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SEPARATE ≠ EQUAL

Brown v. Board of Education(1954)

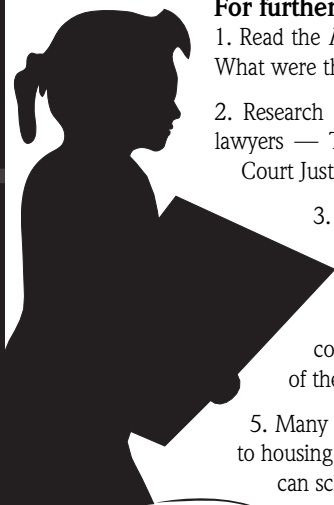
After the Civil War and the passage of the 14th and 15th Amendments, newly freed African-Americans became citizens with equal protection of the law. Sadly, neither a war nor Constitutional amendments could abolish racism. Many states passed laws that mandated separation of the races in schools, housing, transportation and other institutions. They also passed laws making it very difficult for African Americans to exercise their right to vote.

African-Americans challenged the constitutionality of these laws. In 1896, the United States Supreme Court held in *Plessy v. Ferguson*, that segregating people on the basis of race did not violate the equal protection clause in the 14th Amendment as long as they were treated equally.

The National Association for the Advancement of Colored People (NAACP) established a legal team that began to fight the legality of the “separate but equal” practice. They began to win cases dealing with housing and with graduate school education, but they knew the only way to have any real impact on segregation was to end it in public elementary and high schools. They chose to argue the case of Linda Brown, a young African-American student in the Topeka, Kansas school district. Every day she had to walk through a dangerous railroad yard to get to the bus stop for the ride to the all-black school. She tried to get into the all-white school close to her house but was refused admittance because state law did not allow it. In a 9-0 decision in 1954, the United States Supreme Court held that “separate but equal” schools violated the 14th Amendment. Arguably, this decision led to the Civil Rights Movement of the 1960s and the passage of the 1964 Civil Rights Act and 1965 Voting Rights Act. That is why this year Americans are honoring the 50th anniversary of the *Brown* case.

For further consideration:

1. Read the *Plessy and Brown* cases. Compare and contrast the cases. What were the issues in both cases? What changed from 1896-1954?
2. Research the history of the NAACP and one of its most famous lawyers — Thurgood Marshall, the first African-American Supreme Court Justice.
3. Research what happened in Little Rock, Arkansas, when African-Americans integrated Central High School.
4. Discuss how communities went about desegregating their schools? Why did it happen more quickly in smaller communities than large metropolitan areas? How did some of the large cities attempt to de-segregate their schools?
5. Many schools in large cities are becoming more segregated due to housing patterns and people in the cities moving to suburbs. How can schools keep from becoming more segregated?
6. Research the history of affirmative action. Why would this policy find its roots in the *Brown* case?



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