

# The Origins of Brown v. Board

by Sophia



## WHAT'S COVERED

While Cold War politicians demanded loyalty and White, nuclear families migrated to suburbia, African Americans organized resistance to racially discriminatory laws and customs. Their efforts, along with an increasingly active federal government (including the courts), provided an impetus for the desegregation of public schools.

This tutorial examines the origins of *Brown v. Board of Education*, a civil rights case decided by the Supreme Court in 1954, in two parts:

## 1. The Color Line in Postwar America

Two types of racial segregation were practiced in the United States at the end of World War II.

Type of Racial Segregation	Description
<i>De facto</i> segregation: segregation by fact or custom	An example of <i>de facto</i> segregation was provided by the concentration of African Americans in specific neighborhoods in Northern and Western cities. This pattern was often not the result of specific laws but was instead created by government policies, informal customs, and class divisions.
<i>De jure</i> segregation: segregation by law	This form of segregation, also known as “Jim Crow,” was prevalent throughout the South. Laws mandated the separation of races in schools, public transportation, and other public accommodations.

Beginning in World War II, African Americans mobilized to defeat both forms of segregation. A. Philip Randolph’s proposed “March on Washington” convinced President Roosevelt to issue **Executive Order 8802** in 1942. Many African Americans also supported the **Double V Campaign**, which called for opposition to segregation and discrimination at home and support for the war abroad.



## TERMS TO KNOW

### Executive Order 8802

Issued by President Franklin Roosevelt; forbade racial discrimination in defense industries and government offices.

### Double V Campaign

The civil rights campaign by African Americans to achieve victory over the Axis Powers abroad and victory over racism within the United States.

After the war, Black veterans and laborers in wartime industries discovered that their sacrifices had not improved their civil rights. Although veterans were entitled to benefits through the **GI Bill**, discriminatory practices often prevented them from claiming them.



## TERM TO KNOW

### GI Bill

A program that gave substantial benefits to veterans of World War II.

Housing discrimination was a particularly persistent problem. As more White Americans moved to homes in the suburbs—homes that they owned—Black Americans were concentrated in urban areas characterized by high rent, dwindling tax bases, and poor city services. Black citizens were mostly excluded from home ownership, which was one of the primary forms of wealth creation in postwar America.

Housing discrimination was a form of *de facto* segregation. It was not the product of laws. It was instead created by lawmakers, real estate developers, and politicians, as well as by homeowners, who wanted to prevent decreases in the value of their homes.

➞ **EXAMPLE** In Northern cities, including Chicago and Detroit, it was common for city officials, encouraged by real estate developers, to declare Black and ethnic neighborhoods as “slums” and, subsequently, demolish them. In their place, commercial buildings or residential apartments that only middle- and upper-class buyers could afford were built.

When African Americans tried to purchase homes in predominantly White neighborhoods, they often found themselves unable to do so. In some instances, this was because restrictive real estate covenants prevented owners from selling their houses to people of color.



## DID YOU KNOW

A covenant is a legal agreement or contract.

Initially, covenants explicitly prohibited African Americans and other racial minorities from buying houses in particular neighborhoods. In 1948, however, the U.S. Supreme Court attempted to end this practice by ruling that courts could not enforce real estate covenants that restricted the purchase or sale of property based on race (*Shelley v. Kraemer*).

The problem of housing discrimination involved more than neighborhood covenants that restricted the sale or purchase of homes along racial lines. Covenants were sometimes rewritten in subtle terms. Although they did not mention race, they were worded in a way that would keep the neighborhood free of racial minorities.

➞ **EXAMPLE** Some covenants and homeowners’ association restrictions prohibited multiple families from occupying a single house. This excluded many Black families—who could not afford to buy homes unless they were able to supplement their incomes by renting rooms—from those neighborhoods.

White homeowners and tenants also harassed, threatened, and intimidated African Americans who attempted

to move into their communities.



In 1942, the city of Detroit announced a new public housing project called the Sojourner Truth Homes, where Black occupants would be welcome. White citizens mobilized in opposition. Weeks before the project was scheduled to open, the sign shown above was posted in a vacant lot. When the Sojourner Truth Homes opened and families began to move in, a riot broke out. More than 200 people were arrested.

During this time of racial turmoil, some real estate agents in cities across the country took advantage of the situation by adopting a tactic known as “**blockbusting**.”



