



CASE BRIEFS

Brown v. Board of Education of Topeka

CITATION:

Brown v. Board of Education of Topeka, 347 U.S. 483, (1954).

PARTIES:

The plaintiffs: The plaintiff s was Oliver Brown of Topeka, Kansas, the United States. Brown was the father to Linda Brown, who had applied for the admission of his daughter to an all-white school, which was just five blocks from his home. The Board of Education of Topeka denied Brown’s daughter admission. This was on the pretext that a Kansa statute permitted but did not compel cities with a total population exceeding 15,000 to have establish separate facilities for negro and white school- going children. It is this statute on whose pursuance the Board of Education of Topeka decided to have elementary schools with segregated facilities for colored and white students.

The Defendant: The defendant was The Board of Education of Topeka that was accused of denying Linda Brown an admission to an all-white school in her neighborhood. Other cases that had been filed regarding the same segregation statute were adjoined to the case even though the Chief Justice did not mention the names of the adjoined plaintiffs in his ruling.

THEORIES:

The plaintiffs: According to the opinion of the Chief Justice, the plaintiff contends that the statute that allows public schools to have segregated facilities derogates the fourteenth Amendment of the Constitution. The argument contends that the separate public schools are not equal and the authorities cannot make them equal. Thus, it deprives them of equal protection, which the constitution prescribes.

The Defendant: Although there is no evidence of a straightforward statement for the defendant, other court precedents on the same clause of maintaining separate facilities while ensuring that they exist. The ruling on the doctrine in the *Plessy v. Ferguson* discussed the significance of other intangible factors that affect the problem of separation. The Chief Justice's opinion must have been in the contest of these intangible aspects of segregation rather than the tangible ones such as having the same physical facilities that are equal in every sense. The defendant, therefore, was based on the same doctrine that school-going children from both the white and non-white communities

could attend separate schools as long as they have access to the same quality of education through trained teachers and school facilities in Topeka.

The arguments of the plaintiff and the defendant in the case were purely on the intangible and tangible fulfillments respectively.

KEY FACTS:

Linda Brown the daughter of Oliver Brown had been denied admission to a nearby school that was all-white. This was on the pretext of a statute in Kansas that permitted schools to do so as long they belonged to cities with populations of more than 15,000 people. Linda Brown is a non-white student.

PRIOR PROCEEDINGS:

The Brown v. Board was filed by a Kansas resident. However, the other cases that were adjoined under it as a class action law suit were filed by aggrieved residents of South Carolina, Delaware, and Virginia. This was after all of these cases passed through the federal district courts in their respective states.

ISSUES:

Does the separation of children in school contravene the 14th Amendment even when they are equal in terms if tangible facilities?

HOLDINGS:

Yes. The statute gave way for the deprivation of equal access to education for non-white school-going children. The deprivation contravenes the intentions of the 14th Amendment.

REASONING:

The defendant's case intended to demonstrate that there were no tangible differences between schools for white children and non-white children. The defendant accepted that Delaware was an exception in this case. The decision of the Supreme Court based its reasoning on the intangible factors that are indeed deprived non-white children from the obtaining quality education. It was based on a set precedence in the *Plessy v. Ferguson*, which highlighted the psychological effects that non-white children go through on the knowledge that they cannot sit with white children in the same learning conditions. It stated, based on research, that children in minority schools had a sense of inferiority even when their schools had the same tangible factors as white schools. It specifically stated that African American children always felt that they were excluded from the white schools who are the majority in demographics. The reasoning of the Supreme Court paid much attention to the de-motivation that segregation caused among minorities in terms of their capability to achieve the best in education and life thereafter.

DEPOSITION:

After the ruling, the cases were brought back for another hearing. The

parties in the case had another opportunity to present further arguments that justify their positions. This time, the Attorney General of The United States, and Attorney Generals of state in that had statutes allowing the racial separation of public schools were allowed to be in court as friends of the court. The Supreme Court made the final ruling on the 17th of May 1954.

Loving v. Virginia

CITATION:

Loving v. Virginia, 388 U.S. 1 (1967)

PARTIES:

Richard Loving and his wife Dolores Loving were challenging two Virginian statutes that had been accused of violating.

THEORIES:

The two spouses were challenging the statutes on the pretext that they contravened the 14th Amendment.

The state of Virginia on the hand, argued that Equal Protection, as stated by the Fourteenth Amendment implied that the penal laws of any state that had interracial connotations must be enforced equally to

all racial groups. Those who commit a crime must receive the same degree of punishment. In the same pretext, another argument emanates challenging the constitutionality of a state statute that treats marriages of people from different races as different from other marriages. During that time, there was scanty scientific information about this issue, prompting the State to hold that the Court should defer the case to the state legislature.

KEY FACTS:

In June, 1958, two Virginians, Mildred Jeter, a colored woman, and Richard Loving, a white man, married in the District Columbia because its laws allowed marriages between people of different races. After their marriage, they returned to their home state, Virginia, whose laws did not allow interracial marriages. They settled in Caroline County. In October the same year, The Circuit Court Caroline directed that the two couples be indicted for violating two statutes that prohibited interracial marriages (section 258 and 259 of the Virginia Code). They pleaded guilty to their charges and sentenced a jail term of one year. Later, the judge suspended the sentence for a period of 25 years and directed the couples to leave Virginia and return there until 25 years elapse.

When they settled in the District of Columbia, they filed a motion in the Supreme Court to contest the judgment and other Virginia statutes that prohibited interracial marriages.

PRIOR PROCEEDINGS:

In 1958, the couple was indicted on violating two Virginian statutes: one against interracial marriages, and the other on leaving the state to go and marry under the jurisdiction of another state.

In 1959, the couples pleaded guilty of the offenses.

In November, the couple contested the ruling through the Virginia State Trial Court. This motion was not heard until October 28 1964, when the couple filed a class action in the United States District Court in Eastern Virginia. They two litigants requested that the court hears the issue to determine the constitutionality of the Anti-miscegenation statutes in Virginia.

On January 22, 1965, their motion to vacate the sentence was denied by the state trial judge. Hence, they filed an appeal to the Supreme Court of Appeals in Virginia.

ISSUES:

Does the statutory scheme in the state of Virginia to prevent inter-racial marriages violate the Equal Protection and due process provisions of the 14th Amendment?

HOLDINGS:

Yes, the court held that the statutes were unconstitutional since they

deprived all races of the right of expression and choice.

REASONING:

The Court's decision to rule the statutes unconstitutional was on the premise that they were based on racist feelings. Although both spouses received equal punishment for the violation, it was based on race, requiring a higher standard of justification that could not violate the provisions of the second Amendment. The statutes out-rightly endorsed the doctrine of white supremacy by not allowing colored people to intermarry with white people. Thus, the court rejected the state's position that the provisions of the 14th amendment had been satisfied by the equal punishment inflicted on both spouses. The court further stated that the statutes did not make any other specifications other than white and non-white. It would not be applicable regardless.

DEPOSITION:

The Court stated individuals retain the discretion marry or not marry an individual of a different race. Therefore, states do not have the constitutional right to decide for them on this matter. The convictions that inform that formulation of such laws should, therefore, be reversed.