

The 14th Amendment: Equal Protection & Brown v. Board (1954)

Following the Court's ruling in the *Plessy v. Ferguson* case, segregation of public facilities and services including restaurants, hotels, hospitals, buses/trains and schools based solely on race was allowed by states if the facilities were "equal." These state and local laws, known collectively as Jim Crow laws, enforced racial segregation.

The National Association for the Advancement of Colored People (NAACP) was founded in 1909 to help fight for civil rights and challenge the Jim Crow laws. It struggled for decades to fight for equal treatment under the law. In 1954, ***Brown v. Board of Education of Topeka*** became a transformative Supreme Court case and overturned the "separate but equal" doctrine established in the *Plessy* ruling.

Here's a quick summary: Linda Brown was a seven-year old African American girl who lived five blocks from a local elementary school. She was denied enrollment in that school and was required to attend a school 21 blocks across town which was exclusively for students of color. Her father sued the board of education to allow her to attend the school closest to their home. Their suit was ultimately combined with other similar cases involving black students also denied access to certain public schools because of race and was heard by the Supreme Court.

The Court was asked to decide if segregation of students in public education based solely on race violates the **equal protection clause** of the Fourteenth Amendment. The Court ruled unanimously that education was perhaps the most vital function of state and local governments, and racial segregation of any kind deprived African Americans of equal protection under the Fourteenth Amendment.

Chief Justice Warren wrote, "*Segregation of white and colored children in public schools has a detrimental effect upon the colored children. The impact is greater when it has the sanction of the law, for the policy of separating the races is usually interpreted as denoting the inferiority of the Negro group...Any language contrary to this finding is rejected. We conclude that in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal.*"

For many the *Brown v. Board* (1954) decision signaled the start of the civil rights movement of the 1950s and 1960s and the continued fight for equal justice under the law.

In print or online look for news about groups or individuals seeking equal treatment. Share your findings as a class. Compare and contrast with Linda Brown, et.al.

Next installment: *The 14th Amendment: Procedural Due Process and Goss v. Lopez*



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