LESSON: *Brown* Ruling and Immediate Response to Integration

GRADE LEVEL: 8-10 **SUBJECT: Social Studies/Government/Reading** **TIME REQUIRED: 90 mins** Students will read the *Brown* decision and two differing responses to it.	**RATIONALE** This lesson is meant to both increase student reading and research skills, while also providing historical information about the *Brown* decision and the immediate response to it. NOTE: This lesson uses primary sources that may be difficult to read or comprehend for some students. Scaffolding may be necessary, though reading perseverance should be encouraged.

This lesson plan and materials needed to teach it can be found at the Thurgood Marshall Institute: https://tminstituteldf.org/

OVERVIEW

This lesson will have students read the *Brown* opinion, then two different responses to it. One is a summary of the governors' general response and actions in the wake of the decision, and the other is Thurgood Marshall's letter to NAACP chapters a year after the decision. The purpose of this lesson is to have students engage with primary source documents to understand the state of America and the successes and resistance to early integration.

ESSENTIAL QUESTIONS

- Does forcing someone to do a good thing make it good?

OUTCOMES AND OBJECTIVES

After the lesson, students will be able to articulate the reasoning behind the *Brown* decision and some responses to it. They will also be able to engage with a primary source to determine an author's intent.

PREPARING TO TEACH

Before teaching this lesson, students should have prior understanding of the *Plessy v. Ferguson* case and what segregation looked like in America. They should also have some context leading up to the *Brown* case.

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SCAFFOLDS AND ACCOMMODATIONS TO SUPPORT LEARNERS
Reading support….

This reading may require a lot of support. For the *Brown* reading, focus on the opinion of Chief Justice Warren particularly the excerpt below:

> In approaching this problem, we cannot turn the clock back to 1868, when the Amendment was adopted, or even to 1896, when *Plessy* v. *Ferguson* was written. We must consider public education in the light of its full development and its present place in American life throughout the Nation. Only in this way can it be determined if segregation in public schools deprives these plaintiffs of the equal protection of the laws.
>
> Today, education is perhaps the most important function of state and local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the armed forces. It is the very foundation of good citizenship. Today it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms.
>
> We come then 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? We believe that it does.
>
> In *Sweatt v. Painter*, supra, in finding that a segregated law school for Negroes could not provide them equal educational opportunities, this Court relied in large part on "those qualities which are incapable of objective measurement but which make for greatness in a law school." In *McLaurin v. Oklahoma State Regents*, supra, the Court, in requiring that a Negro admitted to a white graduate school be treated like all other students, again resorted to intangible considerations: ". . . his ability to study, to engage in discussions and exchange views with other students, and, in general, to learn his profession." Such considerations apply with added force to children in grade and high schools. To separate them from others of 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. The effect of this separation on their educational opportunities was well stated

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by a finding in the Kansas case by a court which nevertheless felt compelled to rule against the Negro plaintiffs:

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. A sense of inferiority affects the motivation of a child to learn. Segregation with the sanction of law, therefore, has a tendency to [retard] the educational and mental development of negro children and to deprive them of some of the benefits they would receive in a racial[ly] integrated school system.

Whatever may have been the extent of psychological knowledge at the time of *Plessy v. Ferguson*, this finding is amply supported by modern authority. Any language in *Plessy v. Ferguson* 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. Therefore, we hold that the plaintiffs and others similarly situated for whom the actions have been brought are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment. This disposition makes unnecessary any discussion whether such segregation also violates the Due Process Clause of the Fourteenth Amendment.

