

## *Brown v. Board of Education*

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### The Story of the Briggs Case

## ***Briggs v. Elliott (1954)***

Although history books record that the case which ultimately ended school segregation was *Brown v. Board of Education of Topeka, Kansas*, one could justifiably argue that the decision really began in South Carolina in the case known as *Briggs v. Elliot*. Because school desegregation came so slowly, some observers may discount the importance of the 1954 Supreme Court decision that overturned the "separate but equal doctrine" of the 1896 *Plessy v. Ferguson* case. Substantial desegregation only came after much protest and after the Congress threatened the cutoff of federal funds for those schools that did not desegregate. Moreover, with the opening of private all-white academies and with white flight from cities, desegregation is still incomplete, even a half century after the decision. However, the decision, despite the little immediate impact it had on daily life in public schools, served as a catalyst for a wide range of other actions. It also had symbolic importance that created support for other actions around the nation. In its unanimous decision, the Supreme Court told the nation that the law was now on the side of those who wanted to make the guarantee of equal treatment in the Fourteenth Amendment a reality. The case put segregationists on the defensive.

To understand the decision, one needs to look at what life was like in South Carolina for African-Americans in the middle of the 1900s. Life was almost totally segregated, except when it was convenient for whites. Under "Jim Crow," the name used for laws and practices that enforced segregation, blacks could not use state parks, except in designated areas, sat in the rear of buses and trains, were restricted to the balcony of theaters, had separate fountains, waiting rooms in doctors' offices, could not eat in restaurants, and could not use public restrooms except for those specifically marked "colored," which were invariably in poor condition and often unavailable and were uni-sex. Implied threats restricted blacks in rural areas to going to town on Saturdays only, while whites went when they pleased. In Charleston police would chase away any black women who dared to push their own children in strollers or carriages around Colonial Lake, but they were allowed to push the white children for whom they served as nannies. More particularly, one needs to look at life in the public schools in Clarendon County, where the Briggs case started. The numbers alone tell a clear story of separation and gross inequality. In 1951 the county spent \$166.45 on each white student, while it spent \$44.32 on each black student ("The State Paid Dearly"; Edgar, 99).

The case began as a simple request to provide bus transportation. In addition to having separate and very inferior facilities, black children had to walk to school, sometimes many miles. White children rode buses. In 1947 Reverend Joseph Armstrong DeLaine, then the principal of Silver School, which was three miles north of Summerton, attended a speech at Allen University in Columbia at which he heard James Hinton, Chair of the S.C. Conference of the NAACP, talk about the need for an equal education in order for blacks to find success. Hinton challenged the audience to find a teacher or preacher who

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would locate "a plaintiff to test the legality of the discriminatory bus-transportation practices" in the state (Hornsby, 2). DeLaine went home and asked school officials to provide a bus for black students. The white superintendent of the schools, a fellow minister, told DeLaine that black citizens did not pay enough taxes to support a bus and that asking white taxpayers to do this would be unfair. State officials told him it was a local problem. So he and some parents bought an old bus and maintained it themselves. But despite their best efforts, it was often not running. So DeLaine located a parent who was brave enough to bring a court case to challenge the bus policy. Levi Pearson's three children had to walk nine miles each way to Scott's Branch School from their family farm. The State Superintendent ignored Pearson's initial petition (Hornsby, 2-3).

In 1948 Columbia Attorney Harold Boulware and Thurgood Marshall, a young NAACP lawyer in New York, filed Pearson's case. The U.S. District Court dismissed the petition after school officials found that Pearson's farm was partially located in an adjacent school district to that in which his children actually went to school. It ruled that Pearson had no "standing" to bring the case. However, Pearson became a local hero in the black community and was elected President of the new NAACP chapter there. The white community punished him by cutting off his credit and refusing to buy the timber his farm produced (Hornsby, 4-5; Woods, "Modjeska Simkins and the NAACP," 109).

