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Anne S. Barnard
Copyright Services
Assoc. Publishing Counsel

610 Opperman Drive
Eagan, MN 55123

(651) 687-6367
(651) 687-7551 FAX
anne.barnard@thomsonreuters.com

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VIA FACSIMILE

Professor Robert S. Barker
Duquesne University
600 Forbes Avenue
Pittsburgh, PA 15282

Dear Professor Barker,

Thank you for your April 21st letter of inquiry regarding permission to reprint selected material from *West's Supreme Court Reporter* for use in the "Revista Peruana de Derecho Publico" publication.

I am pleased to grant permission to reprint the material as outlined and ask only that you include a notice listing the source and indicate that the material is reprinted with permisison.

Please feel free to contact me if you have any questions.

Sincerely,

Anne S. Barnard

ASB/dl

347 U.S. 483

BROWN et al.

v.

BOARD OF EDUCATION OF TOPEKA, SHAWNEE COUNTY, KAN., et al.

BRIGGS et al. v. ELLIOTT et al.

DAVIS et al.

v.

COUNTY SCHOOL BOARD OF PRINCE EDWARD COUNTY, VA., et al.

GEBHART et al. v. BELTON et al.

Nos. 1, 2, 4, 10.

Reargued Dec. 7, 8, 9, 1953.

Decided May 17, 1954.

Class actions originating in the four states of Kansas, South Carolina, Virginia, and Delaware, by which minor Negro plaintiffs sought to obtain admission to public schools on a nonsegregated basis. On direct appeals by plaintiffs from adverse decisions in the United States District Courts, District of Kansas, 98 F.Supp. 797, Eastern District of South Carolina, 103 F.Supp. 920, and Eastern District of Virginia, 103 F.Supp. 337, and on grant of certiorari after decision favorable to plaintiffs in the Supreme Court of Delaware, 91 A.2d 137, the United States Supreme Court, Mr. Chief Justice Warren, held that segregation of children in public schools solely on the basis of race, even though the physical facilities and other tangible factors may be equal, deprives the children of the minority group of equal educational opportunities, in contravention of the Equal Protection Clause of the Fourteenth Amendment.

Cases ordered restored to docket for further argument regarding formulation of decrees.

1. Constitutional Law ⇐47

In resolving question whether segregation of races in public schools constituted a denial of equal protection of the laws, even though the tangible facilities provided might be equal, court would consider public education in light of its full development and present status throughout the nation, and not in light of conditions prevailing at time of adoption of the amendment. U.S.C.A.Const. Amend. 14.

2. Constitutional Law ⇐220

The opportunity of an education, where the state has undertaken to provide it, is a right which must be made available to all on equal terms. U.S.C.A. Const. Amend. 14.

3. Constitutional Law ⇐220

The segregation of children in public schools solely on the basis of race, even though the physical facilities and other tangible factors may be equal, deprives the children of minority group of equal educational opportunities, and amounts to a deprivation of the equal protection of the laws guaranteed by the Fourteenth Amendment to the Federal Constitution. U.S.C.A.Const. Amend. 14.

4. Constitutional Law ⇐220

The doctrine of "separate but equal" has no place in the field of public education, since separate educational facilities are inherently unequal. U.S.C.A.Const. Amend. 14.

5. Appeal and Error ⇐819

In view of fact that actions raising question of constitutional validity of segregation of races in public schools were class actions, and because of the wide applicability of decision holding that segregation was denial of equal protection of laws, and the great variety of local conditions, the formation of decrees presented problems of considerable complexity, requiring that cases be restored to the docket so that court might have full assistance of parties in formulating appropriate decrees. U.S.C.A. Const. Amend. 14.