

Brown v. Board of Education of Topeka / Background ••—Answer Key

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 switchyard 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. This segregation based on race was legal because of the precedent set in 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.

However, the Browns disagreed. Linda Brown and her family believed that the segregated school system did violate the Constitution. In particular, they believed that the system violated the 14th Amendment's guarantee that people will be treated equally under the law. The Browns sued the Board of Education

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

— *Equal Protection Clause of the 14th Amendment of the U.S. Constitution*

The National Association for the Advancement of Colored People (NAACP) helped the Browns. Thurgood Marshall was the attorney who argued the case. He would later become the first African American U.S. Supreme Court justice.

The case was first heard in a federal district court, the lowest court in the federal system. The federal district court decided that segregation in public education was harmful to Black children. However, 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, however, believed that even if the facilities were similar, segregated schools could never be equal to one another. They appealed their case to the Supreme Court of the United States. The Court combined the Brown's case with other cases from South Carolina, Virginia, and Delaware. The ruling in *Brown v. Board of Education of Topeka* came in 1954.

Questions to Consider

1. What does it mean to have segregated schools?
For schools to be segregated means children are separated on the basis of some characteristic. In this case, that characteristic was race.
2. What right does the 14th Amendment give citizens?
The 14th Amendment gives people the right to "equal protection of the laws." This means that the state governments must treat people equally.
3. How did the case of *Plessy v. Ferguson* (1896) affect segregation?
Plessy v. Ferguson set the precedent that separate facilities for different races were allowed under the 14th Amendment as long as the facilities were equal in quality. *Plessy* gave legal backing to the widespread practice of segregation of public facilities. In other words, the Supreme Court's ruling made the legal case for maintaining segregation stronger.
4. It is important for this case to determine what "equal" means. What do you think equality means to the Browns? What do you think equality means to the Board of Education of Topeka?
For the Browns, education cannot be equal unless students of different races attend school together, sharing the same educational experiences and facilities. The Board of Education of Topeka believes that education can be equal in separate facilities for different races as long as those facilities are roughly equal. The Board of Education of Topeka was focused on the equality of the tangible elements of education (school buildings, transportation, teachers, etc.), while the Browns are more concerned with the intangible elements of education, for instance the social stigma that comes with a separation of children based on race.