

BROWN v. TOPEKA BOARD OF EDUCATION (1954)

On school mornings, Linda Brown would wake up early. She had to get up earlier than most of the kids in her neighborhood. She was black, and she lived in Topeka, Kansas. A Kansas law allowed segregated schools. This law allowed the men who ran Topeka's schools to have separate schools for black children and white children.

There was a grade school just five blocks from Linda's house. But that school was for white children only. Linda had to take a bus that would carry her 21 blocks to the school for black kids. She had to get up early.

Linda's parents were angry about this situation. They took their case to a federal court in Topeka. They said that Linda's black school was not as good as the white school in their neighborhood. The black school's building was old. The classrooms were crowded, and there weren't enough teachers.

Mr. and Mrs. Brown said that Linda had been denied the "equal protection of the laws" promised by the Fourteenth Amendment. But Mr. and Mrs. Brown claimed even more. They said that Linda's school could never be equal as long as it was separate. They argued that segregated schools were harmful to black children. Such schools, they argued, seemed to say that blacks weren't good enough to go to school with whites. The only way to prevent this harm was to put an end to all segregated schools.

The federal court in Topeka ruled against the Browns. This court said that the black school and the white school were just about equal. But Linda's parents were sure they were right. So they asked the United States Supreme Court to look into their case. The Supreme Court made a unanimous decision in favor of Brown. It said that separate education was, by its very nature, unequal and a violation of the equal protection clause of the Fourteenth Amendment. The Court thus overruled the doctrine of "separate but equal."

The following is an excerpt from the opinion written by Chief Justice Earl Warren:

Today, education is perhaps the most important function of state and local government. 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.

Case only from Law in a New Land, Law in American Society Foundation, Houghton Mifflin Company, 1972. Used with permission.

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

To separate . . . (children) 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 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 from whom the actions have been brought are, by reason of segregation complained of, deprived of the equal protection of the law guaranteed by the Fourteenth Amendment.