Because these are class actions, because of the wide applicability of this decision, and because of the great variety of local conditions, the formulation of decrees in these cases presents problems of considerable complexity. On reargument, the consideration of appropriate relief was necessarily subordinated to the primary question -- the constitutionality of segregation in public education. We have now announced that such segregation is a denial of the equal protection of the laws. In order that we may have the full assistance of the parties in formulating decrees, the cases will be restored to the docket, and the parties are requested to present further argument on Questions 4 and 5 previously propounded by the Court for the reargument this Term The Attorney General of the United States is again invited to participate. The Attorneys General of the states requiring or permitting segregation in public education will also be permitted to appear as amici curiae upon request to do so by September 15, 1954, and submission of briefs by October 1, 1954. (Brown v. Board of Education (1954) | National Archives)

This focus should help students narrow down what they need to read specifically. Provided in the materials is a reading guide that should help students look for and understand this reading better.

The first reading from the PDF should be accessible enough for students. A strategy may be to divide up the governors' responses and have groups of students read some of

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them and then have the whole class make a representation of the feelings of those leaders.

The Thurgood Marshall memo is the most difficult to read. Unless working with exceptional readers, this piece should maybe be shortened or summarized so students can access it better.

Differentiation…

Some differentiation for this lesson could be reading the primary source directly, allowing some students to engage with the texts as is. Another option could be an exercise summarizing or putting the texts into a student's own words to show comprehension.

Adjusting for high school grades…

For high school students, it is recommended they just engage with the texts directly and maybe write on the decision and opinions they are seeing.

INSTRUCTIONAL ACTIVITIES SEQUENCE

Begin with a brief review of segregation. Then provide the *Brown* decision, along with the worksheet below. Have students read the decision and check understanding with the worksheet. Then provide the governor responses and have students read those. This can be done in groups or individuals; for time management, groups may work better, with groups getting some, but not all, of the responses. Then on the board, have the students summarize each state's response to the ruling. After that, provide Marshall's memo to the NAACP. Have them highlight Marshall's main ideas and discuss why he would write such a memo. Ask questions like: Who is this for? Why would he write this? What is he likely responding to? What issues will/is the NAACP facing at this time?

Finally, have students reflect on the essential question in a journal response, asking them to use *Brown* as evidence for their opinion.

ASSESSMENT

The worksheet as a knowledge check and the group board activity serve as assessing understanding. The reflection piece is an assessment of argumentation.

MATERIALS NEEDED AND ADDITIONAL RESOURCES FOR ENRICHMENT

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PUBLIC SCHOOL SYSTEMS
IN TRANSITION
FROM SEGREGATION TO INTEGRATION

A Summary of Experience in
Milford, Del., Baltimore
and Washington
in connection with
Public School Desegregation Moves

and some

Joint Conclusions
and Recommendations

developed by the
Jewish Federation of Delaware
Baltimore Jewish Council
Jewish Community Council of
Greater Washington

as a result of
their involvement in
these experiences

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issued by the
NATIONAL COMMUNITY RELATIONS
ADVISORY COUNCIL
9 East 38th St. NewYork, N.Y.

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S.C., S.C.

EXCERPTS FROM REPORTS OF VARIOUS STATE LEADERS
RE OVER-ALL PICTURE OF STATE REACTION TO SUPREME COURT DECISION;
POSSIBILITIES OF STARTING LITIGATION, ETC.

ATLANTA, MAY 22, 1954

ALABAMA: Mr. W. C. Patton

There was quite a bit of rejoicing on the part of Negroes on the decision. Whites were astounded by the fact that the decision was unanimous. There are a few white "hotheads", but in the main they have been quite calm and sensible. On the other hand, Mr. Patton did not think there would be too much opposition. The Governor of Alabama is taking the attitude taken by many of the governors which is they are going to be willing to accept the decision, although they might require cases in court. Further, Mr. Patton thought that several test cases will suffice for the whole state.

ARKANSAS: Mrs. L. C. Bates

The Governor has stated that he will obey the law. The Governor is in process of appointing an interracial commission for the purpose of studying problems and ways and means of combatting them. Suits will probably have to be filed in about three counties. Several counties are already planning to have their schools integrated; Little Rock is also taking this step. Newspaper comments have been good, mostly favorable.

