

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

In the early 1950s, Linda Brown was a young African American student in the Topeka, Kansas, school district. Every day she and her sister, Terry Lynn, had to walk through the Rock Island Railroad Switchyard to get to the bus stop for the ride to the all-Black Monroe School. Linda Brown tried to gain admission to the Sumner School, which was closer to her house, but her application was denied by the Board of Education of Topeka because of her race. The Sumner School was for White children only.

Under the laws of the time, many public facilities were segregated by race. The precedent-setting *Plessy v. Ferguson* case, which was decided by the U.S. Supreme Court in 1896, allowed for such segregation. In that case, Homer Plessy, who had African American ancestors, challenged a Louisiana law that required railroad companies to provide equal but separate accommodations for White and Black passengers. He claimed that the Louisiana law violated the 14th Amendment, which demands that states provide “equal protection of the laws.” However, the U.S. Supreme Court held that as long as segregated facilities were equal in quality, segregation did not violate the 14th Amendment. In doing so, the Court classified segregation as a matter of social equality. Therefore, segregation was out of the control of the justice system, which was concerned with maintaining legal equality. The Court stated, “If one race be inferior to the other socially, the constitution of the United States cannot put them on the same plane.”

At the time of the *Brown* case, a Kansas statute permitted, but did not require, cities of more than 15,000 people to maintain separate school facilities for Black and White students. On that basis, the Board of Education of Topeka elected to establish segregated elementary schools. Other public schools in the community were operated on a non-segregated, or unitary, basis.

The Browns felt that the decision of the Board violated the Constitution. They sued the Board of Education of Topeka, alleging that the segregated school system deprived Linda Brown of the equal protection of the laws required under the 14th Amendment.

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*

Thurgood Marshall, an attorney for the National Association for the Advancement of Colored People (NAACP), argued the Brown’s case. Marshall would later become the first African American Supreme Court justice.

The three-judge federal district court found that segregation in public education had a detrimental effect on Black children, but the court denied that there was any violation of

Brown's rights because of the "separate but equal" doctrine established in the Supreme Court's 1896 *Plessy* decision. The court found that the schools were substantially equal with respect to buildings, transportation, curricula, and educational qualifications of teachers. The Browns appealed their case to the Supreme Court of the United States, claiming that the segregated schools were not equal and could never be made equal. The Court agreed to hear the case and combined it with several similar 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 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.
2. What problems did Linda Brown encounter in Topeka that eventually resulted in this case?
Because the school system in Topeka segregated schools based on race, the Brown sisters had to travel far and through dangerous conditions to get to the school designated for them. They were denied access to a closer school because of their race.
3. What precedent did the *Plessy v. Ferguson* (1896) ruling establish? How was that precedent related to *Brown*?
The *Plessy v. Ferguson* ruling 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 v. Ferguson* is related to *Brown v. Board of Education* in that both cases deal with government mandated separate facilities for different races. If the Supreme Court of the United States maintained the precedent set by *Plessy v. Ferguson*, then the Court would rule that separate facilities for different races, as long as they are equal, are allowed under the U.S. Constitution.
4. This case is based on what the concept of "equality" means. What are the conflicting points of view on this concept in this case?
The lower court rulings in *Brown* seemed to imply, in line with the *Plessy* case, that as long as the segregated schools had roughly the same quality of facilities, teachers, transportation and curricula, then the schools were equal. The Browns contended that equality could never be reached unless students of different races attended school together. In this sense, they maintained that equality has a more complex meaning than simply providing equal quality facilities for both races. By keeping the races separate, the Topeka school system reinforces social stereotypes that label all Black children as inferior. Equality could never be reached unless Black and White children attended school together and received the same educational experiences in a common environment.