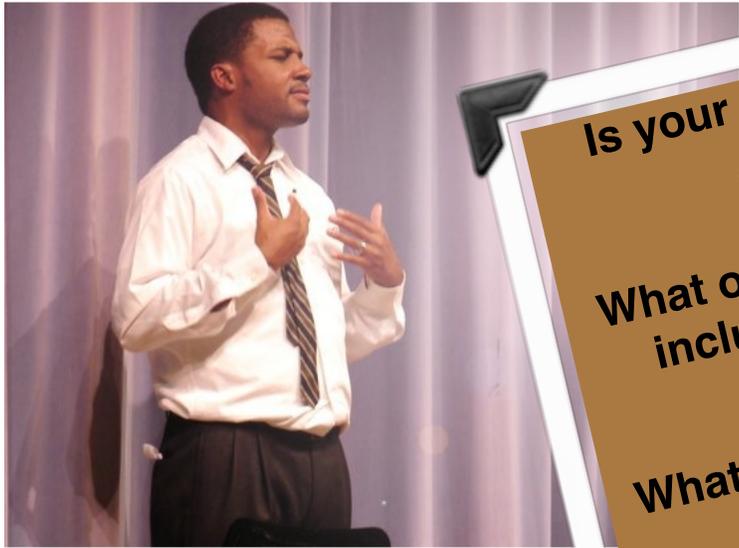


## BROWN V. BOARD OF EDUCATION

## STUDY GUIDE



MIKE WILEY IN BROWN V. BOARD

Is your school segregated?  
 In what ways?  
 What other groups need to be included besides African-Americans?  
 What could you do to promote integration?

## Before Brown v. Board

*Dred Scott v. Sandford*, 60 U.S. 393 (1857), was a landmark decision by the U.S. Supreme Court in which the Court held that African Americans, whether slave or free, could not be American citizens and therefore had no standing to sue in federal court,<sup>[2][3]</sup> and that the federal government had no power to regulate slavery in the federal territories acquired after the creation of the United States. *Dred Scott*, an African American slave who had been taken by his owners to free states and territories, attempted to sue for his freedom. In a 7–2 decision written by Chief Justice Roger B. Taney, the Court denied Scott's request. For only the second time in its history the Supreme Court ruled an Act of Congress to be unconstitutional.

**Separate but equal** was a legal doctrine in United States constitutional law that justified and permitted racial segregation, as not being in breach of the Fourteenth Amendment to the United States Constitution which guaranteed equal protection under the law to all citizens, and other federal civil rights laws. Under the doctrine, government was allowed to require that services, facilities, public accommodations, housing, medical care, education, employment, and transportation be separated along racial lines, provided that the quality of each group's public facilities was equal. The phrase was derived from a Louisiana law of 1890, although the law actually used the phrase "equal but separate." The doctrine was confirmed in the *Plessy v. Ferguson* decision of 1896, which allowed state-sponsored segregation.

*Plessy v. Ferguson* (1896) is a landmark United States Supreme Court decision in the jurisprudence of the United States, upholding the constitutionality of state laws requiring racial segregation in public facilities under the doctrine of "separate but equal". The decision was handed down by a vote of 7 to 1 with the majority opinion written by Justice Henry Billings Brown and the dissent written by Justice John Marshall Harlan. "Separate but equal" remained standard doctrine in U.S. law until its repudiation in the 1954 Supreme Court decision *Brown v. Board of Education*.

## Websites

### History.Com

<http://www.history.com/speeches/brown-v-board-of-education-ruling#brown-v-board-of-education-ruling>

### Learn NC

<http://www.learnnc.org/lp/editions/brownboard-docsouth/?ref=search>

### National Archives

<http://www.archives.gov/education/lessons/brown-v-board/>

## Books

### Linda Brown, You Are Not Alone: The Brown V. Board of Education Decision

by [Joyce Carol Thomas](#) (Author),  
[Curtis James](#) (Illustrator)  
Hyperion Books for Children, 2003.

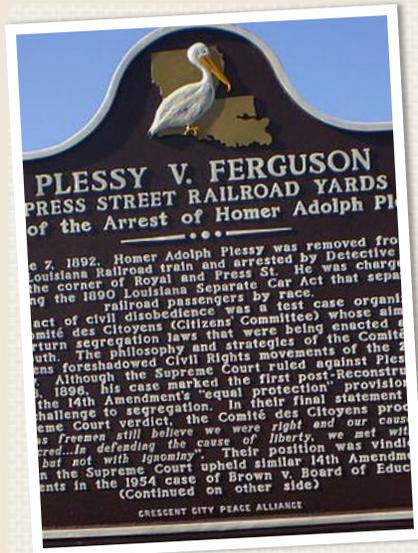
**Brown v. Board of Education: School Desegregation.** Dudley, Mark E. Twenty-First Century Books, 1994. Gr. 6-10

**Brown v. Board of Education: A Civil Rights Milestone.** Good, Diane L. Children's Press, 2004. Gr. 5-8

**Brown v. Board of Education of Topeka: Challenging School Segregation in the Supreme Court.** Miller, Jake. PowerKids Press, 2004. Gr. 1-4

### Vocabulary:

Biracial, Civil Disobedience, Democratic Society, Dissenter, Equality, Illegal, Inferiority, Inherently, Integrated, Minority, NAACP, Public Education, Prejudice, Private Education, Race, Right, Segregation, Stereotype, Tangible, Unanimous, Unconstitutional, U.S. Supreme Court.