FLORIDA: Attorney William Fordham

One day after the decision was handed down, the Florida cabinet met and at that time it was decided to continue its building program. The Attorney General and State Superintendent of Education issued a statement wherein they adopted the attitude of "let's wait and see what is going to happen". The Acting Governor of Florida has asked for a meeting of governors to decide upon a course of action. Since the Board has met, a news release came out wherein the Attorney General was quoted as saying "the decision will not apply to Florida. Florida will not abide by it."

Mr. Fordham further stated that we will have to press suits in Florida; that the State Conference has several clients in the West Palm Beach area who are willing, ready and able to start a suit at any time "we give them the go ahead signal." Mr. Fordham thought that the State will not abide by the decision unless test cases are filed.

Editorial comments have been along the same line -- "we should keep cool heads".

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DISTRICT OF COLUMBIA: Mr. Eugene Davidson

Immediately upon learning of the Supreme Court's decision, the Board of Education called a special meeting for the purpose of working out plans to eliminate discrimination in education as soon as possible, perhaps by Fall, if not sooner. The President of the United States has already issued a statement to that effect.

DELAWARE (Reported by Mr. Marshall)

Suits will probably have to be filed in different counites of this State, with the exception of Wilmington.

GEORGIA: Dr. William M. Boyd

The State's Attorney General has called a meeting for the purpose of devising ways and means of circumventing the decision of the Supreme Court. The Superintendent of Public Education, Mr. Collins has gone on record as being unalterably opposed to desegregation. All persons running for public office have indicated that Georgia will not abide by any decision of the Supreme Court, even if Georgia has to resist alone. It was noted, however, that every major school organization is unalterably opposed to Talmadge's plan of doing away with public education and in the school system of Georgia, each teacher has been asked to contribute $3.00 for the purpose of carrying on a campaign against the Talmadge plan.

Dr. Boyd stated further that the labor unions are in NAACP's corner; that the only course of action, theoretically, in the State of Georgia will be the filing of suits in each of Georgia's counties and some 50 suits in independent schools. The State Conference is willing to assume that "we are going to have to fight and the sooner we get on with the fight, the better".

ILLINOIS: Attorney Billy Jones

The Supreme Court's decision will definitely strengthen NAACP's position in Illinois in view of the fact that the State has a law prohibiting segregation in public education. Mr. Jones remarked however that it is the people themselves (those desiring to maintain status quo) who are keeping Illinois from being integrated.

KANSAS: (Reported by Mr. Carter)

Mr. Carter stated that he had received a letter from Attorney General of Kansas who argued the Topeka case, indicating that although he lost the case, he's happy that he did. Indications are that a number of cities will proceed with integration on their own.

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KENTUCKY: (Reported by Mr. Robert L. Carter)

No trouble is anticipated in this State.

LOUISIANA: Attorney Leonard P. Avery

Mr. Avery did not believe that the State will integrate its schools without institution of law suits on the part of NAACP. However, Mr. Avery did not think it would require a large number of suits to effect total integration.

MISSISSIPPI: Dr. E. J. Stringer

Dr. Stringer reported that there is a dangerous element present in that influential people (Negro) are now willing to sit down with the whites and have voluntary segregation. NAACP, however, will do everything possible to prevent such conferences. The Attorney General of the State has announced that he will not file a brief (arguments before the U. S. Supreme Court in October).

There has been no violence since the decision was handed down. A special meeting of the Legislative Advisory Board has been called for the purpose of finding ways and means of circumventing the Supreme Court's decision. Dr. Stringer further remarked that no county or school district will accept the Supreme Court decision without a fight. To this end, Dr. Stringer stated that in at least five communities NAACP will be able to secure plaintiffs for suits whenever necessary. At the present time NAACP has one plaintiff for the law school in Mississippi. Dr. Stringer concluded by stating that "those of us in Mississippi are especially concerned that the decision of the Court will be carried out and regardless whether Negroes or whites want to maintain segregation, we are going to see that the decision of the Supreme Court will be honored. We do need a full-time man on the field for this job."

