Brown v. Board of Education

Date ★ May 17, 1954
Place ★ Washington, D.C.
Type of Source ★ Government Document
Author ★ Chief Justice Earl Warren
Context ★ In 1950, Oliver Brown tried to enroll his 8-year-old daughter Linda at the neighborhood white elementary school, rather than at the black school over a mile away. When the school refused to enroll Linda, Brown and other African-American parents sued the Topeka school district with the help of the NAACP. In 1952 and 1953, Thurgood Marshall argued before the Supreme Court that segregated public schools violated the 14th Amendment's equal protection clause. The unanimous decision of the Court would mark the beginning of the end of legal segregation.

Brown et al. v. Board of Education of Topeka, Shawnee County, Kansas

Argued December 9, 1952
Reargued December 8, 1953
Decided May 17, 1954
APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS*

MR. CHIEF JUSTICE WARREN delivered the opinion of the Court.

These cases come to us from the States of Kansas, South Carolina, Virginia, and Delaware. They are premised on different facts and different local conditions, but a common legal question justifies their consideration together in this consolidated opinion.

In each of the cases, minors of the **Negro** race, through their **legal representatives**, seek the aid of the courts in obtaining admission to the public schools of their community on a nonsegregated basis. In each instance, they had been denied admission to schools attended by white children under laws requiring or permitting segregation according to race. This segregation was **alleged** to **deprive** the plaintiffs of the equal protection of the laws under the Fourteenth Amendment. In each of the cases other than the Delaware case, a three-judge federal district court **denied relief to** the **plaintiffs** on the so-called "separate but equal" doctrine announced by this Court in **Plessy v. Fergson**, 163 U.S. 537. Under that doctrine, equality of treatment is accorded when the races are provided **substantially** equal facilities, even though these facilities be separate. In the Delaware case, the Supreme Court of Delaware **adhered to** that doctrine, but ordered that the plaintiffs be admitted to the white schools because of their superiority to the Negro schools.

The plaintiffs contend that segregated public schools are not "equal" and cannot be made "equal," and that hence they are deprived of the equal

these cases
Brown was one of four cases on school segregation brought before the Court in 1952. The cases were combined because they dealt with similar issues. Ironically, Brown became the lead case because Topeka's black schools were almost the same as its white schools, thus the Justices could focus on whether segregation itself was constitutional without having to deal with clearly unequal schools.

Negro
African American or black. Negro and colored were the accepted contemporary terms in 1954.

legal representatives
parents or legal guardians

alleged
suggested

deprive
deny

denied relief to
decided against

plaintiffs
the people bringing the lawsuits, in this case the students and their parents

Plessy v. Fergson
The 1896 case that established "separate but equal." The case originally dealt with transportation.

protection of the laws. Because of the obvious importance of the question presented, the Court took **jurisdiction**. Argument was heard in the 1952 Term, and reargument was heard this Term on certain questions **propounded** by the Court.

Reargument was largely devoted to the circumstances surrounding the adoption of the Fourteenth Amendment in 1868. It covered **exhaustively** consideration of the Amendment in Congress, ratification by the states, then-existing practices in racial segregation, and the views of proponents and opponents of the Amendment. This discussion and our own investigation convince us that, although these sources cast some light, it is not enough to resolve the problem with which we are faced. At best, they are **inconclusive**. The most avid proponents of the post-War Amendments undoubtedly intended them to remove all legal distinctions among "all persons born or naturalized in the United States." Their opponents, just as certainly, were **antagonistic** to both the letter and the spirit of the Amendments and wished them to have the most limited effect. What others in Congress and the state legislatures had in mind cannot be determined with any degree of certainty.

