

The ABCs of *Brown v. Board of Education*: A Primer for the 50th Anniversary

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MAY 17, 2004 will mark the 50th anniversary of the Supreme Court's decision in the historic school desegregation case, *Oliver L. Brown et al. v. Board of Education of Topeka (KS) et al.* As this date rapidly approaches, schools, universities, and communities across America will host and participate in commemorative events. Local and national media will likely give these events wide coverage. Are elementary social studies teachers prepared to discuss this anniversary with their students?

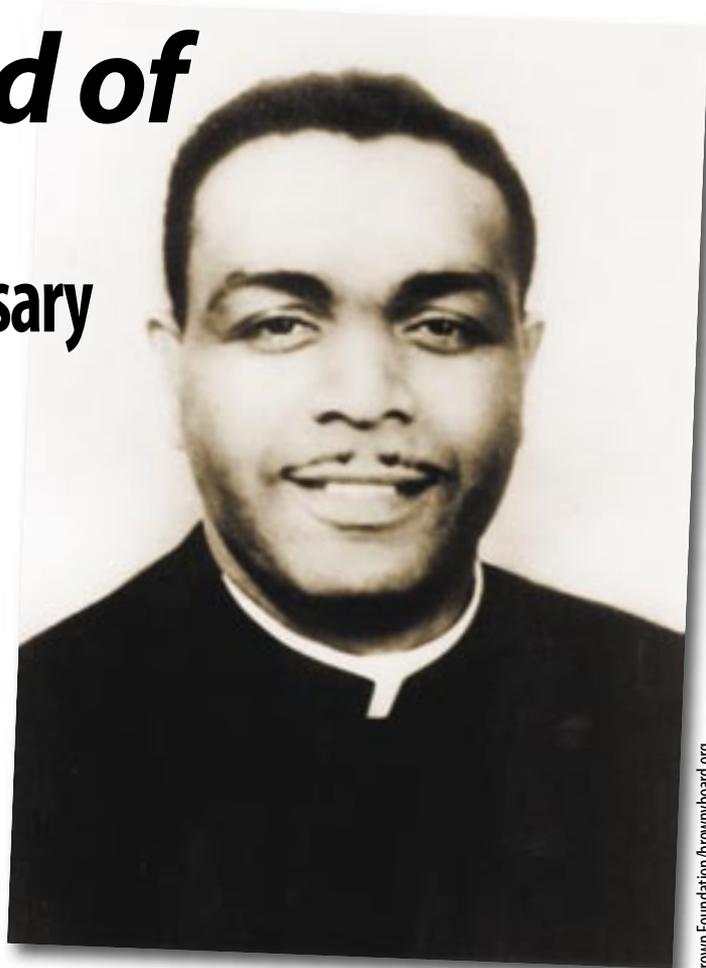
I recently surveyed elementary teachers about the struggle for school desegregation in the 1950s and 60s.¹ I found that, in most cases, teachers were reluctant to discuss that era of American history in their elementary classes for one of two reasons: (a) they were too young to have any personal memories of the struggle for desegregation and did not think themselves knowledgeable on the subject, or (b) veteran teachers had pushed memories of the days of segregation "to the back of their minds" and would prefer not to share those memories with children in their classrooms today. For example, during one interview, a middle-aged teacher in North Carolina stated, "Most of today's teachers are too young to know anything about segregation, except what they have read, and that is a good thing. Most of them learned about *Brown v. Board*, but since they have not experienced it, they really probably don't remember anything about [the topic]."

Such statements inspired me to write this article, which is an overview of the *Brown v. Board* case for social studies educators. It briefly highlights 26 key facts and concepts in a narrative, A through Z format. I hope this article proves helpful to veteran teachers who may be refreshing their memories of the case and its ramifications. For younger teachers I hope it might serve as a brief introduction (or refresher course) to this history.

Finally, I hope that elementary teachers will be inspired to plan lessons and participate in upcoming commemorative events.² The *Brown v. Board of Education* decision constitutes a landmark in America's story. It was a time when teachers, parents, and students of all ages, suddenly found their quiet routines transformed forever.

