

## **BROWN v. BOARD OF EDUCATION (1954)**

**The landmark decision that established that racial segregation in public schools was unconstitutional.**

### KEY TERMS

#### Segregation

In the aftermath of the Civil War, African Americans and Caucasians were socially separated throughout the United States through overlapping systems of *de facto segregation* and *de jure segregation* like the Jim Crow laws in the South.

#### Equal Protection Clause

The Equal Protection Clause of the Fourteenth Amendment argues that States do not have the power to “deny to any person within its jurisdiction the equal protection of the laws” that is granted to them by the Federal government.

### PRECEDENT

*Plessy v. Ferguson* (1896)—argued that public facilities could be racially separated as long as the facilities available to African Americans and Caucasians were “separate, but equal.”

### SUBSEQUENT CASE

*Cooper v. Aaron* (1958)—the Warren Court continued to assert federal responsibility for civil rights by denying states the right to delay desegregation by upholding the judicial supremacy precedent established in *Marbury v. Madison* (1803).

### FACTS OF THE CASE

In 1951, Oliver Brown attempted to enroll his daughter at the public elementary school closest to their home. The school refused to accept his daughter’s enrollment because she was African American, forcing her to take a bus to a segregated black elementary school that was significantly farther away. The Browns joined with twelve other local families and filed a class action lawsuit against the Topeka Board of Education, arguing that the racial segregation in public schools violated the Fourteenth Amendment. A lower court initially ruled against the Browns, arguing that racially segregation was allowed under the 1896 *Plessy v. Ferguson* ruling that allowed “separate but equal” facilities. The National Association for the Advance of Colored People (NAACP) supplied lawyers to the families to appeal the case up the Supreme Court, Thurgood Marshall, who would later be appointed as a Supreme Court Justice, argued on behalf of the plaintiffs.



*U.S. Marshalls escort Ruby Bridges from school after the Supreme Court ordered the desegregation of public schools.*

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### **THE DECISION**

In a unanimous decision, the Court ruled that that “separate educational facilities are inherently unequal” because racial segregation had a negative effect on the minority group. The ruling overturned *Plessy v. Ferguson* by arguing that separation was harmful, even if the “tangible qualities” of the situations were the same.

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**OVERTURNED: *Plessy v. Ferguson* (1896)**

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### **IMPACT**

Although the ruling was a major victory of the Civil Rights Movement, it was resisted by local governments across the South. Politicians in the Deep South implemented a program dubbed “Massive Resistance” to do whatever necessary to stop school integration. The federal government sent in the National Guard to integrate schools in Alabama and Arkansas. In other districts in the South, segregation was implemented after numerous subsequent lawsuits.

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