

Brown v. Board of Education, 347 U.S. 483 (1954)

Condensed Case



The Big Picture

Racial segregation is unconstitutional in the context of public schools. The holding in *Brown v. Board* quickly became the foundation for overturning segregation in many other aspects of public life.

Ruling

Even when the state has equalized all other aspect of the schools, racial segregation in public schools violates the Equal Protection Clause of the Fourteenth Amendment.

Constitutional Text

The Equal Protection Clause reads: *No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person*

OPINION OF THE COURT:

[These cases arise from Kansas, South Carolina, Virginia, and Delaware and will be considered together. In each case, Black students wish to attend public schools in their communities] on a nonsegregated basis. [These students] have been denied admission to schools attended by [W]hite children under laws requiring or permitting segregation according to race.

The plaintiffs contend that segregated public schools are not “equal” and cannot be made “equal,” and that hence they are deprived of the equal protection of the laws.

[Arguments in this case were] largely devoted to the circumstances surrounding the adoption of the Fourteenth Amendment in 1868. [That history] is not enough to resolve the problem with which we are faced. At best, [it is] inconclusive. [The Fourteenth Amendment’s] proponents undoubtedly intended 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 [post-Civil War] Amendments and wished them to have the most limited effect.

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. [At the time of the Fourteenth Amendment, public school education] 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.

[U]nlike [prior cases,] there are findings below that the [Black] and [W]hite 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



within its jurisdiction the equal protection of the laws.

Dissenting Opinion

There was no dissenting opinion filed in this case.

comparison of these tangible factors in the [Black] and [W]hite schools involved in each of the cases. We must look instead to the effect of segregation itself on public education.

[W]e cannot turn the clock back to 1868 when the Amendment was adopted. 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 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.

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.

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.



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