A is for ABOLISH

The Supreme Court's *Brown v. Board* decision required that states abolish all segregation in schools based on race. The ruling stated, "We conclude that, in the field of public education, the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal."³ Yet, just as discrimination based on race



Rev. Oliver L. Brown was the lead plaintiff in the *Brown v. Board of Education of Topeka, Kansas* case.

continued after slavery was abolished by the Thirteenth Amendment, so did segregation linger on in public schools and other public facilities after the case of *Brown v. Board* was decided.

B is for BLACK MONDAY

Many Southern whites were outraged by the decision to desegregate schools, and they dubbed May 17, 1954, "Black Monday." Ninety Southern congressmen condemned the court's decision as a takeover of state powers.⁴ Many governors and school leaders in the South refused to obey or implement the ruling. Some officials, such as the governor of South Carolina, vowed to close their schools or make them private rather than integrate

them.⁵ Officials in Prince Edward County, Virginia, chose to close their schools for five years, hoping to avoid integrating them.⁶

C is for CIVIL RIGHTS

According to *The American Heritage Dictionary*, civil rights are “the rights belonging to an individual by virtue of citizenship, especially the fundamental freedoms and privileges guaranteed by the 13th and 14th Amendments to the U.S. Constitution and by subsequent acts of Congress, including civil liberties, due process, equal protection of the laws, and freedom from discrimination.”⁷ Thurgood Marshall, the head lawyer for the plaintiffs in the case, was so intimately involved in numerous legal battles for civil rights that he became affectionately known as “Mr. Civil Rights.”

D is for DESEGREGATION

The Supreme Court ruled that lower courts were responsible for making sure that public schools were desegregated. But the court did not stipulate when or how schools should be desegregated. This omission was a major flaw in this ruling because ten years after *Brown v. Board* less than two percent of America’s schools had been desegregated.⁸

E is for EQUAL

Even though the Fourteenth and Fifteenth Amendments to the U.S. Constitution, adopted in 1868 and 1870 respectively, entitled all American citizens equal rights, many white people still refused to treat African Americans as equals. Signs reading “Colored Only” and “White Only” were posted at water fountains, restrooms, and other public places throughout the South. Separate schools were constructed for blacks and for whites. Most of these accommodations were far from equal.

F is for the FOURTEENTH AMENDMENT

The Fourteenth Amendment was adopted soon after the Civil War in 1868. It “defines citizenship and restrains states from abridging the privileges or immunities of a citizen, requires due process of law and equal protection of the laws to persons under

its jurisdiction, reduces representation in Congress for states that deny voting rights, disqualifies for office certain officials of the Confederacy, and invalidates any war debts of the confederate states.”⁹

G is for GROUP

The case of *Oliver L. Brown, et al. vs. the Board of Education of Topeka (KS), et al.* was not about a single instance of discrimination. The lead case was named for one parent, Oliver L. Brown, but there were thirteen parents who were plaintiffs on behalf of twenty children. (The phrase *et al.* is an abbreviation for the Latin *et alia*, meaning “and others.”) *Brown v. Board of Education* was a class action lawsuit that combined five separate cases. The Supreme Court considered four of the cases together, listed here with short titles: *Brown v. Board of Education of Topeka* (originating in Kansas), *Briggs v. Elliott* (South Carolina), *Davis v. Prince Edward County School Board* (Virginia), and *Belton (Bulah) v. Gebhart* (Delaware). The fifth case, *Bolling v. Sharpe* (which arose in the District of Columbia), was considered separately because the District is not a state.

Each of these five cases was itself a class action, brought by the NAACP on behalf of the families involved. More than 100 parents and children were named as plaintiffs in this group of five cases.¹⁰ At the core of each individual case was the desire of African American parents who wanted their children to have the same opportunities as other children.

H is for HOUSTON

In 1935, Charles Hamilton Houston was the chief legal counsel of the NAACP (see the entry for “N”, below) and Thurgood Marshall was his protégé. At that time, the NAACP was developing a legal strategy to end segregation in graduate and professional schools.

