education—immediately, in many states and at many institutions, and more results soon. It is a story worth knowing.