



**CALIFORNIA CONTENT
STANDARD 11.10.3**

Lawyers Challenge Segregation in Higher Education

Specific Objective: Describe the collaboration on legal strategy between African American and white civil rights lawyers to end racial segregation in higher education.

Read the summary to answer the questions on the next page.

A New Legal Strategy Challenges *Plessy v. Ferguson*

- Before 1930 the NAACP relied on volunteer efforts of white lawyers such as Arthur Spingarn to challenge segregation.
- In 1930 it received a grant from a young philanthropist from Harvard and hired Nathan Margold, a Jewish lawyer from New York, to study the lack of funding for black schools. He proposed using the Fourteenth Amendment to challenge inequality in public schools.
- Charles Hamilton Houston, an African-American graduate of Harvard Law School, greatly strengthened the law school at Howard University. He trained a new generation of skilled African-American lawyers, including Thurgood Marshall.
- Houston focused on graduate and professional programs rather than public schools as a way to challenge segregation. Most African Americans in the South had little access to graduate education. This approach would show that there were not really “separate but equal” opportunities for them.

Cases Attack “Separate but Equal” in Higher Education

- In 1936 Houston and Marshall won the case of *Pearson v. Murray* that forced the University of Maryland law school to admit a black student.
- Marshall took over leadership of the team in 1938 and became head of the new NAACP Legal Defense Fund in 1939. The strategy was to find the best test cases to bring to the Supreme Court.
- Cases between 1938 and 1950 led to rulings that required professional schools at state-supported universities in Missouri, Oklahoma, and Texas to admit black students and treat them equally. The federal government began to actively support the NAACP.

Support from Whites

- Franklin Roosevelt and Harry Truman appointed more liberal justices to the Supreme Court who were supportive of the arguments of the NAACP lawyers.
- Most of the leading NAACP lawyers were African Americans. Jack Greenberg was a Jewish lawyer who joined the team in 1949 and argued many important cases.

Brown Decision Ends Segregation in Public Education

- Higher education set the precedent to show that “separate” could not be “equal.”
- Combining cases from around the country, the Supreme Court finally ruled in *Brown v. Board of Education* (1954) to overturn *Plessy*. The entire basis of segregation and Jim Crow laws was thrown out.