MISSOURI: Mr. Carl A. Johnson

The public education atmosphere in Missouri is very, very good. With specific reference to the Supreme Court decision, the public opinion in Missouri is good. Favorable comments came from all metropolitan newspapers. The Governor of the State of Missouri promptly stated that Missouri would obey and follow the law of the Supreme Court. The Commissioner of Public Education indicated identically the same compliance. The Attorney General announced that Missouri will follow the law as announced and construed by the Supreme Court of the United States. The Kansas City Board of Education met on Thursday, May 20, and unanimously adopted a resolution to the effect that the School Board will immediately go forward and plan for total integration without awaiting a decree (decree resulting from the October arguments). The Board also instructed the Superintendent of Construction to immediately go into a plan to determine whether present locations of proposed buildings would be in keeping with the intended and spirit of the Supreme Court's decision. The Board further instructed the Vice President of Personnel to go into the question of hiring and employment of teachers.

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In other areas of Missouri, there may be little trouble here and there in trying to implement the decision of the Supreme Court. Some suits may or may not be necessary to implement the decision. Mr. Johnson, however, believed there is not going to be a serious fight to get full compliance with the Court's mandate.

Attorney David Grant, also reporting on the Missouri situation, commented that the situation in the major cities is very healthy, although he could not say whether or not a suit needs to be filed in Sikeston; that he did not anticipate any trouble in Jefferson City. The Governor of Missouri has announced publicly that he will not attend the conference of Southern Governors.

MARYLAND: (Reported by Mr. Marshall)

The Governor of this State has announced that he would follow the decision. There is a possibility of having the schools integrated without filing suits.

NORTH CAROLINA: Mr. Kelly M. Alexander

To date, there has been no particular problem of resentment. Greensboro has already gone into an integration program. State has already experienced integration on the church level. As far as adminis-trative problems are concerned, school boards are already working out plans for integration. The Attorney General of North Carolina has advised that he would not attend the meeting of Southern Governors.

Mr. Alexander did not anticipate any trouble in the larger cities. However, he felt the need for law suits in the "black belt" section of the State. He anticipated problem among our "own people".

OKLAHOMA: Mr. James Stewart

Although the Governor of this State is the chairman of the Southern Governors Conference, he informed the President of the Oklahoma City Branch NAACP that he did not plan to call this conference. There is a problem in the State in connection with having seprate budgets for white and colored schools. Mr. Stewart stated that it was more a question of finances than whether or not we are going to be integrated.

SOUTH CAROLINA:

Favorable comments: Just before the decision was handed down, Mr. Hollis who is a member of the State Educationx Finance Committee came out with a statement in which he deplored the statement made by Governor Byrnes. Judge Foster of Greenville discussed advisability of abiding by whatever decision is handed down by the Supreme Court. Poli-ticians that are presently seeking Negro votes have not come out with any type of inflammatory statements.

Unfavorable comments: Governor Byrnes has already stopped construction on school buildings in the State. Politicians who are dependent upon mass votes have come out with some very inflammatory statements and will try to do everything they can to not abide by the court's decision.

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Legal advice was requested concerning a petition filed in Charleston by Negro parents. The petitioners request that the Negro high school be retained -- not to maintain segregation, but as a matter of convenience in view of the overcrowded condition in the other school.

There are also on file in nine different counties petitions for admission to white schools. In this connection, advice from the Legal Department was requested as to whether these petitions should be tabled. Advice was also requested in regard to applicants for colleges and whether these students should be encouraged under the present situation to press for admission.

TENNESSEE: Dr. Lee Lorch

Since the day the Court handed down its decision, comments in the press have been favorable. Editorial comments have been good. The Governor of the State has made no adverse comment. Same is true of the Mayor of Nashville.

In light of the above, it seems rather likely that in a number of cities there will be no necessity for specific court action. Trouble is anticipated in the western part of the State. The State actually has a case before the Circuit Court of Appeals which can be interpreted as a test case for Tennessee.