#### TERM TO KNOW

##### **Blockbusting**

The practice of persuading White homeowners to sell their property cheaply for fear that a racial or ethnic minority was moving into the neighborhood.

Here’s how blockbusting typically worked:

After one or two Black families had moved into a suburban neighborhood, real estate agents circulated warnings to White homeowners that more would be moving there. They persuaded the homeowners to sell their homes, often at prices below market value. In turn, the agents resold these homes, often at inflated prices, to Black families who wanted to move to the suburbs.

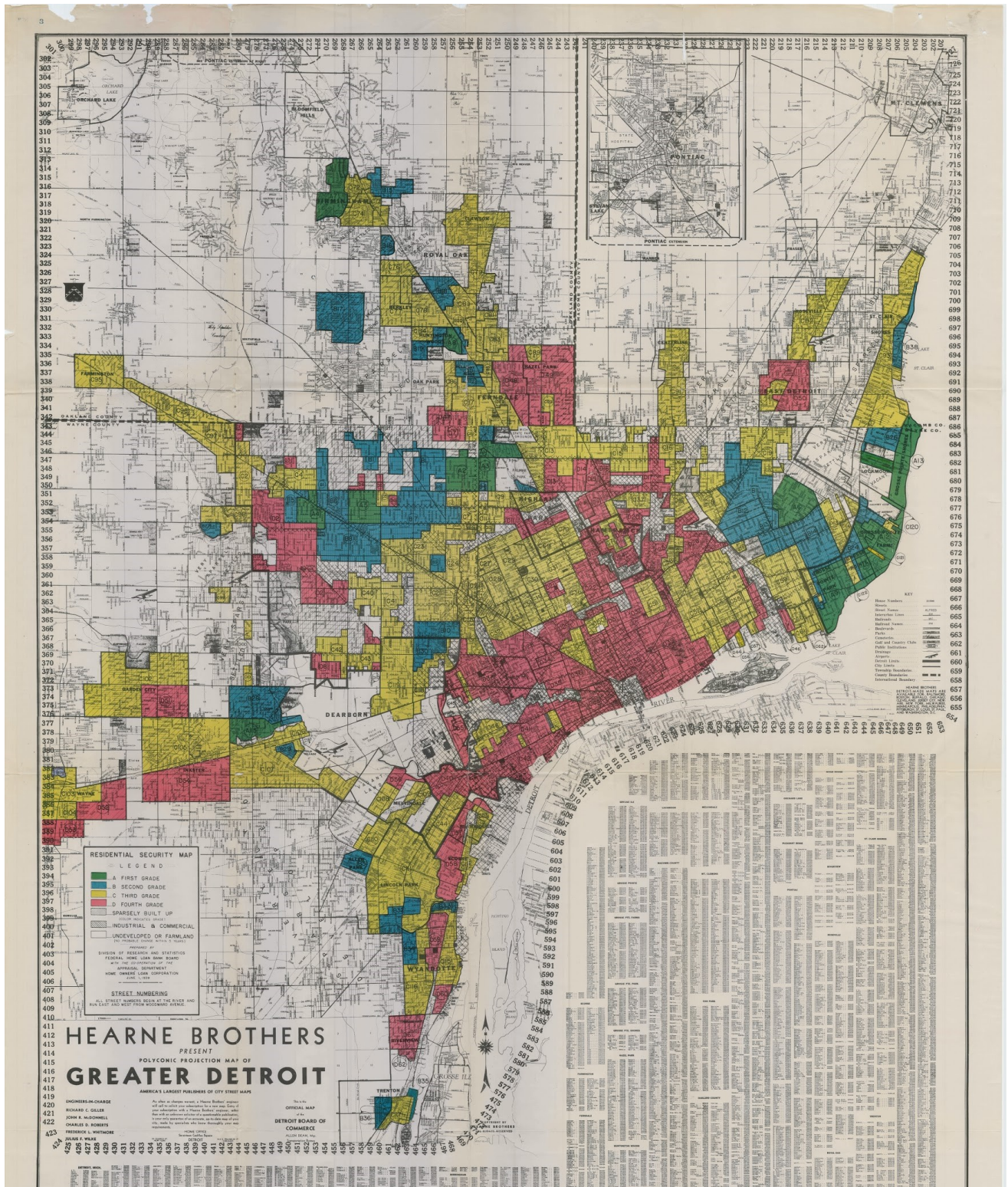


Blockbusting, restrictive covenants, and outright intimidation unofficially enforced segregation and prevented the development of neighborhoods in which families of different races and classes lived together. The federal government, particularly a New Deal agency known as the **Home Owners' Loan Corporation (HOLC)**, officially sanctioned housing discrimination through a neighborhood classification system.

