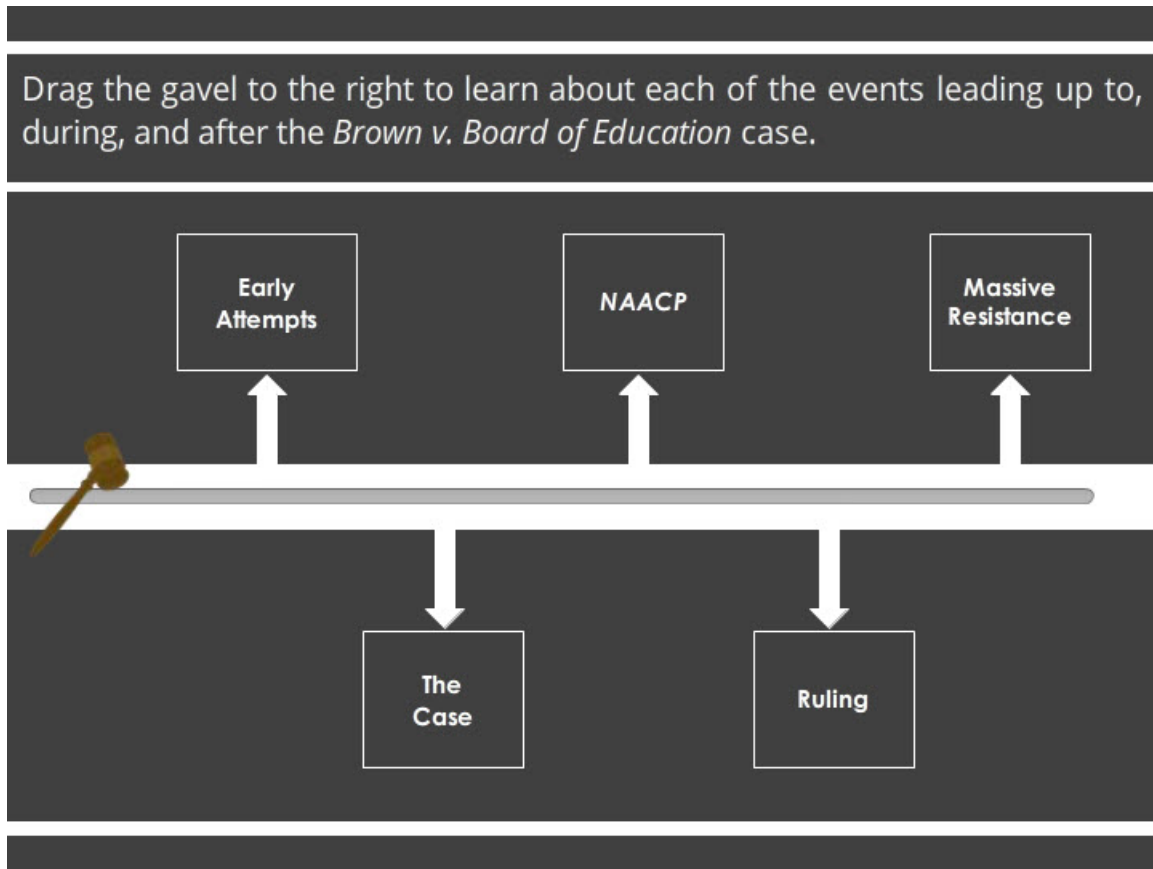


Module 10: Civil Unrest - The 1960s and the 1970s

Topic 2 Content: *Brown v. Board of Education* Notes

Introduction



One of the first cases to demonstrate that the Supreme Court would play a more instrumental role in the government was the 1954 case of *Brown v. Board of Education*. In this interactivity, drag the gavel to the right to learn about each of the events leading up to, during, and after the *Brown v. Board of Education* landmark case.

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Topic 2 Content: *Brown v. Board of Education* Notes

Early Attempts

Early Attempts



- *Plessy v. Ferguson* ruled that all public facilities would be “separate but equal.”
- Several African American communities in different states felt the ruling in *Plessy v. Ferguson* was unconstitutional because the schools were not equal.
- African American schools received less funding and students had to travel farther to attend segregated schools.

