

UC SANTA BARBARA

# THE *Current*

February 25, 2004

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## **U.S. Supreme Court Redefined Meaning of "Equal" in Brown V. Board of Education Decision, Says UCSB Scholar**

This year marks the 50th anniversary of the landmark decision of the U.S Supreme Court in 1954 to end racial segregation in public schools, which was "very important in reshaping the social structure of this country," according to Otis Madison, a lecturer in UCSB's Department of Black Studies who teaches courses in constitutional law and the civil rights movement.

In Brown v. Board of Education, the Supreme Court decreed, "in the field of public education, the doctrine of 'separate but equal' has no place.

Separate educational facilities are inherently unequal."

The unanimous decision of the Court overturned the 1896 case of Plessy v. Ferguson, which had established the doctrine of "separate but equal."

In that decision, the Court had argued that separate public facilities of equal quality do not violate the equal protection clause of the Fourteenth Amendment to the U.S. Constitution.

"What was determined by the Court in *Brown v. Board of Education* is that in separating the races in schools, a perception of inferiority arose among black Americans," said Madison.

"And that perception was the problem."

The UCSB scholar cited two previous cases that he considered to be, along with *Brown v. Board of Education*, a "triad of decisions that closed the door on the Plessy principle."

The prior cases were heard back to back before the Supreme Court in 1950.

In *Sweatt v. Painter*, the plaintiff, Sweatt, applied for admission to the University of Texas Law School in Austin. Although qualified, he was turned down because he was black.

Texas had no law school for black students, so, in order to comply with the "separate but equal" law of the land, the state of Texas built a law school for blacks at a cost of \$5 million.

With the aid of the NAACP (National Association for the Advancement of Colored People), Sweatt took the case to the Supreme Court, arguing successfully that the University of Texas Law School's reputation and standing in the academic world could not be duplicated exactly and therefore the new school could not be an "equal" institution.

In a following case, *McLaurin v. Oklahoma State University's Board of Regents*, the plaintiff, McLaurin, had applied to the University of Oklahoma's Graduate School of Education and been turned down because he was black.

When challenged, school officials worked out an elaborate plan to enroll him in the school but to keep him away from white students.

McLaurin was assigned to his own table in the cafeteria, his own isolated study area in the library, and structures were placed around his desk in the back of classrooms.

Again, with the NAACP's support, the case was brought before the Court, which argued in its decision that "McLaurin's ability to study, to engage in discussions and exchange views with other students, and, in general, to learn his profession was adversely affected," Madison said.

And, then, in 1954, Brown v. Board of Education was brought before the Court.

"The Court's decision had an impact on the civil rights movement that can never be underestimated," Madison said. "The desegregation of public schools had a much wider impact on American life, including public services and employment."

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