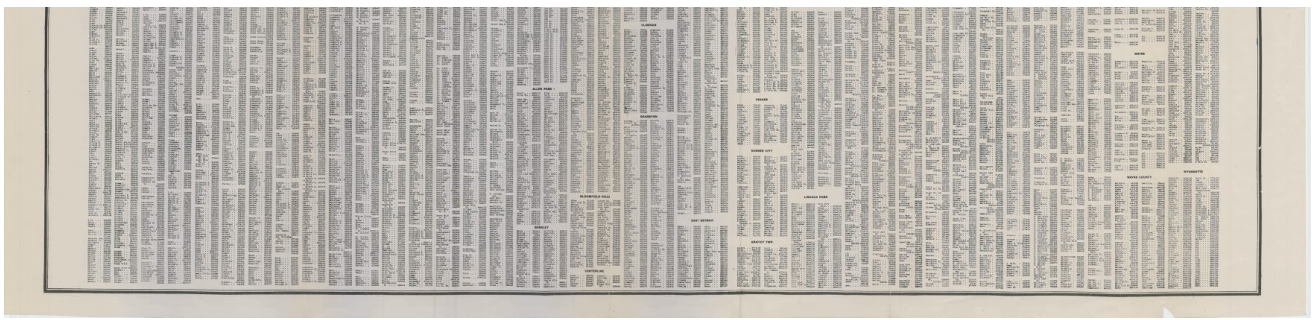
## TERM TO KNOW

### Home Owners' Loan Corporation

A New Deal program that rescued homeowners from foreclosure by refinancing their mortgages. To help lenders make sound investments, the HOLC created approximately 200 “residential security maps” like the 1939 map of Detroit shown below:







### HOLC “residential security map” of “Greater Detroit,” 1939.

Source: detroitography.com.

To create this map of Detroit, surveyors visited neighborhoods and assessed the age and condition of buildings and the infrastructure and amenities available in each neighborhood. They then classified the neighborhoods on a scale of “A” (indicated by green on the map), “B” (blue), “C” (yellow), and “D” (red). “A” indicated the most valuable neighborhoods, while “D” represented the least. Residents of “C” or “D” neighborhoods were less likely to qualify for mortgages because banks considered those locations too risky for investment. Similarly, developers could expect little or no financial support if they chose to build in a neighborhood classified as “C” or “D.”

This form of neighborhood classification and discriminatory lending was known as “**redlining**.”



#### TERM TO KNOW

##### Redlining

Practice of neighborhood classification and mortgage discrimination that denied home loans to Black homebuyers and discouraged development in predominantly Black neighborhoods.

Among the most important factors that surveyors considered when creating these maps was the racial or ethnic composition of each neighborhood.

In Detroit and other cities, neighborhoods that had even a small African American population were rated “D” and colored red on the map. Neighborhoods that were experiencing an influx of Black families also received a “D” rating.



#### THINK ABOUT IT

Respond to the following questions by examining the map of Detroit provided above:

1. Which neighborhoods in Detroit had African American residents?
2. To which areas of Detroit were African Americans attempting to move?
3. Which parts of Detroit were predominantly inhabited by White residents?

When “residential security maps” like this are examined through the lens of race, it becomes clear that a federal housing agency was complicit in housing discrimination. HOLC policy, combined with a system of suspect lending strategies, aggressive real estate agents, restrictive neighborhood agreements, and worried White homeowners, divided towns and cities along lines of color. Segregation and discrimination in community development were at the root of other racial problems that Black activists addressed during the late 1940s.

## 2. The Road to *Brown v. Board of Education*

While residential segregation occurred throughout the nation and *de jure* segregation continued in the South, African American activists, the federal government, and the court system sought to eliminate the color line in the United States. World War II played a key part in this process.

During the war, the United States fought against totalitarianism abroad and uncovered the horrors of the Holocaust. In doing so, the contradictions associated with racial inequality at home were exposed. Participation in the war effort raised the expectations of returning Black veterans and Black workers whose wartime incomes had enabled them to join the middle class.

President **Harry S. Truman's Fair Deal** was designed to address these expectations and to increase the support of African Americans for the Democratic Party by building upon the foundation of the New Deal.



