

# *Brown v. Board of Education: "The Case of the Century"*



**KANSAS BAR  
ASSOCIATION**

Key Question: Did those who originally wrote the 14th Amendment intend to prohibit segregated public schools?

Q. How did the lawyer for the students describe the purpose of the 14th Amendment?

A.

Q. How did the lawyer for South Carolina answer the question?

A.

Q. Can you think of any reason why the lawyer for the students described the issue in broad, general terms while the lawyer for South Carolina described the issue in narrow, specific terms?

A.

Q. How did the Solicitor General, who represented the United States government, interpret the history of the 14th Amendment?

A.

Q. Why might it be relevant that there were not many public schools in the South in 1868?

A.



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Q. Was the argument of the Solicitor General more helpful to the students or to the states?		A.
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So What? (What's important to understand about this?)

Key Question: If the people who wrote the 14th Amendment did not intend to prohibit segregated public schools, then may the national government (either Congress or the United States Supreme Court) still declare that segregated public schools are unconstitutional?

Q. Should the states or that national government decide whether public schools should be segregated?		A.
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Q. How did the lawyer for the students answer this question?		A.
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Q. How did the lawyer for the states answer this question?		A.
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Q. How did the Solicitor General, who represented the United States government, answer this question?		A.
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Q. Can you think of any reasons why the judges should interpret the words of the constitution differently today than they were interpreted in 1868?		A.
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Q. Can you think of any reasons why the Supreme Court justices should not give the Constitution a different meaning than what was originally intended?		A.
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So What? (What's important to understand about this?)

Key Question: In what ways was the situation in Kansas different from that in the other states that had been sued because of their segregated schools?

Q. What was the history of slavery in Kansas?		A.
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Q. How did the history of slavery in Kansas affect the argument about segregated public schools?		A.
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Q. Why reason did the lawyer for the state of Kansas give for defending segregation in the public schools?		A.
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Q. Do you think that the lawyer for the state of Kansas agreed with the policy of segregation in the public schools?		A.
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Q.		A.
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Q.		A.
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So What? (What's important to understand about this?)

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