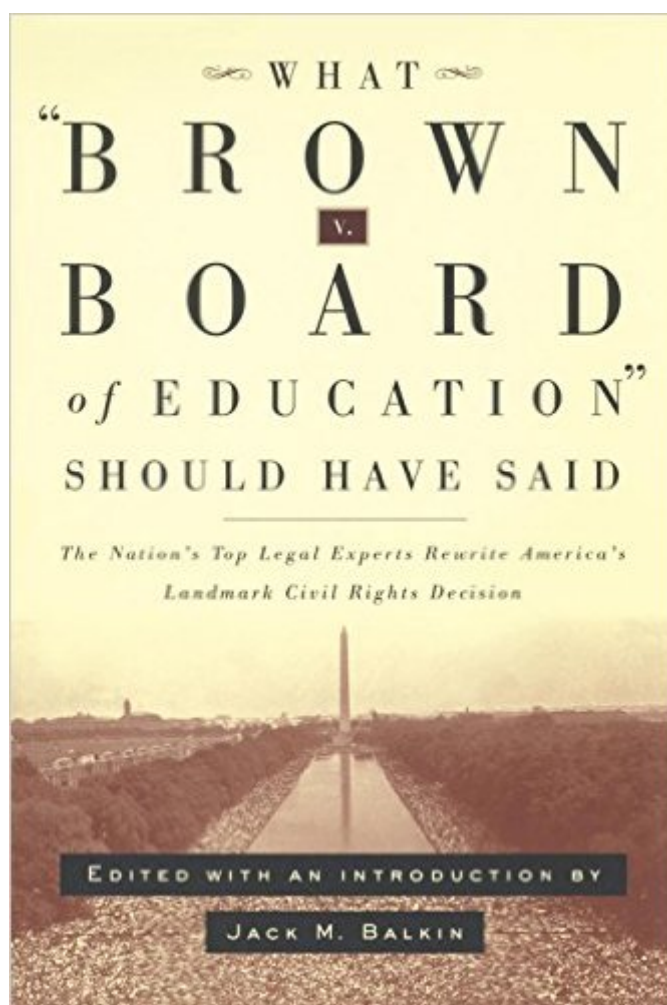


The book was found

# What Brown V. Board Of Education Should Have Said: The Nation's Top Legal Experts Rewrite America's Landmark Civil Rights Decision



## Synopsis

*Brown v. Board of Education*, the Supreme Court's landmark 1954 decision ordering the desegregation of America's public schools, is perhaps the most famous case in American constitutional law. Criticized and even openly defied when first handed down, in half a century *Brown* has become a venerated symbol of equality and civil rights. Its meaning, however, remains as contested as the case is celebrated. In the decades since the original decision, constitutional interpreters of all stripes have found within it different meanings. Both supporters and opponents of affirmative action have claimed the mantle of *Brown*, criticizing the other side for betraying its spirit. Meanwhile, the opinion itself has often been criticized as bland and uninspiring, carefully written to avoid controversy and maintain unanimity among the Justices. As the 50th anniversary of *Brown* approaches, America's schools are increasingly divided by race and class. Liberals and conservatives alike harbor profound regrets about the development of race relations since *Brown*, while disagreeing heatedly about the proper role of the courts in promoting civil equality and civil rights. In this volume, nine of America's top constitutional and civil rights experts have been challenged to rewrite the *Brown* decision as they would like it to have been written, incorporating what they now know about the subsequent history of the United States but making use of only those sources available at the time of the original decision. In addition, Jack Balkin gives a detailed introduction to the case, chronicling the history of the litigation in *Brown*, and explaining the current debates over its legacy. Contributors include: Bruce Ackerman, Jack M Balkin, Derrick A. Bell, Drew S. Days, John Hart Ely, Catharine A. MacKinnon, Michael W. McConnell, Frank I Michelman, and Cass R. Sunstein.