TEXAS: Mr. U. S. Tate

Several conferences have been called by the State Commission on Education for the purpose of having a mutual understanding of the problems. Trouble is anticipated in certain areas of the State.

VIRGINIA: Dr. J. M. Tinsley

Inspite of the fact that the Governor is calling together a conference of governors, a committee composed of ex-governors of Virginia met at which time the Attorney General stated that he felt -- in the northern part of Virginia -- segregation could be done away immediately.

Dr. Tinsley anticipated trouble in the "black belt" section of the State. Further, Dr. Tinsley urged that conferences be held with officials from various sections where it is felt that the Supreme Court ruling will be put into effect without the necessity of filing court suits; that information of this type could be included in the Association's arguments before the United States Supreme Court in October.

On the other hand, there will be counties in Virginia where suits need to be instituted.

WEST VIRGINIA: Mr. T. G. Nutter

Trouble is not anticipated in this State. The Governor will comply with the decision of the Supreme Court handed down May 17. Mr. Nutter did not feel it would be necessary to file suits.

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Filed G.C. speech

Desegregation

Excerpts of speech of
THURGOOD MARSHALL, Special Counsel
National Association for the
Advancement of Colored People
46th Annual Convention
Atlantic City, New Jersey
Wednesday, June 22, 1955

Much of the confusion concerning the interpretation of the Supreme Court decision has been deliberate and for the purpose of delaying public acceptance of the program of desegregation. Now that everyone has had an opportunity to study the decisions of the Supreme Court, it might be wise to clear the air. Immediately after the May 31st decision, state officials, newspapers and indeed many private individuals speculated as to which side won in the Supreme Court. This was followed by a sort of choosing sides game. The truth of the matter is that in all such litigation, the only party in interest is our democratic form of government. In these cases no one can deny that our democratic principles have been advanced and that a further step has been made toward bringing our practice of democracy more in line with our stated principle.

At the very outset it must be clearly understood that the May 17th decision of last year and the May 31st decision of this year must be read together, must be understood together, and must be used together. The reason I say this is important is because I gather from reading and listening to statements of pro-segregationists that they seem to be misled to the extent of believing that segregation in public education was not declared to be unconstitutional and is a question of how long it will be before they recognize that it is unlawful. Too many people seem to forget or have ignored the first paragraph of the May 31st decision of this year that:

> *''These cases were decided on May 17, 1954. The opinions of that date declaring the fundamental principle that racial discrimination in public education is unconstitutional, are incorporated herein by reference. All provisions of federal, state, or local law requiring or permitting such discrimination must yield to this principle. There remains for consideration the manner in which relief is to be accorded.''*

This paragraph notifies all public school officials and all concerned with public education that the continued maintenance of segregated public education is unlawful and in violation of the United States Constitution. Anyone requiring such public segregated education is deliberately and with full knowledge operating contrary to the United States Constitution. In doing so they are deliberately laying themselves open to the full impact of the civil and criminal federal statutes prohibiting state officials from denying Americans their rights guaranteed by the United States Constitution.

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Every parent of school children attending racially segregated schools is notified that they and their children are being educated in a manner which is contrary to the law of the land.

To all Americans who, while previously recognizing that racial segregation was wrong, unjust, immoral, and detrimental to the well-being of the children of the country at large, are now free to take all necessary political and legal action to eradicate this vicious practice. For, the Supreme Court has now made it crystal clear that all laws and practices requiring racial segregation in public education not only are unconstitutional but must ''yield'' to the law of the land. Such state laws and constitutional provisions are since May 31st not worth the paper they are written on. There is no longer any legal barrier to discussion and action toward integration.