### PEOPLE TO KNOW

#### Harry S. Truman

Democratic U.S. president who took office after Franklin Roosevelt's death in 1945 and remained in office until 1953; navigated the decision to drop the atomic bomb on Japan and the first years of the Cold War between the United States and the Soviet Union.



### TERM TO KNOW

#### Fair Deal

President Harry Truman's proposed legislative program of economic and social reform.

Truman wanted the Fair Deal to include people of color. He undertook several initiatives to gain their support for the program:

- In December 1946, Truman created a Presidential Committee on Civil Rights to investigate racial discrimination in the United States.
- In July 1948, Truman desegregated the armed forces via an executive order.

At this time, Black athletes began crossing the color line in American sports:

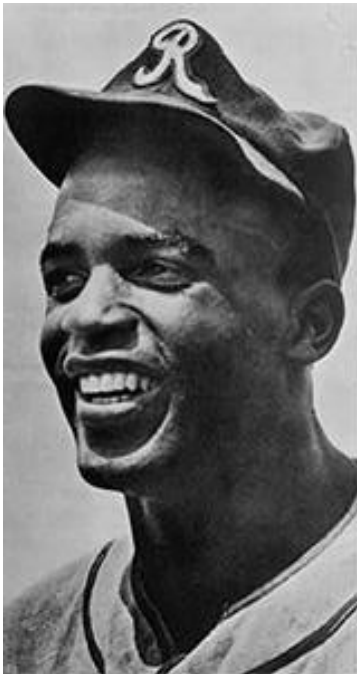
- On April 15, 1947, **Jackie Robinson** took the field for the Brooklyn Dodgers, making him the first Black player to cross the color line in major league baseball. Although African Americans had their own baseball teams in the Negro Leagues, Robinson was the first Black player to compete with White players in professional sports.
- During the 1948 Summer Olympics in London, Alice Coachman became the first Black female athlete to win a gold medal.



### PEOPLE TO KNOW

#### Jackie Robinson

First African American athlete to play major league baseball; he opened the gates for Black baseball players to compete directly with White players in professional sports.



(a)



(b)

Baseball legend Jackie Robinson (a) was active in the civil rights movement. After his baseball career, he served on the NAACP's board of directors and helped found a Black-owned bank in Harlem. Alice Coachman (b), who competed in track and field at Tuskegee University, was the first Black woman to win an Olympic gold medal.

Along with Truman's executive action and the advances in sports, the National Association for the Advancement of Colored People (NAACP) began efforts to overturn *Plessy v. Ferguson* (1896) and the doctrine of "separate but equal" in public education.



#### TERM TO KNOW

##### *Plessy v. Ferguson* (1896)

Supreme Court case that affirmed the doctrine of "separate but equal" in public accommodations.

The NAACP, particularly lawyer **Thurgood Marshall**, who helped found the organization's Legal Defense and Education Fund in 1939, focused first on holding states accountable to the doctrine of "separate but equal" by suing for access to graduate schools. At the time, many Southern universities provided no graduate schools or law schools for Black students.



#### PEOPLE TO KNOW

##### **Thurgood Marshall**

NAACP lawyer (and later Supreme Court justice) who helped found the organization's Legal Defense and Education Fund and who helped spearhead the legal strategy that led to *Brown v. Board of Education* and the overturning of the "separate but equal" doctrine in public education.



#### DID YOU KNOW

In 1940, no institution of higher education for African Americans offered a PhD program. By 1950, the NAACP had won a series of significant victories on behalf of plaintiffs who sought equal access to

graduate programs and law schools in the South.

The *Sipuel v. Board of Regents of the University of Oklahoma* case was brought before the Supreme Court on behalf of Ada Lois Sipuel, who had been denied entry to the University of Oklahoma Law School because of her race. In January 1948, the Supreme Court ruled in her favor.

The *Sweatt v. Painter* case was brought to the Supreme Court on behalf of Heman Marion Sweatt, who sued the University of Texas for denying him admission to its law school because state law prohibited integrated education. The court ruled in his favor in 1950.

In both of these cases, the states attempted to establish separate law schools for African Americans. In its decisions, however, the Supreme Court rejected this solution by ruling that separate schools provided neither equal facilities nor “intangibles” such as the opportunity to form relationships with other future lawyers that such institutions should provide.

Following these victories, Marshall and the Legal Defense Fund turned to the challenge of racial segregation in primary and secondary schools.



