



Summary of Brown v. Topeka Board of Education Appellee Brief – October 1952

This brief discusses three separate cases that were appealed from District Courts for Kansas, South Carolina, and Virginia to the United States Supreme Court. These cases challenge the constitutionality of laws in Kansas, South Carolina, and Virginia that require and/or allow racial segregation in public schools. The challenges are made on the basis that the laws do not provide equal protection as provided for under the Fourteenth Amendment. Additionally, the Virginia case requests the court to hear the Kansas, South Carolina, and Virginia cases together because the legal question being asked in all three cases is the same, even though the facts and locations of each case are different.

The Supreme Court also recognizes that the Court has been petitioned to review a case from the District of Columbia that asks a similar legal question of the Court as the Kansas, South Carolina and Virginia cases. The District of Columbia case questions the constitutionality of racial segregation in public schools, but alleges that Fifth Amendment violations occurred rather than Fourteenth Amendment violations. The Court will determine whether to review the record of the District of Columbia case and if review is granted, it will allow argument of the case before the Court.

Because the cases from Kansas, South Carolina, and Virginia all present similar issues, the Supreme Court orders that the cases be heard together. The Court also orders that if it determines a review of the District of Columbia case is necessary, that case will be heard by the Court immediately following the other three.

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