In 1949 the state NAACP stepped in and agreed, with the help of national NAACP funding, to sponsor a case that would go beyond transportation and ask for equal educational opportunities in Clarendon County. Modjeska Simkins and DeLaine wrote the petition in Simkins home in Columbia and DeLaine sought twenty local resident to sign the petition. Both knew economic reprisals would greet those brave enough to place their names on the petition. The first two names were those of Harry Briggs, a service station attendant, and his wife, Eliza Briggs, who worked as a maid. Both of the Briggs were fired. Harry Briggs had to move to Florida to find work to support his family. He remained there for about ten years, only seeing his family on some weekends (Brinson). DeLaine was also fired from his job, which had become principal of Scotts Branch High School. Others who signed were fired from their jobs as well (Hornsby, 4-7; Robinson, *Civil Rights Pioneer*, "A18; Woods, "Mojeska Simkins and the NAACP," 109). Annie Gibson and Maize Solomon, who worked as maids at the Windsor motel, were two other signers who were fired. Solomon remembers that her boss told her that "You don't know what you are doing," that Reverend DeLaine had persuaded her to do what he wanted. She replied that she did know what she was doing, that "I have my own mind. I know what is right...if I didn't know what I was doing, how did I make his laundry come out right." She remembers that he got so hot and red in the face that he just walked away saying that she would not have a job. For her it was a simple matter of getting for her own children what his children had. "Our children didn't have a bus; they didn't have desks" (Brinson). In retrospect, some of the attempts at retribution were comical. Police accused Harry Briggs of letting his hogs into a white neighbor's field. However, Harry Briggs knew that his hogs had already been taken to market, so he volunteered to help shoot the trespassers (Brinson). Modjeska Simpkins helped those

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who were economically punished for their role in the case, making appeals for support from northern black churches and personally distributing clothing and food (Woods, "Mojeska Simpkins: Civil Rights Activist," 1012-3). The school board refused to take any action on the petition (Hornsby, 6).

Federal District Court Judge Waties Waring, who earlier had ruled against the white primary in South Carolina, intimated that he wanted a case that did more than ask for equal facilities. He wanted a case that would challenge the entire notion of "separate but equal," the existing law under the 1896 *Plessy* decision. One story, told by John McCray, who edited the African-American Columbia newspaper, *The Lighthouse and Informer*, was that Waring had reached a secret agreement with Walter White of the national NAACP at social gatherings both attended with their wives in New York. According to the story, Waring called Marshall and told him that White wanted the petition changed to directly attack the *Plessy* decision. So in late 1950 Marshall formally amended the complaint (Woods, "Modjeska Simkins and the NAACP," 110).

A three judge federal panel heard the case in late May of 1951. In addition to Judge Waring, who would almost certainly find in favor of the plaintiffs, the other two judges were George Bell Timmerman, as segregationist who would offset Waring's vote, and Judge John Parker, who would hold the deciding vote. Parker was seen as a liberal, but one who wanted slow change. Marshall and his legal team used the testimony of sociologist Kenneth Clark, who argued that segregation caused severe psychological damage to African American children, giving them a feeling of inferiority. The court ruled 2 to 1 against Briggs and the other parents from Clarendon County (Hornsby, 12; Woods, "Modjeska Simkins and the NAACP," 111). Waring wrote a dissenting opinion saying that "segregation is per se inequality." The majority only ruled that the County must make facilities equal (Hornsby, 15).

This set the stage for an appeal to the U.S. Supreme Court. In fact, *Briggs* was the first desegregation case to reach the court. In 1952 the Supreme Court returned the case to the district court for rehearing after Clarendon County school officials sent a report on progress in making facilities equal. In March the district court again heard the case. The Court found that progress had been made towards equality. Marshall argued that this may be true, but that the real issue was that as long as separation existed, the schools would be unequal. So the case was reappealed to the Supreme Court in May (Hornsby, 15-16).

In June the Supreme Court combined the case with *Brown*, and placed *Brown* before *Briggs*, so that the formal name of the case became *Brown v. Board of Education of Topeka, Kansas*. According to Justice Tom Clark, the Court decided to use the name of another case outside the South so that the nation would not see the case as just a Southern case (Woods, "Modjeska Simkins and the NAACP," 111). The case was scheduled to be heard in October. But just before oral arguments were to begin, the Court combined *Brown* and *Briggs* with a desegregation case from Virginia. This postponed the case till December. Then

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the Court added two other cases, one from Delaware and one from the District of Columbia (Hornsby, 17).