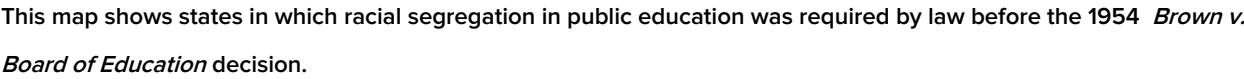
**Thurgood Marshall in 1936, when he began his career with the NAACP.**



#### **DID YOU KNOW**

Until 1954, racial segregation in public education at the primary and secondary level was mandated in 17 states and permitted in several others. Even in locations where school segregation was not permitted, forms of *de facto* segregation (e.g., housing discrimination) produced a similar outcome.





 DID YOU KNOW

#### TERM TO KNOW

Supreme Court case that overturned the doctrine of “separate but equal” in public education. The Supreme Court heard testimony concerning *Brown v. Board of Education* in December 1953. Subsequent deliberations among the justices continued into the spring of 1954. As they deliberated, Thurgood Marshall (and his legal team), Oliver Brown and the other plaintiffs (who had each challenged the doctrine of “separate but equal” in their home states), and civil rights activists across the country eagerly awaited the high court’s ruling.

© 2023 SOPHIA Learning, LLC. SOPHIA is a registered trademark of SOPHIA Learning, LLC.

Obtain further information about the famous court case *Brown v. Board of Education* at [Famous Trials](#).



## SUMMARY

Racial discrimination and inequality were present throughout the United States because of a combination of *de facto* and *de jure* segregation. However, the heightened expectations of African Americans following World War II led them to challenge the color line. President Truman's actions indicated that the federal government was responding to civil rights agitation. Jackie Robinson and other Black athletes crossed the color line in professional and amateur sports. Legal action by Thurgood Marshall and the NAACP helped end racial discrimination in education. In early 1954, the nation awaited the Supreme Court's decision in *Brown v. Board of Education*, which could fundamentally change access to education across the country.

Source: This tutorial curated and/or authored by Matthew Pearce, Ph.D with content adapted from Openstax "U.S. History". access for free at [openstax.org/details/books/us-history](https://openstax.org/details/books/us-history) LICENSE: [CREATIVE COMMONS ATTRIBUTION 4.0 INTERNATIONAL](#)



## ATTRIBUTIONS

- [Image of Thurgood Marshall \(1936\)](#) | License: Public Domain
- ["Residential Security Map" of Detroit \(1939\)](#) | Author: urbanoasis.org and DETROITography
- [We Want White Tenants in our White Community, Detroit, Michigan \(1942\)](#) | Author: Arthur Siegal | License: Public Domain



## TERMS TO KNOW

### Blockbusting

The practice of persuading white homeowners to sell their property cheaply for fear that a racial or ethnic minority was moving into the neighborhood.

### Brown v. Board of Education (1954)

Supreme Court case that overturned the doctrine of "separate but equal" in public education.

### Double V Campaign

The civil rights campaign by African Americans to achieve victory over the Axis Powers abroad and victory over racism within the United States.

### Executive Order 8802

Issued by President Franklin Roosevelt; forbade racial discrimination in defense industries and government offices.

### Fair Deal

President Harry Truman's proposed legislative program of economic and social reform.

#### **GI Bill**

A program that gave substantial benefits to veterans of World War II.

#### **Home Owners' Loan Corporation**

New Deal program that rescued homeowners from foreclosure by refinancing their mortgages.

#### **Plessy v. Ferguson (1896)**

Supreme Court case that affirmed the doctrine of "separate but equal" in public accommodations.

#### **Redlining**

Practice of neighborhood classification and mortgage discrimination that denied home loans to black homebuyers and discouraged development in predominantly black neighborhoods.



### **PEOPLE TO KNOW**

#### **Harry S. Truman**

Democratic U.S. president who took office after Franklin Roosevelt's death in 1945 and remained in office until 1953; navigated the decision to drop the atomic bomb on Japan and the first years of the Cold War between the U.S. and the Soviet Union.

#### **Jackie Robinson**

First African American athlete to play Major League Baseball; he opened the gates for black baseball players to compete directly with white players in professional sports.

#### **Thurgood Marshall**

NAACP lawyer (and later Supreme Court justice) who helped found the organization's Legal Defense and Education Fund and who helped spearhead the legal strategy that led to Brown v. Board of Education and the overturning of the "separate but equal" doctrine in public education.