Houston’s intellect and commitment to civil rights were exceptional. He received his law degree from Harvard Law School where he served as the first black editor of the *Harvard Law Review*. He later became a professor, then dean, of Howard University’s Law School, where he worked diligently to prepare young black lawyers,

including Marshall, to argue discrimination cases. He resigned after five years as the chief legal counsel for the NAACP, and Thurgood Marshall was named his successor. “Marshall idolized Houston . . . ‘It all started with Charlie,’ said Marshall, later in his life.”¹¹

I is for INTEGRATE

After the ruling on *Brown v. Board II*, the schools in some cities slowly began to integrate black and white students, while others totally ignored the ruling. For most Southern cities, it was a long slow process. “In 1964 only two southern states (Tennessee and Texas) had more than 2 percent of their black students enrolled in integrated schools... about 6 percent of the black students in the South were in integrated schools by the next year.”¹² In many northern states as well, progress was so slow that federal courts finally ordered remedies that were very controversial, such as Boston’s 1974 busing program.¹³

J is for JIM CROW

A Supreme Court decision of 1896, *Plessy v. Ferguson*, established a “separate but equal” doctrine, which opened the way for legal segregation. (See the entry for “P”, below) The so-called “Jim Crow” laws that followed were “not merely about the physical separation of blacks and whites. In order to maintain dominance, whites needed more than the statutes and signs that specified “whites” and “blacks”; they had to assert and reiterate black inferiority with every word and gesture, in every aspect of both public and private life.”¹⁴ As a result, African Americans were treated as second-class citizens.

K is for KU KLUX KLAN

The Ku Klux Klan (the KKK) was a secret society, formed in the Southern states after the Civil War, which aimed to prevent blacks (and later, other minorities) from enjoying their rights as new citizens through violence and terror. Hate crimes resurged in southern states after the 1954 *Brown* decision. From 1952 to 1954, there were no lynchings on record. In 1955, there were three lynchings.¹⁵ Between 1954 and 1959, there were 210 recorded acts of vio-

lence against black people in the South, “including six murders, twenty-nine assaults with firearms, forty-four beatings, and sixty bombings.”¹⁶

L is for LINDA BROWN

Linda Brown was the eldest child of Rev. Oliver L. Brown, the lead plaintiff named in the *Brown v. Board* case. Rev. Brown’s children had to walk five blocks to catch a bus that took them to a school fifteen blocks away, even though there was an elementary school merely four blocks from their home. In Topeka, Kansas, blacks and whites lived in integrated neighborhoods, but African American parents could not send their children to the neighborhood school if it was for whites only.

The Topeka case itself was not about poor education and run down schools. (The schools there were built without regard to the race of the students who would populate the building. Teacher salaries were equal. Teacher qualifications were not in question, and the African American elementary schools were excellent.) The issue in the Topeka case was purely “segregation *per se*,” which is why it proved to be such an excellent addition to the roster of cases being developed by the NAACP.

Why was Rev. Brown listed first in the Kansas lawsuit? According to his youngest child, Cheryl Brown Henderson, her father was listed as lead plaintiff because, among the adults named in the Kansas lawsuit, he was the only man.¹⁷

M is for THURGOOD MARSHALL

Thurgood Marshall is one of the best-known figures in the history of civil rights in America and was the first black Supreme Court Justice. He served on the Court for 24 years, until June 28, 1991.

Before serving on the Supreme Court, Marshall served as legal director of the NAACP. His tenure, from 1940 to 1961, was a pivotal time for the organization. Marshall won twenty-nine of the thirty-two cases he argued in various courts for the NAACP. Along with his mentor Charles Hamilton, Marshall developed a long-term strategy for ending segregation in schools. They first concentrated

on graduate and professional schools. As the team won more and more cases, they turned toward elementary and high schools. *Brown v. Board* was the culminating victory.

N is for NAACP

The National Association for the Advancement of Colored People (NAACP) is the oldest civil rights organization in the country. Initially, called the National Negro Committee, the NAACP was founded on February 12, 1909 by a multiracial group of citizen activists. The main focus of the NAACP was and still is to protect and enhance the civil rights of African Americans and other minorities. In 1950, NAACP lawyers asked Rev. Brown and many other African American parents if they would be willing to serve as plaintiffs in a class action lawsuit case against the system of racial segregation in public schools. The *Brown* case was especially of interest because it provided an example of discrimination in a non-southern state: Kansas.

O is for OVERTURNED

The U.S. Supreme Court’s 1953 *Brown v. Board* decision overturned an earlier 1896 Supreme Court decision, *Plessy v. Ferguson*. Under Chief Justice Earl Warren, the Supreme Court revolutionized the constitutional interpretation of civil rights by equating equal opportunity with equal protection under the law. The doctrine of “separate but equal” facilities for blacks and whites fell apart before overwhelming evidence that separate educational facilities were inherently unequal.