When the Supreme Court listened to oral arguments on December 9, 1952, John W. Davis represented South Carolina. Davis was regarded as one of the best appellate lawyers in the nation. He argued that the progress that the state had made to equalize the schools was sufficient under the Plessy doctrine of "separate but equal" (Hornsby 17). The state did have a factual basis if one looked only in terms of physical facilities. The pitiful state of education for blacks in the state relative to whites had been addressed. Governor James Byrnes, just after taking office in 1951, called for new monies to help equalize the schools. He told the legislature: "It is our duty to provide for the races substantial equality in school facilities. We should do it because it was right. For me, that is the reason. If any other person wants an additional reason, I say it is wise." Of course the additional reason was fear that the unequal facilities could lead to court ordered desegregation. So the legislature passed a three cents sales tax, the first sales tax the state ever passed, and most of the new money was used to aid black schools. For example, in Clarendon County, \$103,000 was spent in construction on white schools and more than eight times that much, \$894,000 was spent on black school construction (Edgar, 100; "The State Paid Dearly"). Thurgood Marshall argued for the NAACP that regardless of what had been spent, "the significant point was that segregation took African Americans out of the mainstream of American life," and that the Constitution did not place minority rights on an altar to be sacrificed to majority opinion (Hornsby, 17).

All those who were anxiously awaiting the decision were disappointed. In June of 1953 the Court announced that it would not give a decision and would rehear the case in its next term. In preparing for this rehearing the Court told both sides that it wanted answers to five questions.

- 1) Did any evidence exist showing what those who wrote the Fourteenth Amendment intended with respect to racial separation in public schools? (The Fourteenth Amendment says that "No state shall...deny to any person within its jurisdiction the equal protection of the laws.")
- 2) If those who proposed and ratified the amendment did not think it would apply immediately to public schools, did they feel that some Congress in the future might use the power of enforcement to make it apply to public schools, or did they understand that the judicial branch might apply it to the schools?
- 3) Is it within judicial power to interpret the amendment to end segregation?
- 4) and 5) dealt with questions of what the court should do if it decides that legally enforced separation violates the fourteenth. Simply decree that minority children could choose which school to attend within some reasonable geographic area? Allow for a time of gradual adjustment? Give detailed decrees

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in each case? Appoint a special officer to make recommendations for each situation? Remand the cases to lower courts, and if so, how detailed should the instructions be (Kluger, 615-16; Hornsby, 17-18)?

By the time the Court reconvened in the fall of 1953, it had a new Chief Justice, Earl Warren. Warren had replaced Chief Justice Fred Vinson, who died of a heart attack on September 8. Vinson had been opposed to overturning the "separate but equal" doctrine in *Plessy*, so the prospects for a new precedent were greatly improved with his passing. Justice Frankfurter, who wanted *Plessy* overturned, is said to have remarked to a clerk that the timing of Vinson's death just before reargument was "the first indication I have ever had that there is a God" (Kluger, 656). Warren would turn out to be one of the most powerful, effective, and liberal Chief Justices in American history. A native of California, where he had a long political career as a district attorney and then governor (Kluger, 659-664), Warren was not that familiar with the Washington, D.C. area. One story is that before the Court announced its monumental decision in the Spring of 1954, he took a tour of the Virginia Civil War battlefields. Warren's driver, an African-American, dropped him off for the night at a hotel in Virginia. When the driver picked up Warren the next morning, Warren asked the hem where he had stayed. He had slept in the car, as there were no hotels in the area that accepted blacks. Warren, reportedly, was shocked and immediately ended his tour (Kluger, 699). One can speculate how this experience affirmed his thinking about the case. He was also sensitive to the role he had played as governor in promoting the relocation of Japanese-Americans into detention camps during World War II. The regret he felt about this, which was revealed in the autobiography that was published after his death (Kluger, 661-2), may also have played a role.

Oral arguments began on December 7, 1953. Spottswood Robinson, a white Richmond lawyer, made the initial argument for the NAACP. He tried to answer the first question about the intentions of those who wrote the Fourteenth Amendment. Robinson used statements by one member of Congress in the debate over the amendment who made an undisputed statement that the amendment would ban separate schools. Marshall followed Robinson, hoping to discuss the line of decisions that had followed *Plessy* which were chipping away at the separate but equal doctrine. However, the Justices insisted that he address the question of whether it would be proper to use its judicial power to end school segregation. Unfortunately, Marshall was not prepared to answer this question, and he floundered badly under intense questioning (Kluger, 667-71).

