



Posted on: Saturday, May 1, 2004

LAW DAY

Winning equality through law

By Bert Ayabe

With the Supreme Court's *Brown v. Board of Education* decision, the United States began to fully integrate the African American minority with the rest of the country.

This is the first of several articles written by state judges and legal experts commemorating Law Day, today, in Hawai'i.

Fifty years ago, a landmark civil rights case dramatically changed the course of American history. In 1954, the U.S. Supreme Court issued an unprecedented ruling in *Brown v. Board of Education* — thereby ending racial segregation in all public schools across America.

In the 1950s, racial segregation existed in many public schools in the United States. The case of *Brown v. Board of Education* began with an 8-year-old African American girl named Linda Brown. She had to travel a great distance across Topeka, Kan., to attend grade school, while her white friends attended a public school a few blocks away.

In 1951, Linda's parents enlisted the help of the National Association for the Advancement of Colored People to take action challenging the legality of segregation in public schools.

After a nearly three-year battle in the courts, Brown and the NAACP won a major legal victory that outlawed racial segregation in public schools.

Thurgood Marshall, the NAACP's legal director, argued the case. Marshall later became the first African American justice to serve on the U.S. Supreme Court. The unanimous ruling concluded that in the field of public education, the doctrine of "separate but equal" had no place, and that separate educational facilities were inherently unequal.

The high court's ruling overturned a previous lower court ruling in *Plessy v. Ferguson* (1896), which established the doctrine of "separate but equal."

The concept stated that separate public facilities of equal quality did not violate the equal protection clause of the 14th Amendment of the Constitution.

In the *Brown* opinion, Chief Justice Earl Warren stressed the importance of a fair education in American culture, noting that, "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."

With this decision, the United States began to fully integrate the African American minority with the rest of the country. Major resistance followed the ruling, but we can see the dramatic change in our society over the past

five decades. This year, as the nation celebrates the 50th anniversary of *Brown v. Board of Education*, it is important to recognize the significance of our judicial system and how it impacts our society.

Brown v. Board of Education forever changed the economic, political and social structure in the United States. It paved the way for 50 years of diversity, fairness, school integration and educational opportunities in our country. The groundbreaking decision in *Brown v. Board of Education* is one of the best examples in American history of how to win equality by law.

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