## Book Information

Paperback: 257 pages

Publisher: NYU Press (September 1, 2002)

Language: English

ISBN-10: 081479890X

ISBN-13: 978-0814798904

Product Dimensions: 6 x 0.7 x 9 inches

Shipping Weight: 13.1 ounces (View shipping rates and policies)

Average Customer Review: 5.0 out of 5 stars [See all reviews](#) (1 customer review)

Best Sellers Rank: #876,818 in Books (See Top 100 in Books) #323 in [Books > Law >](#)

[Philosophy](#) #370 in [Books > Law > Constitutional Law > Civil Rights](#) #527 in [Books > Law >](#)

## Customer Reviews

A lot of people probably avoid discussions of the Brown case by now, having heard too much mention of it already and filing it under the "punditry" label. Certainly, that was my first reaction after first reading the title. Rest assured that this book is nothing of the sort--it is an academic effort at exploring how different understandings of the evils of racial segregation logically lead to different suggestions on how to remedy them. The masterfully written introductory chapters of the book acquaint the reader with the fundamental division of perspectives over the topic, how it may be seen to date back to Plessy v. Ferguson's sole dissenting opinion, and how different values and priorities lead to different "judicial" opinions. The opinions themselves, beyond exploring the outlined topic, do an additional service to the reader by reminding him or her of the oft-forgotten question of what role the Court itself should play in ameliorating the racial divide. Though one may well prefer an affirmative action policy, it still stands to question whether the Court, given its Constitutional restraints and responsibilities, should be the one to install it. In all, this is a great book for whoever is looking for the rationale behind the numerous opinions still present today regarding affirmative action and the racial discrimination question in general. I had to buy this book for class, but it is definitely one I will keep long after.

[Download to continue reading...](#)

What Brown v. Board of Education Should Have Said: The Nation's Top Legal Experts Rewrite America's Landmark Civil Rights Decision  
He Said Beer, She Said Wine: Impassioned Food Pairings to Debate and Enjoy: from Burgers to Brie and Beyond  
A Reformer on the Throne: Sultan Qaboos bin Said Al Said  
Looking Out, Looking In: Anthology of Latino Poetry (Hispanic Civil Rights) (Hispanic Civil Rights (Paperback))  
Ouija Board Stories: Chilling True Horror Stories Of Ouija Boards Gone Wrong (Ouija Board Stories, Ghost Stories, True Horror Stories, Ouija Board Nightmares, Haunted Places Book 1)  
The Supreme Court and Tribal Gaming: California v. Cabazon Band of Mission Indians (Landmark Law Cases and American Society) (Landmark Law Cases & American Society)  
One Man Out: Curt Flood versus Baseball (Landmark Law Cases and American Society) (Landmark Law Cases & American Society)  
Landmark Essays on Archival Research (Landmark Essays Series)  
Brown V. Board of Education (Defining Moments)  
Brown v. Board of Education Introduction to Organic and Biochemistry (William H. Brown and Lawrence S. Brown)  
Legal Terminology And Phrases: Essential Legal Terms Explained  
You Need To Know About Civil Law And Civil Procedure  
Expert Witnesses in Child Abuse Cases: What Can and Should Be Said in

Court Creative Child Support Strategies A Fathers Rights Approach: A Fathers Rights Approach  
(The Pro-Active Fathers Rights Series Book 2) An Incomplete Education: 3,684 Things You Should  
Have Learned but Probably Didn't A Cup Of Coffee With 10 Of The Top Cosmetic Dentists In The  
United States: Valuable insights you should know before you have cosmetic dental work done  
Critical Thinking: Decision Making with Smarter Intuition and Logic! (Critical Thinking, Decision  
Making, Logic, Intuition) The Race Beat: The Press, the Civil Rights Struggle, and the Awakening of  
a Nation BIG BROTHER IS WATCHING - HOW TO RECLAIM PRIVACY & SECURITY TO  
PROTECT LIFE, FAMILY, HOME AND ASSETS 2016 EDITION (Natural law, Human Rights, Civil  
Rights) (HOW TO BOOK & GUIDE FOR SMART DUMMIES 12) Preparation For Licensing And  
Board Certification Examinations in Psychology: The Professional Legal & Ethical Components  
(Brunner/Mazel Continuing Education in Psychiatry & Psychology Series)

[Dmca](#)