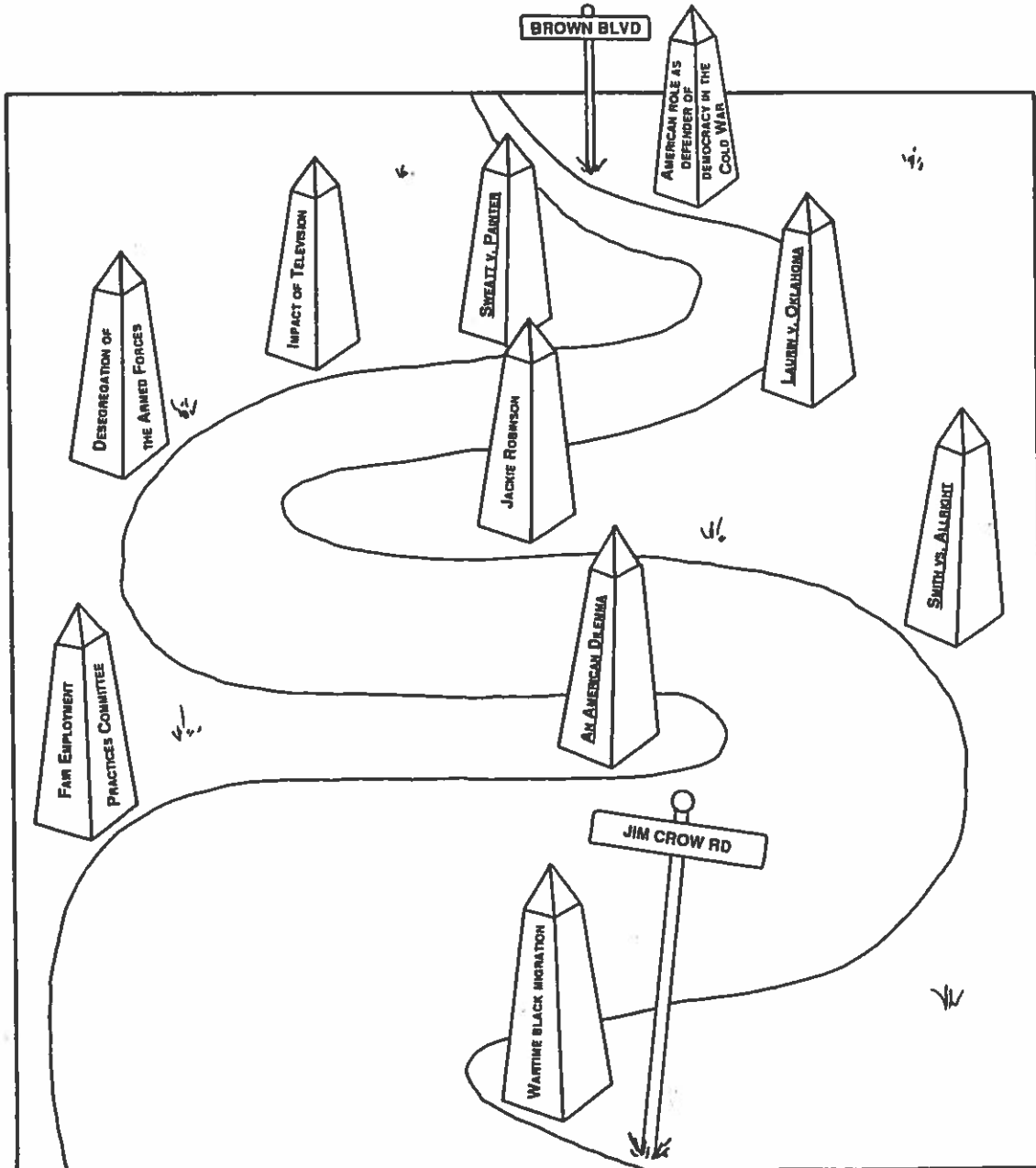


The Road to Brown

Part A. Study the drawing below and, on your own sheet of paper, identify each of the ten items on the "road to *Brown*," and tell its significance in creating a climate for change in racial relations.