Under these circumstances any unbiased student of government, unfamiliar with realities, would assume that the legislatures of the several southern states would be convened and would promptly remove from their statute books these unconstitutional segregation laws. Anyone familiar with the realities of the situation would immediately discard this proposition as even a possibility in the majority of the southern states. We are, therefore, convinced that the battle ahead will not be lessened by any such hope. There is no doubt that we will have to continue to ''educate'' these public officials over and over again in the federal courts throughout the South. Even this has its good points because as we educate these recalcitrant public officials who know better, many other people in these communities will also be educated. They will learn not only the principles involved in our United States Constitution and especially the Fourteenth Amendment but will also get the first hand demonstrations of the detrimental effect to their communities by the constant waste of taxpayers money being used in the fruitless efforts to evade and circumvent the Constitution of the United States. It will be just a matter of time before these individual citizens and taxpayers of these states take the necessary political action to replace such officials with other officials who will not violate their oaths of office to support the Constitution of the United States as well as the constitutions of their own states.

Getting back to the May 31st decision of the Supreme Court having once reemphasized the principle of law recognized in the May 17th decision and removing from the problem of the state statutes requiring segregation, the unanimous Supreme Court remanded the cases to the three-judge federal courts. The Court then set down the guideposts for implementation of the principle of law already established. The Supreme Court made it clear that the three-judge district courts must recognize the right of the Negroes to admission to public schools on a non-discriminatory basis and the further stipulation that they must be admitted to such schools on a non-discriminatory basis ''as soon as practicable.''

While recognizing that a large measure of responsibility for this rests upon local school authorities, the Supreme Court insisted that these school authorities, must proceed with ''good faith'' in the ''implementation of the governing constitutional principles.''

While authorizing the local courts to give consideration to such time as might be necessary from a purely administrative standpoint to bring about the

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transition from segregated to non-segregated public education the Court again placed limitation on this by stating ''but it goes without saying that the vitality of these constitutional principles (right to non-segregated public education) cannot be allowed to yield simply because of disagreement with them.'' This limitation should be borne in mind whenever we read statements of southern governors and other officials to the fact that they don't like the decision of the Supreme Court and that they don't think it is a good one or similar such statements. The truth of the matter is that liking or disliking this constitutional principle has been deliberately, explicitly and finally removed from consideration insofar as future legal action is concerned.

In all of this it should be borne in mind that in normal judicial proceedings the primary responsibility for fact-finding has always been with the lower courts. Secondly, it should be borne in mind that all of the federal courts from the smallest United States district court to the United States Supreme Court are all a part of the same federal judiciary and, thirdly, it should be borne in mind that any action taken by any federal court is subject to review by the United States Supreme Court.

One of the most important of the guideposts established by the Supreme Court is that the local school boards and local officials now have the burden of showing the reasons for time to desegregate.

So, when we hear state governmental officials, many of whom are lawyers, say that it will take fifty, one hundred,or more years to desegregate schools in their states, measure these statements against the considerations we have set out above. I do not know how many years it will take to desegregate public schools in the southern states. I don't believe anybody knows how long it will take. Two things are certain. One is that it won't take as long as any diehard southern governmental official wishfully hopes and; secondly, regardless of how long it takes, the period of time will be a much shorter time than it would have been without these Supreme Court decisions.

In addition to the so-called lawful means of attempting to delay the enforcement of the Supreme Court's ruling, we are witnessing the actions of unlawful groups. These groups, despite the difference in names, are no more and no less than revised versions of the old Ku Klux Klan. They are sprouting up in state after state under various names and are set up for the sole purpose of intimidating Americans, of all races, who insist upon enforcement of our Constitution. Many of them have the support of all southern state government officials who have once again condoned them as being over and above the law of the land. This presents a clear cut issue. There is not room enough in this country for our government and groups aimed at opposing our government through unlawful means. Both cannot survive. History has demonstrated that in the past our government has continued to survive. Certainly our government, stronger than it has ever been before, will survive these new groups of selfish, prejudiced bigoted criminals.

