

Primary Sources: Brown v. Board of Education

By Original document from the public domain, adapted by Newsela staff on 06.21.16

Word Count 910

Level 1090L



A rally at the Arkansas Capitol in 1959 protests the admission of the "Little Rock Nine" to Central High School. Even after the Brown v. Board of Education ruling, nine black students were initially prevented from entering the racially segregated school by the governor of Arkansas. Library of Congress

Editor's Note: Slavery ended in 1865, but racial segregation laws quickly followed. Segregation had been allowed in 1896 by the United States Supreme Court case of Plessy v. Ferguson. In that case, the court said segregation did not violate the 14th Amendment if the separate offerings for different races were equal. In Brown v. Board of Education, the court overruled this "separate but equal" principle. The court ruled that separating children in public schools on the basis of race was unconstitutional. This ruling signaled the end of legalized racial segregation in schools in the United States. On May 17, 1954, Chief Justice Earl Warren wrote the decision, on which all members of the Court agreed. Below are key parts of the ruling.

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

Syllabus

Some State laws allow or require segregation of white and Negro children in public schools. These laws deny Negro children the equal protection of the laws guaranteed by the 14th Amendment. This is true even if all measurable factors of white and Negro schools are equal.

(c) Where a State has undertaken to provide an opportunity for an education in its public schools, such an opportunity is a right. This right must be made available to all on equal terms.

(d) Segregation of children in public schools on the basis of race deprives minority children of equal educational opportunities. This is true even if all measurable factors are equal.

(e) The "separate but equal" rule adopted in *Plessy v. Ferguson*, has no place in public education.

Opinion

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

In these cases, minors of the Negro race asked the courts to aid in obtaining admission to their local public schools on a nonsegregated basis. Each minor had been denied admission to schools attended by white children. Admission was denied under laws requiring or allowing racial segregation. The plaintiffs said that this segregation deprived them of the equal protection of the laws under the 14th Amendment.

The plaintiffs argue that segregated public schools are not "equal" and cannot be made "equal." Therefore, they argue that they are deprived of the equal protection of the laws. Because of the obvious importance of the question, the Court took the issue under consideration.

We have heard discussion about how Congress debated the 14th Amendment before it was adopted in 1868. We heard about then-existing racial segregation practices. We are convinced that these sources are not enough to resolve the problem with which we are faced.

The 14th Amendment's history is inconclusive with respect to segregated schools because of the state of public education at that time. In the South, most education of white children was private. Education of Negroes was rare and even illegal in some states, and most of the race could not read. Today, many Negroes have achieved outstanding success in the arts and sciences, and in the business and professional world. Public education at the time of the Amendment was more advanced in the North, but it still did not approximate what exists today. Therefore, it is not surprising that the history of the 14th Amendment does not reveal its intended effect on public education.

"Education Is Necessary To Our Democratic Society"

In these cases, the Negro and white schools involved have been equalized in terms of measurable factors. Such factors include buildings, subjects taught, and qualifications and salaries of teachers. Our decision, therefore, cannot be based on a mere comparison of these factors in the schools. We must examine the effect of segregation on public education.

Today, education is perhaps the most important responsibility of state and local governments. Education is necessary to our democratic society. Laws requiring school attendance and heavy government spending on education show our recognition of this fact. Education is required to perform our most basic public responsibilities, and is the very foundation of good citizenship. It is doubtful that any child may be expected to succeed in life if denied the opportunity of an education. Such an opportunity, where the state provides 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 rob the children of the minority group of equal educational opportunities, even if the buildings and other measurable factors are equal? We believe that it does.

"It Deprives Them Of The Benefits"

To separate children from others of similar age and qualifications solely because of their race creates a feeling of inferiority. This feeling may affect their hearts and minds in a way unlikely ever to be undone. The effect of segregation on educational opportunities was well stated by another court:

Segregation of white and colored children in public schools makes the colored children feel inferior. This affects a child's motivation to learn. Segregation, therefore, slows the educational and mental development of Negro children. It deprives them of the benefits they would receive in a racially integrated school.

We conclude that the idea of "separate but equal" has no place in public education. Separate educational places of learning are inherently unequal. Therefore, we hold that the plaintiffs and other Negro children denied admission to public schools on a nonsegregated basis have been deprived of the equal protection of the laws. Because of the segregation complained of, the 14th Amendment has been violated.

It is so ordered.