An additional reason for the inconclusive nature of the Amendment's history with respect to segregated schools is the status of public education at that time. In the South, the movement toward **free common schools**, supported by **general** taxation, had not yet taken hold. Education of white children was largely in the hands of private groups. Education of Negroes was almost nonexistent, and practically all of the race were **illiterate**. In fact, any education of Negroes was forbidden by law in some states. Today, in contrast, many Negroes have achieved outstanding success in the arts and sciences, as well as in the business and professional world. It is true that public school education at the time of the Amendment had advanced further in the North, but the effect of the Amendment on Northern States was generally ignored in the congressional debates. Even in the North, the conditions of public education did not approximate those existing today. The curriculum was usually **rudimentary**; **ungraded schools** were common in rural areas; the school term was but three months a year in many states, and **compulsory** school attendance was virtually unknown. As a consequence, it is not surprising that there should be so little in the history of the Fourteenth Amendment relating to its intended effect on public education.

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There are findings below that the Negro and white schools involved have been equalized, or are being equalized, with respect to buildings, **curricula**, qualifications and salaries of teachers, and other "**tangible**" factors. Our decision, therefore, cannot turn on merely a comparison of these tangible factors in the Negro and white schools involved in each of the cases. We must look instead to the effect of segregation itself on public education.

In approaching this problem, we cannot turn the clock back to 1868, when the Amendment was adopted, or even to 1896, when Plessy v. Ferguson was written. We must consider public education in the light of its full development and its present place in American life throughout the Nation. Only in this way

substantially
effectively

adhered to
agreed with

jurisdiction
in this case, agreed to decide the case

propounded
brought up

exhaustively
thoroughly

inconclusive
uncertain

antagonistic
hostile

free common schools
public schools

general
meaning from all taxpayers, not just from parents of school children

illiterate
unable to read

rudimentary
basic

ungraded schools
schools where all children were in the same room

compulsory
required

curricula
plural of curriculum, courses of study

tangible
measurable

can it be determined if segregation in public schools deprives these plaintiffs of the equal protection of the laws.

Today, education is perhaps the most important function of state and local governments. Compulsory school attendance laws and the great **expenditures** for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the armed forces. It is the very foundation of good citizenship. Today it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms.

We come then to the question presented: Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other "tangible" factors may be equal, deprive the children of the minority group of equal educational opportunities? We believe that it does.

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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, for the policy of separating the races is usually interpreted as denoting the inferiority of the negro group. A sense of inferiority affects the **motivation** of a child to learn. Segregation with the **sanction** of law, therefore, has a tendency to [**retard**] the educational and mental development of negro children and to deprive them of some of the benefits they would receive in a racial[ly] integrated school system.

Whatever may have been the extent of psychological knowledge at the time of Plessy v. Ferguson, this finding is **amply** supported by modern authority. Any language in Plessy v. Ferguson contrary to this finding is rejected.

We conclude that, in the field of public education, the doctrine of "separate but equal" has no place. Separate educational facilities are inherently unequal. Therefore, we hold that the plaintiffs and **others similarly situated** for whom the actions have been brought are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment. This **disposition** makes unnecessary any discussion whether such segregation also violates the Due Process Clause of the Fourteenth Amendment.

Because these are **class actions**, because of the wide applicability of this decision, and because of the great variety of local conditions, the formulation of decrees in these cases presents problems of considerable complexity. On reargument, the consideration of **appropriate relief** was necessarily **subordinated** to the primary question – the constitutionality of segregation in public education. We have now announced that such segregation is a denial of the equal protection of the laws.

expenditures
costs, expenses

detrimental
harmful

sanction
force

motivation
willingness

retard
slow

amply
sufficiently

others similarly situated
other people in the same situation (African American students in segregated schools)

disposition
conclusion

class actions
Class actions are law suits that affect a large, defined group (the class). In these suits, any member of the group is entitled to the same benefits from the decision, even when circumstances no longer apply to the original plaintiffs. For example, if Linda Brown had moved to a new school system, the lawsuit would still be valid because it applied to ANY African American student in ANY segregated school system.

appropriate relief
correct action (to eliminate unconstitutional segregation). In 1955, the Court re-issued the Brown decision to deal with the question of how to deal with integration. This "Brown II" decision stated that integration must take place with "all deliberate speed."

subordinated
secondary