The important thing, however, is to make it clear that the main purpose of these groups will likewise never be attained. Specifically, I mean that American Negroes and others who believe that our government never has been and never will be impotent to enforce its law, will not be intimidated by Klansmen with or without

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their bedsheets. To the Negro American in the South, from Mississippi up to and including the State of Delaware, we say that they are not fighting for themselves alone: they are fighting for all Americans and for the good name of our Government and for this we fully realize and pledge to them our wholehearted, unselfish cooperation to the fullest degree.

In the face of the threats to exhaust every legal technicality and the accompanying threats to use other unlawful means to delay implementation of our Supreme Court's decision, we take the position that we find absolutely nothing to retard us in adhering to our general program, as adopted by the N.A.A.C.P. state conferences in the seventeen southern states: to push ahead without delay in insisting upon desegregation in all of the southern states. To this end, our local branches in all seventeen southern states will work throughout the Summer and in the early Fall to see to it that as many school boards as possible are petitioned to desegregate their schools beginning this September. We will continue to work with every school board that is willing to comply with the law of the land and we will continue to work with such school boards as long as they show a willingness to proceed in ''good faith'' to use the language of the Supreme Court.

In all school districts, we will insist that the first and minimum evidence of ''good faith'' shall be the recognition by the school board that students cannot be assigned on the basis of race and that racial segregation is abolished in that school system. Next, we will insist that a plan for desegregation be worked out as soon as possible but not later than September of 1955. Third, we will insist that some concrete steps toward desegregation be put into effect the next school term, beginning this Fall. Fourth, we will insist that the plan include step-by-step desegregation during the next school year. Finally, we will insist that desegregation be completed by not later than the school term beginning September, 1956.

This program of negotiating with local school boards is the primary responsibility of our local branches working under the supervision of our State Conferences of Branches. The National Office stands ready and willing, and is anxious, to cooperate at every step along the way. If the school board shows that they cannot desegregate within a reasonable time because the people are so accustomed to segregation and would not like desegregation, we will say that the Supreme Court on May 31st told the world that one of the grounds which would not be considered a legal ground is the one that the people do not agree with the law. To the school boards that say they just need a long period of time to study the problem, we will say to them that there is no need for a long protracted period of study. There obviously has been much study going on during the long period of time these cases have been in court and we are passing from the study stage into the action stage.

To the school boards that say that they do not have the administrative personnel to work out peaceful transition, we tell them that we will furnish to them, free of charge, competent personnel for that purpose.

To the school boards that say that the Negroes themselves are not ready for desegregation, we say that the Negroes have been ready for desegregation ever since they were ready to serve in the armed forces defending their country.

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To the school boards which say that the Negroes themselves do not want desegregation, our answer to them should be simple, precise and to the point, namely, -- ''poppycock.''

It should be emphasized that the program we propose is one that was arrived at by our Convention of last year, our Board of Directors at several meetings, and came as a result of the recommendation of our seventeen southern state conferences. It should also be recognized that this program came after the careful study and research of our lawyers, our social scientists and our community specialists.

Finally, it should be emphasized that we do not intend to back down one step from this program. We believe in operating solely within the law. We insist and expect that other Americans observe the law.

There has been another interesting but not unexpected development since the decisions of the Supreme Court in these cases. Apart from avowed enemies of Democracy and integration there are many Americans who actually are or appear to be in favor of eventual integration after a period of time. We are beginning to get advice publicly and privately from these alleged friends urging us to not be impatient, not to rock the boat, not to push ahead too rapidly. I believe it is time that we examined this advice and gave to these advisers the facts of life. In regard to the elimination of racial discrimination in this country, Negroes <u>are</u> impatient. They <u>are</u> insistent. They <u>are</u> determined to get their rights as rapidly as possible. In this they are no different from any other Americans as far back as the framers of our Declaration of Independence.

On the other hand, we are not unnecessarily impatient, insistent and determined. It is understandable that Americans who fortunately or unfortunately have not had the experience of being a Negro in our democratic form of government might find it difficult to understand why Negroes are impatient. In the first place, they should recognize that no other minority group in this country has ever been asked over and over again to forget that he is a citizen; to forget that he has rights as a citizen and/or to delay in enforcing his constitutionally protected rights.

