

Brown v. Board of Education (1954)

Background

In Topeka, Kansas in the 1950s, schools were segregated by race. Each day, Linda Brown and her sister, Terry Lynn, had to walk through a dangerous railroad yard to get to the bus stop for the ride to their all-black elementary school. There was a school closer to the Brown's house, but it was only for white students.

Topeka was not the only town to experience segregation. Segregation in schools and other public places was common throughout the South and elsewhere. Segregation is separation based on race in public facilities like schools, restaurants, movie theaters, etc. This segregation based on race was legal because of a landmark Supreme Court case called *Plessy v. Ferguson*, which was decided in 1896. In that case, the Court said that as long as segregated facilities were equal in quality, segregation did not violate the Constitution.

The Browns believed that the system violated the Fourteenth Amendment guaranteeing that people will be treated equally under the law.

No State shall . . . deny to any person within its jurisdiction the equal protection of the laws.

—Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution

The National Association for the Advancement of Colored People (NAACP) helped the Browns with their case. Thurgood Marshall was the attorney who argued the case for the Browns. He would later become a Supreme Court justice.

The case was first heard in a federal district court, the lowest court in the federal system. The court said that the all-black schools were equal to the all-white schools because the buildings, transportation, curricula, and educational qualifications of the teachers were similar; therefore the segregation was legal. The Browns appealed their case before the Supreme Court in 1954.

Decision

In a unanimous decision, the Supreme Court ruled in favor of Brown. The Court found the practice of segregation unconstitutional and refused to apply its decision in *Plessy v. Ferguson* to "the field of public education." Chief Justice Earl Warren wrote the opinion for the Court.

The Court noted that public education was central to American life. Calling it "the very foundation of good citizenship," they acknowledged that public education was not only necessary to prepare children for their future professions and to enable them to actively participate in the democratic process, but that it was also "a principal instrument in awakening the child to cultural values" present in their communities. The justices found

it very unlikely that a child would be able to succeed in life without a good education. Access to such an education was thus “a right which must be made available to all on equal terms.”

Departing from the Court’s earlier reasoning in *Plessy*, the justices here argued that separating children solely on the basis of race created a feeling of inferiority in the “hearts and minds” of African American children. Segregating children in public education created and perpetuated (continued) the idea that African American children held a lower status in the community than white children, even if their separate educational facilities were substantially equal in “tangible” factors. This feeling of inferiority reduced the desire to learn and achieve in African American children, and had “a tendency to retard their educational and mental development and to deprive them of some of the benefits they would receive in a racially integrated school system.” Concluding that “separate education facilities are inherently unequal”, the Supreme Court ruled that segregation in public education denied African American children the equal protection of the laws guaranteed by the Fourteenth Amendment.

One year later, the Court addressed the implementation of its decision in a case known as *Brown v. Board of Education II*. Chief Justice Warren once again wrote an opinion for the unanimous court. The Court acknowledged that desegregating public schools would take place in various ways, depending on the unique problems faced by individual school districts. After charging local school authorities with the responsibility for solving these problems, the Court instructed federal trial courts to oversee the process and determine whether local authorities were desegregating schools in good faith, mandating that desegregation take place with “with all deliberate speed.”

QUESTIONS TO CONSIDER

1. What is the constitutional issue?
2. How did the case of *Plessy v. Ferguson* (1896) affect segregation?
3. What was the court’s decision?
4. What was the significance of the court’s decision?