

Brown v. Board of Education

Goals

Students learn about the pivotal 1954 *Brown v. Board of Education* case by watching a PBS video, reading excerpts from the decision, and analyzing a political cartoon. They debate the proper role of government in community affairs and citizens' lives.

Central Questions

Why was this case brought to the Supreme Court? What are the proper roles for federal, state and local governments?

Background Information

In 1868, the 14th Amendment to the Constitution guaranteed equal protection under the laws to everyone, regardless of race. In 1896, the Supreme Court said in the case of *Plessy v. Ferguson* that racial segregation was legal as long as facilities for Blacks and whites were "separate but equal." In the early 1950s, the NAACP brought five lawsuits in Kansas, South Carolina, Virginia, the District of Columbia, and Delaware claiming that the "separate but equal" ruling violated the equal protection clause of the 14th Amendment. All of the lawsuits concerned segregated schools and the equal right to education.

In 1952, the five cases reached the Supreme Court, which agreed to hear all of them as one. Thurgood Marshall, a lead attorney for the National Association for the Advancement of Colored People (NAACP), provided testimony from more than 30 social scientists affirming the harmful effects of segregation on Blacks and whites. On the other side, lawyers for the school boards said that *Plessy v. Ferguson* was more important than the 14th Amendment and they argued that running schools is a local matter and not the business of the federal government.

On May 17, 1954, Chief Justice Earl Warren read the court's unanimous opinion: school segregation was unconstitutional. But desegregating thousands of schools all over the country was a huge challenge, and the court merely said that it had to be done "with all deliberate speed." That phrase allowed many years of foot-dragging by opponents of integration all across the country. The Milwaukee school board, for example, did not come up with a desegregation plan until 1979, 25 years after *Brown v. Board*.

Despite two unanimous decisions, there was widespread resistance to the Supreme Court's ruling, not only among Southern segregationists but also from some constitutional scholars who felt that the court had overstepped its constitutional powers by creating new law. Participants in the Civil Rights Movement, however, believed the court had acted appropriately and used its power to enforce the constitution.

Documents Used in This Lesson:

1. Seven-minute PBS video "Brown: A Landmark Case."
<http://wihist.org/1yAfjYt>
2. Excerpts from the Supreme Court's 1954 decision.
<http://wihist.org/1q6K3bx>
3. Editorial cartoon: "I'm eight. I was born on the day of the Supreme Court decision."
<http://wihist.org/1yWbHZo>

Document 1: Seven-minute PBS video “Brown: A Landmark Case.”
<http://wihist.org/1yAfJYt>



Document 2: Excerpts from the Supreme Court’s 1954 decision. <http://wihist.org/1q6K3bx>

- A. “Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other ‘tangible’ factors may be equal, deprive the children of the minority group of equal educational opportunities? We believe that it does.”
- B. “Segregation of white and colored children in public schools has a detrimental effect upon the colored children. The impact is greater when it has the sanction of the law, for the policy of separating the races is usually interpreted as denoting the inferiority of the Negro group. A sense of inferiority affects the motivation of a child to learn. Segregation with the sanction of law, therefore, has a tendency to [retard] the educational and mental development of Negro children and to deprive them of some of the benefits they would receive in a racial[ly] integrated school system.”
- C. “We conclude that, in the field of public education, the doctrine of ‘separate but equal’ has no place. Separate educational facilities are inherently unequal.”
- D. In a 1955 follow-up ruling, the Supreme Court ordered state and local officials to “take such proceedings and enter such orders and decrees consistent with this opinion as are necessary and proper to admit [children] to public schools on a racially nondiscriminatory basis with all deliberate speed...”

Questions

Document 1: Seven-minute PBS video ” Brown: A Landmark Case.”

Before starting, jot down three things that you think will be in the video. Then watch the entire video, making a few notes on things that seem important as you watch it.

1. Surprise – Realize – Visualize

Fold a sheet of paper into thirds. In the left-hand column, list some things that *surprised* you while you were watching. In the middle column, write at least one thing you *realized* while watching, something that you didn't know before. In the right-hand column, *imagine* one thing you might do, or not do, because of watching the video.

Document 2: Excerpts from the Supreme Court's 1954 decision.

1. With a partner or in a group, read the excerpts from the Supreme Court's decision. Select any one of the paragraphs and agree among yourselves on what it means. Restate it briefly in your own words, in a way that somebody younger than you could understand.

2. Opponents of *Brown v. Board of Education* argued that the federal government should not get involved local matters, such as how schools are run. Agree on these questions among yourselves: Should a higher level of government ever be able to overrule a lower one, like a town or a village? On what sorts of issues? Should any government ever be able to take away an individual person's freedom? When?

Document 3: Editorial cartoon: "I'm eight. I was born on the day of the Supreme Court decision."
<http://wihist.org/1yWbHZo>



Questions

Document 3: Editorial cartoon: “I’m eight. I was born on the day of the Supreme Court decision.”

With a partner or in a small group, answer the following questions.

1. What’s the cartoon’s caption or title?
2. What year was the cartoon published? How long after *Brown v. Board of Education* was that?
3. Who are the main characters? Where are they?
4. List several objects you see in the cartoon. What’s going on in the background?
5. Which of the objects on your list are symbols?
6. What do you think each symbol means?
7. Explain the main message of the cartoon in your own words.
8. Think of a message about something going on now in the world, your neighborhood, or your school. Make a rough sketch of a cartoon that would illustrate your message.