

Brown v. Board of Education: The Landmark Civil Rights Case of 1954

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In the 1950's, many people in the American south still upheld racist ideals. The Southerners denied African-American people basic services, such as access to certain restaurants and decent schools. Linda Brown, an elementary schooler from Kansas, walked six blocks to her bus stop in order to go to her segregated black school a mile away, when there was an all-white school just seven blocks away from her house. Her father, Oliver Brown, recognized the injustice, and in turn gathered the community and filed a lawsuit that would change America. The case, dubbed *Brown v. Board of Education*, highlighted the racial conflict present in the south, and pushed for social and racial equality for African-Americans. To thoroughly understand the importance of this landmark case, one needs to know about the racial tension prevalent in the Southern states, the case and its historical ruling, and how it affected America.

Back before *Brown* and the Civil Rights Movement in general, there was the Fourteenth Amendment. The Thirteenth Amendment in 1865 ended slavery, but it wasn't until 1868 that the rights of minorities and all people born in the U.S. were guaranteed. The 14th Amendment states, "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."¹

There were many cases where black Americans and other minorities challenged this vaguely worded law, as they were still not fully treated as equals. In 1896 there was a court case named *Plessy v. Ferguson*. This case set the "separate but equal" doctrine widely enforced in the south throughout the first half-century of the 1900's. The court ruled that segregation did not

¹ "Primary Documents in American History." *14th Amendment to the U.S. Constitution: Primary Documents of American History (Virtual Programs & Services, Library of Congress)*, www.loc.gov/rr/program/bib/ourdocs/14thamendment.html.

violate the 14th Amendment as long as African-Americans and whites were treated as equals.²

The Southerners twisted this, giving secondary accommodations and services to people with darker skin. This case allowed state-sponsored segregation, including schooling. Laws that required segregation, known as Jim Crow laws, started being passed. States established de jure segregated facilities, such as public restrooms, restaurants, and other establishments like these.³ States started giving less funds to segregated black schools, providing inferior buildings, textbooks and supplies to that of white schools. This blatant underfunding negated the “separate but equal” institutions set in place after *Plessy v. Ferguson*. Southern States ostracized many blacks in the years after the ruling, making voting registration more difficult by requiring more detailed records or literacy tests given by the white staff at voting stations, and many powerful African-Americans lost support.⁴

The 1940’s and 50’s were not much better. The “separate but equal” doctrine held strong. Black Americans were barred from many public places; schools being one of the most prominent. Many African-American children were blocked from enrolling to primarily white schools, and forced to go to black schools that were inadequate and much farther away. Such was the case of Linda Brown. Linda Brown, an eight-year-old in Topeka, Kansas, was one affected by this unequal segregation. Her black school was a mile away, when there was a white one just seven blocks away. As Brown later recalled, “... we lived in an integrated neighborhood and I had all of these playmates of different nationalities. And so when I found out that day that I might be able to go to their school, I was just thrilled, you know. And I remember walking over to Sumner school with my dad that day and going up the steps of the school ... my dad spoke

2 Duignan, Brian. “Plessy v. Ferguson.” *Encyclopædia Britannica*, Encyclopædia Britannica, Inc., 17 Mar. 2017, www.britannica.com/event/Plessy-v-Ferguson.

3 Klarman, Michael J. *From Jim Crow to Civil Rights: the Supreme Court and the Struggle for Racial Equality*. Oxford Univ. Press, 2006.

4 Encyclopedia, World Heritage. “World Heritage Encyclopedia.” *Read EBooks Online | World Heritage Encyclopedia*, www.worldheritage.org/articles/Plessy_v_Ferguson.

with someone and then he went into the inner office with the principal and they left me out ... to sit outside with the secretary. And while he was in the inner office, I could hear ... his voice raised, you know, as the conversation went on. And then he immediately came out of the office, took me by the hand and we walked home from the school. I just couldn't understand what was happening because I was so sure that I was going to go to school with ... all of my playmates.”⁵ She was blocked from going to this far more equipped and better school on account of her skin being the wrong color.

In the 1950's, the National Association for the Advancement of Colored People (NAACP) turned its focus from stopping hate crimes to integrating minorities into American society.⁶ The NAACP began to support the cases for integration at the elementary school level. Five cases were filed in Kansas, South Carolina, Virginia, Delaware, and the District of Columbia. All of these cases were because of young elementary school children, and all of the cases involved inferior black schools. Another feature that all the cases had in common was that the plaintiffs did not challenge the aforementioned inferiority of black schools. Instead, they all claimed that the “separate but equal” ruling violated the Equal Protection clause of the 14th Amendment. The lower courts ruled against the plaintiffs in each case, stating that segregation was not a violation of the Constitution. Devastated, the plaintiffs turned to the Supreme Court.⁷

In 1952, the Supreme Court agreed to hear the cases en masse. Thurgood Marshall, an African-American and one of the lead attorneys for the case, argued the case before the Court. Marshall and his team of NAACP lawyers were not new to fighting segregation. Years earlier,

⁵ *Black/White & Brown*, ktwu.washburn.edu/productions/brownvboard/resources.html.

⁶ “Documents Related to Brown v. Board of Education.” *National Archives and Records Administration*, National Archives and Records Administration, www.archives.gov/education/lessons/brown-v-board.

⁷ “Documents Related to Brown v. Board of Education.” *National Archives and Records Administration*, National Archives and Records Administration, www.archives.gov/education/lessons/brown-v-board.

