

## Civil Rights – Lesson 2

### Why did Oliver Brown take the Board of Education to the Supreme Court?

#### Subject Knowledge Notes

Jim Crow was the name of the racial caste system which operated primarily, but not exclusively in southern and border states, between 1877 and the mid-1960s. Jim Crow was more than a series of rigid anti-black laws. It was a way of life. Under Jim Crow, African Americans were relegated to the status of second class citizens. Jim Crow represented the legitimization of anti-black racism. Many Christian ministers and theologians taught that whites were the Chosen people, blacks were cursed to be servants, and God supported racial segregation. Craniologists, eugenicists, phrenologists, and Social Darwinists, at every educational level, buttressed the belief that blacks were innately intellectually and culturally inferior to whites. Pro-segregation politicians gave eloquent speeches on the great danger of integration: the mongrelization of the white race. Newspaper and magazine writers routinely referred to blacks as n\*\*\*ers, coons, and darkies; and worse, their articles reinforced anti-black stereotypes.

*Brown v. Board of Education of Topeka* was a landmark 1954 Supreme Court case in which the justices ruled unanimously that racial segregation of children in public schools was unconstitutional. *Brown v. Board of Education* was one of the cornerstones of the civil rights movement, and helped establish the precedent that “separate-but-equal” education and other services were not, in fact, equal at all.

In 1896, the Supreme Court ruled in *Plessy v. Ferguson* that racially segregated public facilities were legal, so long as the facilities for blacks and whites were equal.

The ruling constitutionally sanctioned laws barring African Americans from sharing the same buses, schools and other public facilities as whites—known as “Jim Crow” laws—and established the “separate but equal” doctrine that would stand for the next six decades.





But by the early 1950s, the National Association for the Advancement of Colored People (NAACP) was working hard to challenge segregation laws in public schools, and had filed lawsuits on behalf of plaintiffs in states such as South Carolina, Virginia and Delaware.

In the case that would become most famous, a plaintiff named Oliver Brown filed a class-action suit against the Board of Education of Topeka, Kansas, in 1951, after his daughter, Linda Brown, was denied entrance to Topeka’s all-white elementary schools.

In his lawsuit, Brown claimed that schools for black children were not equal to the white schools, and that segregation violated the so-called “equal protection clause” of the 14th Amendment, which holds that no state can “deny to any person within its jurisdiction the equal protection of the laws.”






<https://www.history.com/topics/black-history/brown-v-board-of-education-of-topeka>

#### Lesson One: Why did Oliver Brown take the Board of Education to the Supreme Court?

 5 mins	<ul style="list-style-type: none"><li>• Display the key question for the lesson (Slide 2)?</li><li>• Display the retrieval quiz and give pupils five minutes to complete it independently (Slide 3).</li><li>• Circulate to gather information about common misconceptions or mistakes.</li><li>• Display the correct answers and allow pupils to self-mark (Slide 4).</li></ul>
 5 mins	<ul style="list-style-type: none"><li>• Call on different pupils to read aloud the opening paragraph.</li><li>• Draw attention to the Declaration of Independence extract and its importance to Americans (you may wish to display this in your classroom somewhere).</li><li>• Display the timeline to show how Americans disagreed on the issue of civil rights and whether they should apply to everyone.</li></ul>
 5 mins	<ul style="list-style-type: none"><li>• Ask the pupils to discuss the doctrine of ‘separate but equal’ (Slide 5).</li><li>• Support pupils to link specific policies and laws (for example the Separate Car Law to show how it would affect social life).</li></ul>
 10 mins	<ul style="list-style-type: none"><li>• Explain that it was not only Jim Crow laws which affected the way black people were treated.</li><li>• There was also Jim Crow etiquette.</li><li>• Ask pupils to read the etiquette bullet points and then answer the true or false statements.</li><li>• Display the answers and ask pupils to self mark (Slide 6).</li></ul>

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 5 mins	<ul style="list-style-type: none"><li>• Continue to read about segregation in schools.</li><li>• Display images of the different classrooms and ask pupils to discuss the difference (Slide 7).</li><li>• Ask pupils how this may have affected the education of black children.</li></ul>
 10 mins	<ul style="list-style-type: none"><li>• Draw attention to the NAACP – a very important organisation.</li><li>• Note how the NAACP challenged unfair policies and laws through the courts.</li><li>• Ask pupils to imagine that they are a lawyer working for the NAACP, representing Oliver Brown.</li><li>• Draw attention to the different classrooms as well as the Declaration of Independence.</li></ul>
 5 mins	<ul style="list-style-type: none"><li>• Display the next slide, explaining the role of the Supreme Court (Slide 8).</li><li>• Continue reading about the legal challenge, and how the court judged the segregation as unfair.</li><li>• Discuss why such a decision was so important.</li></ul>
 15 mins	<ul style="list-style-type: none"><li>• Give pupils the following sentence opener from task 5: Although the Constitution of the USA states that all citizens should be treated equally by the law _____ (Slide 9).</li><li>• Ask pupils to think about how the treatment of black people worked against the constitution, giving examples if they can.</li><li>• Select some good responses to read or display to the class under a visualiser.</li><li>• Allow all other pupils to redraft their sentence to improve it.</li><li>• Ask pupils to complete the but, because so task (6) independently, and share answers at the end.</li><li>• You may wish to jot some model answers on the board, or complete the task as a shared writing exercise.</li></ul>
 5 mins	<ul style="list-style-type: none"><li>• Ask pupils to return to page 3, and answer the question ‘Why did Oliver Brown take the Board of Education to the Supreme Court?’</li></ul>