Part B. Read the following eyewitness account of the announcement of the *Brown* decision, and answer the questions at the end.

For weeks on Mondays, when opinions are handed down, the Supreme Court press room had drawn a full house, including an unusually large number of Negro reporters. Last Monday, after we had all begun to give up hope of a school segregation decision that day, an unusual event occurred. Ordinarily opinions are given out in the press room after word comes down the pneumatic chute that they have been read in the courtroom above. This time the light flashed and there was a different kind of message. The press aide put on his coat and we were all shepherded into the court chamber to hear the opinion read and receive our copies there.

In that tense and crowded marble hall, the Chief Justice was already reading the opinion in *Brown et al. v. United States*. He read in a firm, clear voice and with expression. As the Chief Justice launched into the opinion's lengthy discussion of the Fourteenth Amendment, the reporters, white and Negro, edged forward in the press boxes, alert for indications of which way the decision was going. "We come then," the Chief Justice read, "to the question presented: Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other 'tangible' factors may be equal, deprive the children of the minority group of equal educational opportunities?" In the moment of suspense which followed we could hear the Chief Justice replying firmly, "We believe that it does." It was all one could do to keep from cheering, and a few of us were moved to tears.

There was one quite simple but terribly evocative sentence in the opinion. For Negroes and other sympathetic persons this packed the quintessence of the quieter misery imposed on members of a submerged race. "To separate them," the Chief Justice said of Negro children, "from others of a similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone." So the fifty-eight-year-old ruling of *Plessy v. Ferguson* was reversed and the court ruled "Separate educational facilities are inherently unequal . . . segregation is a denial of the equal protection of the laws."

The unanimous ruling seemed too explicit to be whittled away in the enforcing decree. The rehearing next fall on the form of that decree, the invitation to the Southern states to be heard, offer a period in which tempers may cool and bigots be allowed second thoughts. At the best, Jim Crow will not be ended overnight. The clue to what is likely to happen in most cities, North and South, may be found in a clause of the questions on which the Court will hear argument in the fall.

The Court is to consider whether "within the limits set by normal geographic school districting" Negro children shall "forthwith be admitted to schools of their choice" or a gradual changeover be arranged. Since most Negroes in most cities already lived in more or less segregated Negro sections, these will still have largely Negro schools. It is on the borderlines that mixing will begin: ultimately the pattern of segregated schools will break down with the pattern of segregated Negro housing areas. The ultimate impact must revolutionize race relations and end the system of inferior status and inferior education which has kept the ex-slave a menial.

Among the audience streaming out of the chamber when the Chief Justice had ended, the lawyers for the NAACP suddenly began to embrace each other outside the doors. They had achieved a giant stride toward the full emancipation of their people. The growing political power of the Negro had prevailed over the growing wealth of the Republican party's

newest recruits, the Texas oil millionaires. In a showdown, American democracy had proven itself real.¹

1. Describe the situation which led to the *Brown* case.
2. On what ground did the Supreme Court overturn the "separate but equal" standard of the *Plessy v. Ferguson* ruling of 1896?
3. How had the old standard set by *Plessy v. Ferguson* permanently damaged black children?
4. What does Stone foresee as the immediate consequence of the decision?
5. Why would most urban black children at that time be unaffected by the decision?
6. In what areas would the decision have been most effective at that time?
7. Chief Justice Earl Warren is said to have worked hard to secure a unanimous ruling in the *Brown* case. Why would a unanimous decision be particularly important in this instance?

¹I.F. Stone's *Weekly*, May 24, 1954; reprinted in I.F. Stone, *The Haunted Fifties* (London: The Merlin Press Ltd., 1964), 61-62.