

Ms. Shen

***The Brown v. Board of Education* ruling**

Directions: Examine the painting below and answer the following questions to the best of your ability in the space provided.



1. What do you think is taking place in this painting?
2. Where do you think the young girl is going? How can you tell?
3. Who do you think the men in the painting are? What relationship do you think they have to the girl?
4. What was going on in the U.S. in that time and place? How might this relate to the painting?
5. Why do you think the artist called the painting, *The Problem We All Live With*?

Plessy v. Ferguson (1896)

During the 1880s and 1890s, southern states, where 90% of African Americans lived, created laws designed to ensure white supremacy and control. These included segregation laws, which mandated separate public accommodations for the races.

On June 7, 1892, a biracial man named Homer Plessy was removed by force from the "For Whites" car of the East Louisiana Railroad and jailed. His arrest was part of a planned action to challenge the Constitutionality of the state's Separate Car Act. According to the Act, Plessy was required to sit in a car designated for "colored" persons, although, as he asserted, he was 7/8 Caucasian and 1/8 Negro.

Plessy took his case to court, arguing that the Louisiana Separate Car Act violated the 13th and 14th Amendments and was unconstitutional -- that separating the races implied inferiority rather than equality. New Orleans trial judge John H. Ferguson ruled against Plessy, affirming that Louisiana could choose to impose the Separate Car Act on trains that operated within the state. The Louisiana Supreme Court upheld Ferguson's decision on appeal. Plessy then appealed to the United States' Supreme Court. On May 18, 1896, the Court ruled in *Plessy v. Ferguson* that that separate train cars did not violate equal protection provided by the 14th Amendment, as long as the separate accommodations were equal.

What do YOU think "separate but equal" should mean? How would you define it?

What does the COURT meant when they talk about "separate but equal" facilities? What does it mean to have "separate but equal" facilities?

The *Plessy v. Ferguson* decision gave state and local governments in the South and in other states the right to legally segregate the races in most areas of public life, including transportation, public accommodations, and public schools.

Brown vs. Board of Education (1954)

Background on the case:

In Topeka, Kansas in the 1950s, schools were segregated by race. Each day, Linda Brown and her sister 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. Linda Brown and her family believed that the segregated school system violated the _____ Amendment and took their case to court. The federal district court decided that although segregation in public education was harmful to black children, because the all-black schools and all-white schools had similar buildings, transportation, curricula, and teachers, the segregation was legal. Remember, thanks to the *Plessy v. Ferguson* ruling, "separate but equal" facilities were legal.



The Browns appealed their case to Supreme Court stating that even if the facilities were similar, segregated schools could never be equal to one another. *Why do you think that they make this claim? Why were southern segregated schools not equal?*

In 1954, _____ states and Washington D.C. operated segregated school systems by law.

The case:

In presenting their case before the Court in *Brown v. Board of Education*, the

_____ (NAACP) lawyers made two points:

1. First, they argued that the huge difference between white and black schools denied black children equal educational opportunities and therefore was a violation of the _____ amendment (promises “equal protection of the laws” to all citizens.)
2. Second, the lawyers said that segregation had a negative psychological effect on black students. To support this belief, the lawyers used the work of two social psychologists. The NAACP believed that their findings showed that segregation damaged the personality development of black children. They hired Clark to provide expert testimony in the case.

The “Dolls Test”

During the 1940s, Professor Kenneth Clark and his wife, Mamie Phipps Clark designed a doll test to study the psychological effects of _____ on black children.

In the "doll test," psychologists Kenneth and Mamie Clark used four plastic, diaper-clad dolls, identical except for color. They showed the dolls to black children between the ages of three and seven and asked them questions to determine what they thought about the races and which race they preferred. Almost all of the children easily identified the race of the dolls. When asked which they preferred, which they wanted to play with, and which was the “nice doll,” the majority chose the white doll and said positive things about it. The majority thought the brown doll looked bad.



The Clarks also gave the children outline drawings of a boy and girl and asked them to color the figures the same color as themselves. Many of the children with dark complexions colored the figures with a white or yellow crayon.

Excerpted below is a portion of Professor Clark’s testimony before the Court. In it, he describes the tests and his conclusion in response to questioning by Robert Carter of the NAACP:

Q. Well, as a result of your tests, what conclusions have you reached, Mr. Clark, with respect to the infant plaintiffs involved in this case?

A. The conclusion which I was forced to reach was that these children..., like other human beings who are subjected to an obviously inferior status in the society in which they live, have been definitely harmed in the development of their personalities; that the signs of instability in their personalities are clear, and I think that every psychologist would accept and interpret these signs as such.

Q. Is that the type of injury which in your opinion would be enduring or lasting?

A. I think it is the kind of injury which would be as enduring or lasting as the situation endured, changing only in its form and in the way it manifests itself.

What is Professor Clark saying about the psychological damage being done to black children?

Are the effects of this psychological damage permanent? YES / NO **Why?** _____

The ruling:

The court ruled unanimously (9-to-0) that segregation on the basis of race “generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely to ever be undone.”

The Court stated that separate facilities are by their nature unequal. The Supreme Court went on to say that schools could never be separate AND equal because separate facilities sent a message that the races were different and should be kept separate. This then told black children that they were different and not equal.

One small problem...*Brown* was a huge victory yet it set no timeline or deadline by which schools must begin to desegregate. After the NAACP went back to the courts for clarification, the Court called on states to desegregate “with all deliberate speed.” **MEANING WHAT?** _____

Opposition to *Brown v. Board*: Following the *Brown* decision, 80% of white southerners polled expressed that they opposed integration.

President Eisenhower also opposed the ruling, saying “you cannot change the minds of men with laws and decisions.” The South saw this as proof that he wouldn’t intervene to enforce the *Brown* ruling. However, in reality, if state violated the law, the president must step in.