

LAWYER

Well, does this interference...have any effect on the learning process?

PINKHAM

...If these attitudes are reflected back and then internalized... then one develops a sense of one's self as an inferior being...

(Lights fade on witness; up on Judge)

JUDGE

The NAACP has produced a number of impressive witnesses. Nevertheless, the district court in Topeka finds that because the the physical facilities and all other measurable factors are comparable in the white and colored schools of Topeka, we can not rule for the plaintiffs. This decision is unanimous. However, we have attached a list of "Findings of Fact" in the case.

MARSHALL

Well, this is something almost inviting us to appeal the case to the U.S. Supreme Court. The Topeka judges say this: "Segregation of white and colored children in public schools has a detrimental effect upon the colored children. The impact is greater when it has the sanction of the law..."

Yes, because of the Plessy case, the one that began on the railroad car reserved for whites, the judges are unable to find the Topeka Schools in violation of the Constitution. If the courts are going to decide otherwise, it will have to be the Supreme Court that does it.