
SEPARATE IS NOT EQUAL

BROWN v. BOARD OF EDUCATION

Teacher Briefing Sheet: S.C. Case *Briggs v. Elliott*

Your community is: Clarendon County, South Carolina

What kind of a community did this case take place in?

Outside the towns of Summerton and Manning, the county was mostly rural and poor. Whites owned nearly 85 percent of the land, much of it leased to black tenant farmers. Two-thirds of the county's black households earned less than \$1,000 a year, mostly growing cotton.

The Name of the Court Case was:

Briggs v. Elliott

a. Who was/were the plaintiff(s)?

Harry Briggs, along with nineteen other parents in the Clarendon community

b. Who was/were the defendant(s)?

Roderick W. Elliott, the school board chairman

c. What was the complaint?

The initial request was for a bus for children who had to walk up to nine miles to school. But the indifference of white officials stiffened their parents' resolve to seek more. In 1950, parents signed a petition demanding integrated schools.

d. What lawyers tried the case?

Thurgood Marshall, Robert Carter, and Spottswood Robinson tried the case. At the state level, the NAACP became involved when Rev. Joseph Albert De Laine approached Harold Boulware, the leading NAACP attorney in South Carolina, for help. Boulware knew that the national office of the NAACP was looking for school cases to challenge segregation, and they became involved when Thurgood Marshall was invited to South Carolina.

What court heard the case? What was the decision?

A three-judge panel at the federal courthouse in Charleston, South Carolina, heard the case. Two of the judges, citing the *Plessy v. Ferguson* decision of 1896, held that separate but equal facilities were constitutional and ruled against the parents.

What local community members and institutions were important to this case? Explain their importance. See what biographical information you can find about each person.

Rev. Joseph Albert De Laine pushed, prodded, and organized the black community of Clarendon County. A local pastor and teacher, he paid heavily for his leadership. He was fired from his teaching job, as were his wife and two sisters. His home was burned to the ground while local firemen watched. Later, when he tried unsuccessfully to defend his church from arsonists, he was charged with assault. Fearing for their safety, he and his family finally fled the state.

Modjeska Simpkins was one of the leaders of the NAACP in South Carolina from the 1930s to the 1970s. In the *Briggs* case, she helped draft the petition for integrated schools. As a member of the board of directors of the Victory Savings Bank, she helped arrange loans for some people of Summerton who lost their jobs for supporting the case.

J. Waties Waring, a member of the three-judge panel, wrote the dissenting opinion. He was one of many white Southerners who stood up for justice at a time when many of his neighbors clung to old ways. As a supporter of equal rights, he endured both psychological and physical intimidation and eventually moved from Charleston to New York City.