P is for PLESSY

In the mid-1890s, Homer Plessy, a black man, was arrested for refusing to leave his seat in the “white” car of a train traveling from New Orleans to Covington, Louisiana. The original case was heard before the Louisiana Supreme Court, where Judge John Howard Ferguson presided. Plessy was found guilty. Ferguson was then named in a petition to the Louisiana Supreme Court. The case of *Plessy v. Ferguson* finally made its way to the U.S. Supreme Court.

In the *Plessy v. Ferguson* decision of 1896,

the Supreme Court established a “separate but equal” doctrine. The ruling referred to railroad cars, but state and local governments applied it to other services, places, and facilities, including public schools. “When the Supreme Court declared in the case of *Plessy* that it was constitutional for states to pass laws segregating people solely on the basis of race, mandatory segregation throughout the country, including the North and Midwest, became more commonplace.”¹⁸

Q is for QUASI-SLAVERY

For many years after slavery ended, most African Americans who did not own their land worked as sharecroppers. This system kept the sharecroppers in a state of near-slavery, or “quasi-slavery,” because they received little or no payment for their many hours of work. Their only compensation was the freedom to live on and work the land for a share of the crop. Many were always indebted to the white landowner, who kept them toiling the land without pay indefinitely. Poor education kept them away from the intellectual tools they needed to organize, assert their civil rights, and better their living conditions.

R is for RACE

After the Holocaust, in 1950, the United Nations issued an official statement declaring that “race” has no scientific basis and calling for an end to racial thinking in scientific and political thought. In the early 1970s, geneticist Richard Lewontin compared samples of DNA (human genetic material) to measure just how much variation falls within, versus between, the groups called “races.” He discovered that our species as a whole is much more similar than we appear. Lewontin’s work, confirmed over and over again by others, showed that the perception of different “races” among humans is, scientifically speaking, an illusion.¹⁹

S is for SEGREGATION

Segregation means separation. For many years, most public places such as housing developments, neighborhoods, parks, trains, theaters, hotels, schools, restaurants, buses, and beaches were segregated

by skin color—people with dark skin could not go to places set aside for people with light skin. Even the water fountains and bathrooms were segregated. Yet, segregation is more than the physical separation of human beings. According to Kenneth B. Clark, an African American psychologist, “segregation was, is, the way in which a society tells a group of human beings that they are inferior to other groups of human beings in the society.”²⁰

T is for TOPEKA

Topeka, Kansas, was home to Linda Brown and her family. One of the former all-black elementary schools in Topeka, Monroe Elementary School is currently being renovated and transformed into the *Brown v. Board of Education* National Historic Site. It is scheduled to open on the 50th anniversary of the *Brown* decision, May 17, 2004.

U is for UNCONSTITUTIONAL

An act of government is unconstitutional if it contradicts any part of the basic set of laws that defines the nation, the U.S. Constitution. In its *Brown v. Board* decision, the Supreme Court found that school segregation was unconstitutional because it violated the Fourteenth Amendment (adopted in 1868) by denying African Americans “equal protection of the laws.”

V is for VICTORY

People often think of the *Brown v. Board* “decision” as a single victory. Actually, it comprises two Supreme Court decisions. On May 17, 1954, the Supreme Court declared that the “separate but equal” doctrine was unconstitutional. But white resistance to desegregating schools was entrenched. Thus, one year later, on May 31, 1955, the Court handed down its second ruling, which directed schools to desegregate “with all deliberate speed.” This second ruling is often referred to as *Brown v. Board of Education II*. The *Brown v. Board* decision comprised both rulings.

W is for “WITH ALL DELIBERATE SPEED”

In *Brown II*, the Supreme Court ordered the states to integrate their schools “with all deliberate speed,” but the order did not

describe what specific steps school districts should take to integrate their student populations.²¹ During the years that followed, Thurgood Marshall and the NAACP legal staff spent many hours filing individual cases against school districts that were not complying with the Supreme Court’s ruling. Ten years after *Brown v. Board*, less than 2 percent of America’s schools had been desegregated.