In the last of his 140 appearances before the Supreme Court, the 80 year old Davis made an eloquent argument in presenting South Carolina's side. He presented a strong factual argument that those who wrote the amendment and those who ratified it did not intend it to apply to schools. Because enforcement powers of Congress were limited to what the amendment covered, it could not use the amendment to justify a law ending public school segregation. Moreover, the Court had ruled seven times that the "separate but equal" interpretation was the proper way to read the Fourteenth. He then went on

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to show how difficult desegregation would be in a place like Clarendon County with 2,800 black students and 300 white ones. Even if each class had roughly 27 blacks and 3 whites, what difference would it make, he asked. He ended as he had argued the year before, that South Carolina had made a good faith effort to improve black schools. He feared that this kind of equality would be lost if the Court tried to act like a school board. Thurgood Marshall recalled that Davis was so emotional at the end that he had tears falling down his cheeks. Had the case turned on law and precedent alone, Davis probably would have carried the day. But the case also rested in the political and social environment that was moving inevitably to undermine segregation (Kluger, 671-3).

The other lawyers speaking for the states under attack argued that segregation in schools had actually helped blacks by gradually moving them above the low status they had as slaves. If only the justices knew the conditions that existed in the South, they would allow good-hearted whites to move the process forward at the pace they deem best (Kluger, 673). The arguments were highly paternalistic and of course ignored the vast history of neglect and discrimination that was readily available for anyone to see.

Thurgood Marshall had some time remaining for rebuttal the next day, and this time he was better prepared. He quickly knocked away the argument that segregation had helped both races. He spoke of the absurdity of having children of both races playing together in the streets and on the farms, and of previous court rulings that both should go to the same colleges and universities, "but if they go to the (same) elementary and high school, the world will fall apart." Marshall compared the school segregation laws to the old "Black Codes," laws passed by Southern states just after the Civil War, to keep those seen as inferior in their place. The only justification this practice could have is that "Negroes are inferior to all other human beings" (Kluger, 674).

Assistant Attorney General J. Lee Rankin spoke for the national government, which took the position supporting the end of school segregation. He argued that the Court had concurrent responsibility with Congress in the matter, and that if Congress did not choose to act, that did not mean that the Court could not act. Public education had evolved into compulsory practice, and once offered universally, it became a right that must be done "on the same basis (for) all citizens." Rankin got into the details of how it should be done, arguing that cases should be sent back to lower courts ordering them to force states to come up with desegregation plans within a year. He foresaw a case by case process. Justice Jackson, one of three southerners on the Court, who was prepared to overturn *Plessy*, worried that this would lead to a situation where desegregation took place very quickly in some areas where district judges act quickly, and "in some other districts it is twelve years before they get a hearing" (Kluger, 675-6). Of course, that is precisely how it turned out. As every student of the Supreme Court knows, the Court can only issue orders--it must depend on others to carry them out.

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Chief Justice Warren said little during the oral arguments in early December. On Saturday morning of December 12, when the justices met at their first private conference after the oral arguments were over, he, as Chief Justice, spoke first. He said that the case seemed simple to him, that laws enforcing segregation can only be upheld if the court believes that blacks are inferior to whites (Hornsby, 18; Kluger, 678-9). The Court seemed to be moving toward a new interpretation of the Fourteenth Amendment. The question was how the decision would be worded and would it be unanimous, or just a majority decision that was so muddled that it gave segregationists hope to delay and hold out longer. That the Court did reach a unanimous decision that was relatively clear and simple enough to be understood by most literate people can be credited to the leadership Warren exhibited throughout the decision-writing process. He decided to delay even a tentative vote and allow time for justices to talk it over informally before attempting to write an opinion (Kluger 683).

After much informal discussion and many internal memos that involved both the justices and their law clerks, the justices met in February or March and tentatively voted. Neither the date nor the tally are recorded because the justices wanted to keep their decision secret until it was announced. The best guess is that the initial vote was eight to one, with only Kentuckian Justice Stanley Reed dissenting. Warren assigned the writing of the opinion to himself, and hoped in the process to bring Reed along and dissuade others from writing confusing opinions that agreed with the result but based the result on different legal reasons (Kluger, 694). By mid-May he had accomplished all this, writing an opinion that was described by Justice Jackson's clerk as "simple and unobtrusive... (he) had a keen sense of what you could say in this opinion without getting everybody's back up...it didn't pretend that the Fourteenth Amendment was more helpful than the history suggested... ." (Kluger, 697). Warren got Reed's support, convincing him that the decision needed to be made unanimously for the good of the nation. He ultimately conceded only one point to Reed, that the decision would call for gradual desegregation so as to minimize turmoil (Kluger, 698).

