

Key Excerpts from the Majority Opinion, Brown v. Board of Education

by Chief Justice Earl Warren



members of Warren Court, 1953

The decision was unanimous. Chief Justice Earl Warren delivered the opinion of the Court.

...Here... 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 these cases. We must look instead to the effect of segregation itself on public education...

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... 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. . . .

To separate them [children in grade and high schools] 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 to ever 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...

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 other similarly situated... are... deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment.

Name: _____ Date: _____

1. What did Chief Justice Earl Warren deliver in this text?

- A. the opinion of the Court on the case Brown v. Board of Education
- B. the opinion of the Court on the case Plessy v. Ferguson
- C. his vote on the case Brown v. Board of Education
- D. his vote on the case Plessy v. Ferguson

2. What does Chief Justice Earl Warren describe in the second paragraph of the Court's opinion, beginning with the word "today"?

- A. the psychological effects of segregation on children's hearts and minds
- B. the differences in the tangible factors of Negro and white schools
- C. the importance of education to children and society
- D. the reason why the doctrine of "separate but equal" has no place in public education

3. Read this sentence from the text:

"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."

What evidence from the text best supports this conclusion?

- A. Education is a main tool in helping a child adjust normally to his or her environment.
- B. Today's laws require students to attend school.
- C. Education is a right, which must be made available to all on equal terms.
- D. Our society spends a great amount of money on education.

4. Why might Chief Justice Earl Warren have started the Court's opinion with a discussion about the equalization of "tangible factors" across black and white schools?

- A. to emphasize that black and white schools are actually equally protected under the laws guaranteed by the Fourteenth Amendment
- B. to explain why the Court chose to look at the effect of separating races on public education when making its decision about the case
- C. to hint that the Court believes that the doctrine of "separate but equal" is functioning correctly and fairly
- D. to express his annoyance about the way differences in those tangible factors affect the hearts and minds of children

5. What is the main idea of this text?

- A. The Court unanimously decided that separate educational facilities are inherently unequal.
- B. Chief Justice Earl Warren delivered the opinion of the Court.
- C. Education awakens children to cultural values and helps them to adjust normally to their environments.
- D. Education is the most important function of state and local governments.

6. Read these sentences from the text:

"To separate [children in grade schools and high schools] 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 to ever be undone. [... T]his finding is amply supported by modern authority."

Why might Chief Justice Earl Warren have pointed out that "this finding" about how separation creates a feeling of inferiority is supported by modern authority?

- A. to imply that modern authorities are very trustworthy
- B. to emphasize the importance of supporting one's findings with evidence
- C. to help convince readers and listeners that the finding is true
- D. to suggest that he disagrees with the finding and the modern authority that supports it

7. Read these sentences from the text:

"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."

What word or phrase could replace the words "Such an opportunity" in the second sentence without changing its meaning?

- A. The opportunity for success
- B. The opportunity of an education
- C. The opportunity for life
- D. The opportunity of equality

8. Read the last paragraph of the Court's opinion.

What did the Court conclude about separate educational facilities?

9. According to the third paragraph of the Court's opinion, how does separating children in schools because of their race affect those children?

10. How does each of the first three paragraphs of the Court's opinion contribute to the conclusion drawn in the last paragraph about separate educational facilities?

Support your answer with evidence from the text.