When we as Negroes are accused of being unreasonable in insisting that local school boards comply with the decision of the Supreme Court as rapidly as is physically possible, we are no more unreasonable than any other group of Americans whose rights have been denied them in any degree for any length of time. For example, we are no more unreasonable than the local newspaper insisting that no governmental agency at any time, under any circumstances do anything to curtail its freedom of speech. We are no more unreasonable than any other Americans who insist that no governmental agency, state or federal, take their property except by due process of law. Perhaps the best way for non-Negroes to look at the problem would be for them to honestly ask themselves two questions. First, to ask themselves whether or not they know what has been done to continue the denial of rights to American Negroes and then to ask themselves the second question which is if they were in the same position how reasonable would they be in regard to the denial of their rights. Any American who truthfully answers these two questions would have to agree that Negro Americans have been too reasonable for too long a

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time under too trying circumstances. Or to put it another way, instead of constantly seeking to interpose their conception of reasonableness upon Negro Americans, it would be better if other Americans would first try to put themselves into the same situation as Negro Americans have been before giving them advice.

We have never underestimated the prosegregation group in this country. Yet, there are times when even we are ashamed to find out that we are correct in predicting how low they will get in the infight. Every time America is shocked by low blows from the prosegregationists and believe that they have witnessed rock bottom they find out later that they were wrong as to the rock bottom point. Specifically, as at the present time, these prosegregationists have reached a new low in their threats in some places and actions in other places against Negro teachers. In many states, such as North Carolina and Oklahoma, Negro teachers as a group are more qualified and have more experience than the white teachers as a group. Yet in areas of states such as Missouri, Negro teachers are being denied reemployment and employment even today. In other states, such as Virginia and North Carolina, the threat against Negroes who teach is not believed to be an empty one. Here is what it adds up to. The Negro teachers, as a group, are not responsible for the school desegregation fight. They have been doing their job in an efficient manner asking favors of no one and there is no more law-abiding group in the country than the public school teachers. Yet, solely because of the vindictiveness and vicious prejudiced attitude of these people, and the fact that they have lost a legal battle fought in the true American tradition, they sink below their normal depth and seek to take their spite out on the Negro teachers. When the argument is made that Negroes have not reached the level of morality which entitles them to associate with other Americans in the South, I believe we can justly say that no Negro in the South has yet reached as low a level of morality as any group of Americans who will tolerate their representative leaders in taking such senseless and vindicative action under the circumstances.

Most of this adds up to the admonition from those who are bitterly opposed to the ending of racial segregation and many who are not opposed to the ending of segregation, to those of us in the N.A.A.C.P. that the job ahead is a tough hard fight, that there will be temporary setbacks, that there will be what appeared to be, unrelenting and even vicious delaying tactics. The answer to all of this is that when the N.A.A.C.P. was started and up to and including the recent Supreme Court decisions we knew and we expected a tough hard battle and we did not expect to have our rights handed to us on a silver platter. We say that we are no more discouraged than we were in the beginning and have been throughout the existence of our Association. To this we add the tools provided by Supreme Court decisions from 1935 to date and we are equipped as we have never been equipped before to make the final stages of the fight successful. We knew the job was going to be tough. We find that we did not underestimate our problem. We knew we could cope with the problem as hard as it is or might become. We as representatives of Negro Americans will continue with unrelenting determination to save the souls of the white western world. We will not stop, we will not pause until this is accomplished.

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Brown v. Board of Education (1954) | National Archives

Questions	**Responses**
Does the author want to think about the amendment when it was written or under the current circumstances?	
What does the court determine is a fundamental right and necessity for all children?	
Why does the opinion overturn segregation? What is the reasoning?	
Plessy v. Ferguson is deemed unconstitutional because…	

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