Marshall won a case, *Sweatt v. Painter*, in which the Supreme Court ruled that a Texas law school was indeed not equal to its white counterpart. Motivated by their success, Marshall and his team wanted to lead a case that would strike a blow to segregation in all its horrid glory.⁸

Marshall and his collection of lawyers didn't just fight the underfunding; they instead focused on the constitutionality of the laws regarding segregation. They pointed out the detrimental psychological effects that segregation had on African-American children, noting that the separation of races adversely affects their self-esteem and self-image, as well as stigmatize them. Marshall argued that segregation in schools taught black children that they were unworthy to be educated in the same room as white children, and that it reinforced concepts of inequality associated with prejudice based on race.⁹

On May 17th, 1954, after months of bringing the split Court together, Chief Justice Earl Warren read the unanimous decision; law-ordered school segregation violated the 14th Amendment, and was thus, unconstitutional. In the decision, Warren states, "In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity ... is a right which must be made available to all on equal terms ... Does segregation of children in public schools solely on the basis of race ... deprive the children of the minority group of equal educational opportunities? We believe that it does."¹⁰

The domestic and global impact of this ruling was huge. In the 1950's, the United States was at the peak of the Cold War. U.S. officials recognized how segregation put the U.S. in a negative light. The ruling could have been attributed to the U.S. officials wanting to end Russian

⁸ "Brown v. Board of Education of Topeka." *Khan Academy*, www.khanacademy.org/humanities/ap-us-history/period-8/apush-civil-rights-movement/a/brown-v-board-of-education.

⁹ Patterson, James T. *Brown v. Board of Education: a Civil Rights Milestone and Its Troubled Legacy*. Oxford University Press, 2010.

¹⁰ "FindLaw's United States Supreme Court Case and Opinions." *Findlaw*, caselaw.findlaw.com/us-supreme-court/347/483.html.

propaganda around segregation in the United States. As Erin Miller wrote on the SCOTUSblog, “... American civil rights failings had long been a staple in the international press. Editorials around the world lambasted racial segregation in public schools and elsewhere, and instances of racial violence, including lynching, caused international outrage ... The Cold War balance of power itself seemed to turn on the faith of other nations in the benefits of democracy. Yet in the world's leading democracy, citizens were segregated by race, and African Americans were sometimes brutalized for attempting to exercise basic rights. The Soviet Union took advantage of this American weakness. American racism was a principal Soviet propaganda theme by the late 1940s. This propaganda was overblown, yet it had an impact because the long history of oppression of African Americans was well known around the world. Many believed that American world leadership, and world peace itself, hinged on the nation solving its racial problems.”¹¹ The *Brown* ruling broke international headlines. This was significant as it took some of the power of Russian propaganda away, helping the United States further its democratic agenda.¹²

The case also had an impact domestically, as it overturned a case many in the U.S. used to justify de facto segregation. There were both long-term and short term effects of this case. After the ruling, as there was no specification, states took their sweet time integrating schools. Some flat-out refused to allow black students to enroll, such as the Stand at the Schoolhouse Door, where the governor of Alabama personally blocked the door to Foster Auditorium in order to prevent two African-Americans from receiving education at the University of Alabama.¹³

¹¹ “The Global Impact of Brown v. Board of Education.” *SCOTUSblog*, 25 Apr. 2017, www.scotusblog.com/2010/02/the-global-impact-of-brown-v-board-of-education/.

¹² “The Global Impact of Brown v. Board of Education.” *SCOTUSblog*, 25 Apr. 2017, www.scotusblog.com/2010/02/the-global-impact-of-brown-v-board-of-education/.

¹³ “1963 January-June.” *Veterans of the Civil Rights Movement -- History & Timeline, 1963 (Jan-June)*, www.crmvet.org/tim/timhis63.htm#1963tuscaloosa.

In Virginia, senator Harry F. Byrd organized the Massive Resistance movement, which included the mass closing of schools in order to protest the desegregation in public schools.¹⁴ *Brown II*, another case concerning the speed of which schools must desegregate, ruled that schools must be desegregated “with all deliberate speed,”¹⁵ and later ordered the immediate desegregation of schools.

This case represents this year’s National History Day theme in many ways. The racial conflict in the United States, and how the government oppressed minorities, reflects the “conflict” part. The southern whites branded the black citizens as less than them. Racial conflict was a huge part of America in the 1900’s. People were cast aside based on the color of their skin. There were race-based hate crimes, such as the lynching of Emmett Till, who was lynched after apparently offending a white woman. The tense relationship between those with light skin and those with dark was extremely prevalent and was a big part of American culture until this case and the Civil Rights movement.

The “compromise” part is covered at the end of the historic law case. The Supreme Court compromised and found that segregation in public schools was unconstitutional and had detrimental effects of African-Americans. The Court had to come together to decide what was best for America. This was going to be a landmark case, no matter what way they voted. If they upheld the ideas brought about by *Plessy*, the Civil Rights movement may have not had the strength to keep going. But since they sat down, and discussed, and had heavy discussion for months, they decided to overturn *Plessy* and advance America for everyone.

¹⁴ “1954.” *Veterans of the Civil Rights Movement -- History & Timeline, 1954*, www.crmvet.org/tim/timhis54.htm.

¹⁵ “1955.” *Veterans of the Civil Rights Movement -- History & Timeline, 1955*, www.crmvet.org/tim/timhis55.htm#1955ads.

To summarize, *Brown v. Board of Education* did extreme good for American society. The path to ending racism was rocky, sure, but without *Brown* the Civil Rights movement might have not had that spark to continue with their protests and opposition to racism and prejudice. *Brown* confronted that prejudice, and through highlighting the conflict of races, gathered the Supreme Court, and they compromised and delivered one of the biggest rulings of American history. With *Brown*, African-Americans were integrated into the masses instead of being cast aside, and thus strengthening and solidifying the United States and its status as a free nation for all people.

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