Recall in the 1896 *Plessy v. Ferguson* case that the Supreme Court ruled it illegal for African American students to attend public schools with white students; and that all public facilities would be “separate but equal” for both ethnicities. Several African American communities did not agree with the law defined in *Plessy v. Ferguson* because the separate schools were not equal. Specifically, in 1954, African American schools only received sixty percent of their funding earmarked for each student. In addition, many African American children had to travel farther to attend school, rather than attending the school for white students located closer to home. Recognizing this inequality, the National Association for the Advancement of Colored People or NAACP looked for ways to challenge segregation in the courts. The NAACP had a long history of working to try and overturn the *Plessy v. Ferguson* decision.

In 1950 and 1951, parents of African American children who attended segregated schools in Kansas, South Carolina, Virginia, Delaware, and the District of Columbia filed lawsuits in an attempt to revoke *Plessy v. Ferguson*. Although none of their cases were initially successful, they hoped to make more progress with an appeal.

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The Case

The Case




- Oliver Brown was upset that his daughter had to cross railroad tracks to reach her bus stop.
- A closer school existed but it only accepted white children.
- Oliver Brown filed a lawsuit against the school board in the state of Kansas, but the district court ruled that the segregated schools did not violate the Constitution.

You may be wondering why the case was called *Brown v. Board of Education*. Oliver Brown, a Topeka, Kansas resident, was upset that his daughter Linda had to walk across a dangerous railway switchyard to reach her bus stop, where she would catch a ride to a segregated elementary school. There was a school closer to Linda's home, but it was only for white children. Oliver Brown felt that the segregated school system was unconstitutional based on the Fourteenth Amendment, and he filed a lawsuit in the state of Kansas. At the district court level, it was decided that the segregation was legal, since both schools had similar facilities, faculty, and transportation.


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NAACP

NAACP



- Several families from different states took their cases to the NAACP.
- The cases were merged into one case with Thurgood Marshall as chief legal counsel.
- The collective cases became known as *Brown v. Board of Education*, which was appealed to the Supreme Court.




After losing the case at the district court level, the Brown's and several other families who filed similar cases in other states took their cases to the National Association for the Advancement of Colored People. The NAACP merged all of the cases into one, with Thurgood Marshall as chief legal counsel. Collectively, the case became known as *Brown v. Board of Education*. Marshall argued that the segregation of schools discriminated against African American children and had damaging emotional effects. The case was appealed to the Supreme Court.

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The Ruling

The Ruling



- The Supreme Court ruled unanimously in favor of Brown.
- The ruling overturned the ruling in *Plessy v. Ferguson*.

The Supreme Court, under Chief Justice Earl Warren, decided unanimously in favor of Brown. The unanimous court ruling overturned the ruling in the *Plessy v. Ferguson* case. The Supreme Court believed that education played a central role in creating intelligent, professional, and cultured citizens. In Chief Justice Warren's opinion, segregation "generates a feeling of inferiority as their status in the community that may affect their hearts and minds in a way unlikely to ever be undone..."

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Massive Resistance

Massive Resistance



- Prince Edward County closed all of its schools in 1959 rather than abide by the Supreme Court's ruling.
- Not abiding by the Supreme Court's ruling was called Massive Resistance.



Even with this landmark ruling on the side of social equality, executing the law was not the responsibility of the Supreme Court. Many states fought against desegregation and attempted to evade the ruling. Many white Virginians responded to school desegregation with negativity, and took action to keep the races from mixing. Some schools even closed rather than allowing African American and white students to attend together. These school closings were called Massive Resistance. Virginians also responded to school desegregation by opening several private schools and academies for white students, so they would not have to attend desegregated institutes. In addition, to avoid desegregation, many white families in Virginia fled from urban to rural areas. By 1964, only one percent of black children in the South attended desegregated schools, and those who did often were tormented.

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