On May 17, 1954, Earl Warren read this relatively short opinion in open court. He said that the historical record about the intentions of those who wrote the Fourteenth Amendment was "inconclusive." This suggested that the most powerful argument made by those defending segregated schools had been rejected. He added that the changed nature of education also renders the historical record less relevant. What was largely private when the amendment was passed had now become public and tax supported and central to the development of good citizenship. He noted that segregation had been a problem outside the South as well and in some places only recently abolished. After talking about the historical cases that led up to *Brown*, he posed the central question of the case: "Does segregation of children in public schools...deprive the children of the minority group of equal educational opportunities." His answer and the decision came next: "We believe that it does." His explanation for moving beyond tangible factors of equality as South Carolina was attempting to do rested on an extension of the Court's earlier decision in *Sweatt v. Painter*, in which the Court took into account the prestige of the so-called

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equal law school Texas had attempted to build for blacks to be in compliance with *Plessy*. In this case intangible factors were also critical. "To separate them from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone." Speaking directly to *Plessy*, Warren noted that *Plessy* had rejected the claim that separation placed a "badge of inferiority" upon the "colored" race. The Court had then said that nothing in the segregation laws did this; rather, it was only that blacks had chosen to interpret it that way. His answer was that "Whatever may have been the extent of psychological knowledge at the time of *Plessy v. Ferguson*, this finding is amply supported by modern authorship." Warren footnoted seven works by social scientists that supported the negative effects of segregation on school-aged children. He ended with the stark clear conclusion that "in the field of public education the doctrine of 'separate but equal' has no place. Separate facilities are inherently unequal." Finally, he dealt with the question of how all this would be done. The Court called for additional arguments the next term, with input from all parties, as to how the decrees for desegregation would be written. This meant that another year would pass before South Carolina and other states with segregated schools would know exactly what they would have to do and when they would have to do it. For the complete text of the decision go to the following Web site:

<http://caselaw.findlaw.com/cgi-bin/getcase.pl?court=US&vol=347&invol=483>

The following year, April 1955, in what is called *Brown II* by legal scholars, the Court heard arguments about how the walls of segregation would be taken down. John Davis had died, and he was replaced by S. Emory Rogers, a lawyer from Summerton. Davis had said before his death that he wanted no part in the writing of decrees. Rogers flatly asserted that in Clarendon County integration could not work because of the overwhelming number of blacks in the population. He asked for the decree to be sent with no instructions to the lower court where he thought "something could be worked out" that would be consistent with the attitudes of whites who were unwilling to send their children to schools that were predominantly black. The obvious implication was that whites in the county would desegregate when they were willing to desegregate. When confronted by Earl Warren on whether an "honest" attempt would be made by whites, Rogers answered with some defiance that "we would not conform--we would not send our white children to the Negro schools." Some observers felt that Warren was on the verge of citing Rogers for contempt. Robert Figg, "the best courtroom lawyer in Charleston," who had earlier assisted Davis, also spoke for South Carolina. He took a more respectful stance, stating that the state would follow the law, but that it would not be easy in a place that was totally segregated, much more segregated than the places where other cases came from, like Kansas or the District of Columbia. He argued that much progress had been made, and that the state was not too far behind areas of New Jersey that had desegregated their schools in the last few years (Kluger, 733).

Marshall argued that although whites might "not like to go to school with the Negro...that is not saying he won't." Marshall expressed shock at the argument that the government was not powerful enough to

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enforce the Constitution. Virginia had objected on the grounds that health standards of blacks were too low. Marshall replied that they were apparently high enough to have blacks prepare food for whites and care for white children. Marshall argued that the South could not be trusted to move by their own timetable, given the track record of Florida in taking five years to admit a black to its state law school after the Court had made a clear decision. He said that prejudice was the only reason why Southern states wanted more time to desegregate where the population of blacks was high. Using evidence compiled by local NAACP units around the South, he ended by saying that the South had done nothing to comply and would do nothing "until the time limit is set" (Kluger, 735-6).

Earl Warren again wrote the opinion for the Court, which was wrestling with the question of how fast it could push change and be effective. He settled upon the phrase "with all deliberate speed," which had been borrowed from a U.S. government brief written in the original case by a former clerk to Justice Frankfurter (Kluger, 742). Marshall saw this somewhat self-contradictory phrase as like the tortoise in the fable of the tortoise and the hare, who moved with all deliberate speed and ultimately won the race (Kluger, 744).