X marks YOUR NAME—if education is denied to you

I remember my grandmother “making her mark” on documents when I was an adolescent. It is hard to believe that when she died in 1974 at the age of 92, she and many other elders in eastern North Carolina were still marking an “X” for their name. Some women of her generation received a good education at all-black schools, but many received only a few years of inadequate teaching in an impoverished setting. My grandmother had no opportunity at all to become literate. As she grew older, reading and writing seemed less and less important to her, she said, because she could fulfill her duties as a wife and mother on the farm without these skills. The *Brown v. Board* decision meant that everyone deserved the opportunity to become a literate citizen.

Y is for YELLOW SCHOOL BUS

Many African American families watched as yellow school buses passed their homes each day. Their requests to school officials for transportation for their children fell on deaf ears. Some older Americans, including my own parents, still have vivid memories of those buses. My mother and her siblings had to walk several miles to school (in eastern North Carolina) while a half-empty school bus drove by. Many things have changed in a single generation. The standard school bus design—yellow with black lettering—has not changed, but now it stops to pick up every child.

Z is for ZEBRA CROSSING

Traffic engineers call a crosswalk marked by a series of broad white stripes a “zebra crossing.” Drive by a school, and you may see zebra crossings painted on the street. Remember to slow down and give

the pedestrians the right of way. Those kids—of all stripes—are our future. 🚶

Notes

1. Loraine Moses Stewart, unpublished report of a survey (by oral interview) of thirty-six teachers in Winston-Salem, North Carolina, in 2003.
2. “Horizons of Opportunities: Celebrating 50 Years of *Brown v. Board of Education*,” www.nea.org/brownvboard. This National Education Association website includes historical background, discussion of current issues, useful links, and information on recent teacher’s guides.
3. *Brown et al. v. Board of Education of Topeka et al.*, Decided by the U.S. Supreme Court, May 17, 1954. 347 U.S. 483 (1954).
4. Norman Coombs, “Civil Rights and Civil Disobedience: The Black Experience in America” (Rochester Institute of Technology, 1970), ch. 11, from www.rit.edu.
5. Debra Hess, *Thurgood Marshall: The Fight for Equal Justice* (Parsippany, NJ: Silver Burdett/Gale, 1990).
6. Susan Altman, *Extraordinary Black Americans: From Colonial to Contemporary Times* (Chicago, IL: Children’s Press, 1989).
7. *The American Heritage Dictionary of the English Language*, 3rd ed. (NY: Dell, 1992).
8. “The 1964 Civil Rights Act to the Present” *Columbia Electronic Encyclopedia*, (New York: Columbia, 2000), www.factmonster.com/ce6/history/A0858852.html.
9. The Fourteenth Amendment to the U.S. Constitution, 1868.
10. “Lawyers Representing Plaintiffs in *Brown v. Board*,” *The Brown Quarterly* (1999), brownvboard.org/brownqurt/03-1/03-1b.htm.
11. Kenneth Estell, *African America: Portrait of a People* (Farmington Hills, MI: Visible Ink/Gale, 1994), 203.
12. James Patterson, *Brown v. Board of Education: A Civil Rights Milestone and its Troubled Legacy* (Cambridge, MA: Oxford University Press, 2001), 12.
13. Susan E. Eaton, *The Other Boston Busing Story: What’s Won and Lost Across the Boundary Line* (Hartford, CT: Yale University Press, 2001), see www.yale.edu/yup/books/087659.htm.
14. William H. Chafe, R. Gavins, and R. Korstad, et al., editors, *Remembering Jim Crow: African Americans Tell About Life in the Segregated South* (New York: The New Press, 2001), 1.
15. “Lynching Statistics,” *The Charles Chestnutt Digital Archive* (1999), www.berea.edu/faculty/browners/chesnutt/classroom/lynching_table_year.html.
16. Randall Kennedy, *Race, Crime, and the Law* (New York, DIANE Pub., 1997), 63.
17. Cheryl Brown Henderson, speaking on a panel “Dialogue on *Brown v. Board of Education*” at the National Council for the Social Studies Annual Conference, Chicago, IL (November 13, 2003).
18. Nedra D. Campbell, *More Justice, More Peace: The Black Person’s Guide to the American Legal System* (Chicago, IL: Lawrence Hill Books, 2003), 2-4.
19. “Race: The Power of an Illusion. A Timeline” (New York, PBS, 2002), www.pbs.org/race.
20. Kenneth B. Clark, in Hess, 64.
21. Henderson.

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