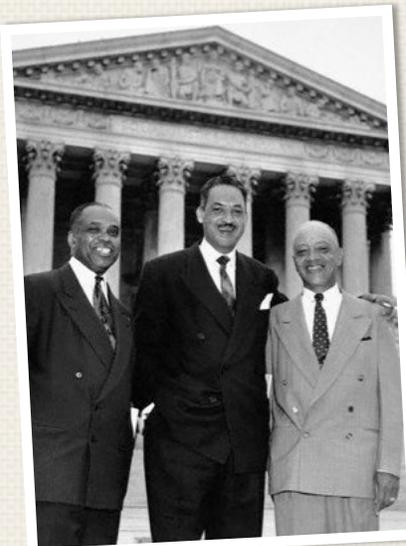
## PLESSY V. FERGUSON

The Supreme Court's "Plessy vs. Ferguson" decision in 1896 required railroads to provide "separate but equal" accommodations for black and white citizens. Plessy vs. Ferguson led to more than just separate railroad cars. Schools, restaurants, courthouses, bathrooms and even drinking fountains were also segregated. The law influenced most kinds of interaction between blacks and whites.



## JIM CROW

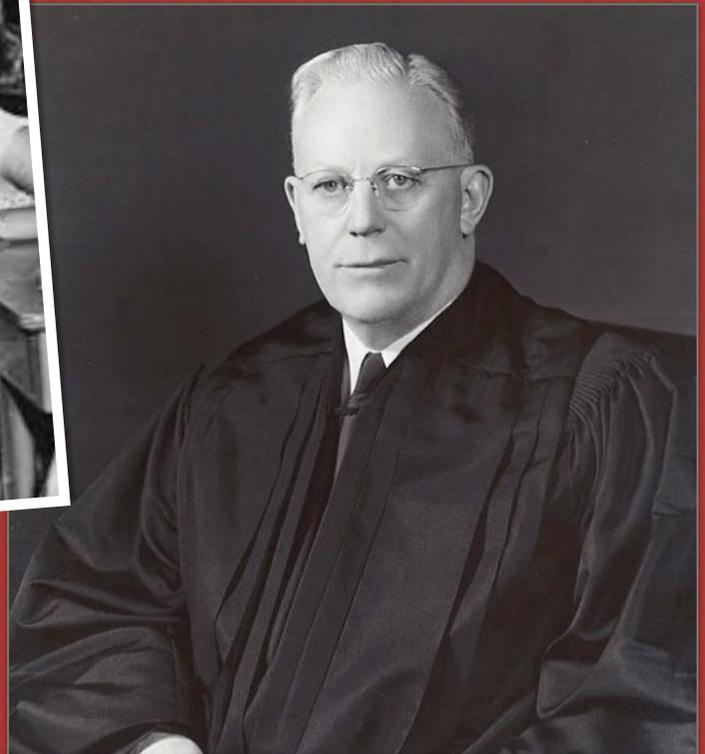
The term Jim Crow is believed to have originated around 1830 when a white, minstrel show performer blackened his face with charcoal paste and danced a ridiculous jig while singing the lyrics to the song, "Jump Jim Crow." The word "Jim Crow" became a racial slur in the vocabulary of many whites; and by the end of the century, acts of racial discrimination toward blacks were often referred to as Jim Crow laws and practices.



## BROWN V. BOARD

The NAACP's chief counsel, [Thurgood Marshall](#)—who was later appointed to the U.S. Supreme Court in 1967, argues successfully towards the integration of public schools in the U.S. Handed down on May 17, 1954, the [Warren Court's](#) unanimous decision stated that "separate educational facilities are inherently unequal." This ruling paved the way for [integration](#) and was a major victory of the [civil rights movement](#). [

# BROWN V. BOARD



**Brown V. Board Of Education (1954):**  
**"We Conclude That The Doctrine Of 'Separate But Equal' Has No Place. Separate Educational Facilities Are Inherently Unequal."**  
*— Chief Justice Earl Warren*



## Thurgood Marshall

Thurgood Marshall served as legal director of the NAACP. His tenure, from 1940 to 1961, was a pivotal time for the organization, as overturning racial segregation was one of its prime directives. Marshall, along with his mentor Charles Hamilton (who was the first Black lawyer to win a case before the Supreme Court), developed a long-term strategy for eradicating segregation in schools. They first concentrated on graduate and professional schools, believing that White judges would be more likely to sympathize with the ambitious young Blacks in those settings. As the team won more and more cases, they turned toward elementary and high schools. This culminated in the landmark 1954 decision "Brown v The Board of Education" which declared segregation of public schools illegal. By this time, Marshall was an experienced Supreme Court advocate, having already presented many cases before them, including challenges against white-only primary elections and restrictive covenants. He presented each of his cases in what would become his hallmark style: straight forward and plain-spoken. When asked for a definition of "equal" by Justice Frankfurter, Marshall replied, "Equal means getting the same thing, at the same time and in the same place." Thurgood Marshall is one of the most well-known figures in the history of civil rights in America and after "Brown v. Board of Education, Marshall went on to become the first Black Supreme Court Justice. He served on the Court for 24 years.

**Brown v. Board**  
by Serena Ehardt  
Featuring Mike Wiley

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Thurgood Marshall and President Lyndon B. Johnson  
June 13, 1967.



Thurgood  
Marshall