Chief Justice Warren read this second opinion, which was again unanimous, on May 31, 1955. It had only seven paragraphs. It restated the finding of *Brown I* from a year earlier, that discrimination in public schools was unconstitutional and that all laws at all levels must give in to this finding. He then said to account for local situations, the Court was remanding, or sending, the cases to local district courts. He said that the lower Courts might account for the number of local obstacles that may exist, but that they must nevertheless "make a prompt and reasonable start toward full compliance... ." Any delay wanted by the defendants would only be granted if they, not those wanting to end discrimination, could prove that delay was required for the "public interest." He listed possible reasons for delay: buildings that were inadequate, transportation equipment, changing laws and district lines. Notably absent was any mention of local attitudes. The opinion ended with the words: "the cases are remanded to the District Courts to take such proceedings and enter such orders and decrees consistent with this opinion as are necessary and proper to admit to public schools on a racially nondiscriminatory basis with all deliberate speed the parties to these cases." The Court failed to set the date that Marshall had wanted (Kluger, 744-5).

Reaction to both decisions among South Carolina whites was one of massive anger. Prominent citizens, including ministers, petitioned the legislature to block federal court action. Klan groups resurfaced around the state (Edgar, 101). Rev. Delaine's church was burned, his house attacked and burned, and he was forced to flee the state for his life. He could not return as South Carolina charged him with assault for shooting back (Brinson; Botsch et al, 179-80). White Citizens Councils, a less violent and more middle-class version of the Klan, sprung up around the state. They applied economic sanctions on those who challenged segregated schools. In 1956 the legislature passed a law making illegal membership by

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any state employee in the NAACP. Those few whites who spoke of moderation were also sanctioned. Florence *Morning News* editor Jack O'Dowd had called for obeying the law. He was pressured to resign. USC fired Dr. Chester Travelstead, the College of Education dean, after he called for compliance with the ruling. Governor Timmerman forced SC State to winnow from the faculty any pro-integration activists (Edgar, 101-2). Hatred for Chief Justice Earl Warren permeated the white South, including South Carolina. This author remembers as a child visiting relatives in South Carolina and seeing more than one billboard with big block letters saying "Impeach Earl Warren," sponsored by the ultra-conservative John Birch Society. Nationally syndicated columnist James Reston, a Virginia native, denounced the decision in a *New York Times* article on the day after the initial *Brown* decision as a "sociological decision" based more on social science than history and law (Kluger, 711).

The history of what has followed since *Briggs* and *Brown* is not the central subject of this essay. While it led to significant school integration in many places and certainly helped set off a great civil rights movement across the nation, it had much less effect in Clarendon County, where, as S. Emory Rogers defiantly predicted, whites did refuse to send their children to schools where a majority of the children were and still are black. In the mid-1990s Clarendon's school district was 98% black, and local school leaders were still looking for total community support for their schools. Most of the whites, who make up 45% of the county population, send their children to private schools (Fogg, A10).

And what of those who began this open challenge in the little county of Clarendon? Reverend DeLaine spent most of the rest of his life in New York, where he founded a new church and served as its minister. He lived out his retirement years in Charlotte, N.C., just over the border from his home state that had made him an exile. He remained there till his death in 1974, almost exactly twenty years after the decision in the famous case that he helped start (Botsch et al, 180; Kluger, 778).

Harry Briggs died in 1986. His wife Eliza, lived long enough for the state to recognize the positive nature of her contribution and sacrifice. South Carolina awarded her its highest honor, the Order of the Palmetto. She lived out most of the rest of her years in the house where she and her husband had signed the original petition. Most of her children and the children of others who signed left the state and found success elsewhere (Brinson). Ms. Briggs eventually joined her children in New York. One of the greatest costs of segregation and unequal opportunity for the state has been the loss of brainpower. Perhaps the actions of the Briggs family and others will enable future generations to stay and help South Carolina prosper. In September of 1998 Eliza Briggs died. As a co-signer of the original petition asking for equal facilities in Clarendon County District 22, her name was second on the list--just after that of her husband, Harry Briggs, for whom the case was named. The full list included over 100 local residents. Ironically, she outlived by two days George Wallace, Alabama's Governor, who more than any other governor in the South, stood for opposition to the case she helped start (Robinson, "Civil rights Pioneer"). Although she died in New York, she was buried in Summerton, where her funeral drew

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people from all ranks of society to pay tribute to this very ordinary person who had the extraordinary courage to do what was right (Robinson, "Summerton Says Goodbye").

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The logo for the Southern Education Foundation (SEF) is displayed in large, white, serif capital letters on a blue background.

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