

SUPREME COURT OF THE UNITED STATES

Bolling v. Sharpe

347 U.S. 497 (1954) · No. No. 8 · Decided May 17, 1954

SUMMARY

The Supreme Court held that racial segregation in the public schools of the District of Columbia violates the Due Process Clause of the Fifth Amendment. Although the Fifth Amendment does not contain an Equal Protection Clause, the Court concluded that racial classifications may be so unjustifiable as to violate due process. The Court ordered the case restored to the docket for reargument on specified questions.

CASE DETAILS

COURT	Supreme Court of the United States
WRITING FOR THE COURT	Chief Justice Warren
JURISDICTION	Federal
DECIDED	May 17, 1954
DOCKET	No. 8
DISPOSITION	other
PROCEDURAL POSTURE	Petitioners sought admission to a District of Columbia public school attended by white children after being refused admission solely because of race. The District Court for the District of Columbia dismissed their complaint. The Supreme Court granted certiorari before judgment in the Court of Appeals for the District of Columbia Circuit.
STANDARD OF REVIEW	Constitutional review of a racial classification under the Fifth Amendment Due Process Clause.
PRECEDENTIAL VALUE	Binding Supreme Court precedent
PARTIES	Bolling et al. v. Sharpe et al.

TOPICS

- due process
- equal protection
- constitutional law
- civil rights
- federalism

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether racial segregation in the public schools of the District of Columbia violates the Fifth Amendment Due Process Clause.
2. Whether the federal government may impose a lesser constitutional duty regarding racial segregation than the states are subject to under the Fourteenth Amendment Equal Protection Clause.

HOLDINGS

1. Racial segregation in the public schools of the District of Columbia denies the due process of law guaranteed by the Fifth Amendment.
2. The Constitution does not permit the federal government to impose a lesser duty concerning racial segregation in public education than the states are subject to under the Fourteenth Amendment.

KEY QUOTATIONS

“Segregation in public education is not reasonably related to any proper governmental objective, and thus it imposes on Negro children of the District of Columbia a burden that constitutes an arbitrary deprivation of their liberty in violation of the Due Process Clause.” (500)

“We hold that racial segregation in the public schools of the District of Columbia is a denial of the due process of law guaranteed by the Fifth Amendment to the Constitution.” (500)

FACTUAL BACKGROUND

The petitioners were Black minors who were refused admission to a District of Columbia public school attended by white children solely because of their race. They sought judicial assistance to obtain admission. The Supreme Court treated the District's segregated public-school system as imposing a burden on Black children without a constitutionally proper governmental objective.

PROCEDURAL HISTORY

The petitioners challenged racial segregation in District of Columbia public schools under the Fifth Amendment. After the district court dismissed the complaint, the Supreme Court granted certiorari before judgment because of the importance of the constitutional question. The opinion states that the case would be restored to the docket for reargument on previously propounded Questions 4 and 5.

DISPOSITION

other

REMAND INSTRUCTIONS

The Court stated that the case would be restored to the docket for reargument on Questions 4 and 5 previously propounded by the Court.

CASES CITED

- Brown v. Board of Education, 347 U.S. 483 (1954)
- Detroit Bank v. United States, 317 U.S. 329 (1943)
- Currin v. Wallace, 306 U.S. 1, 13-14 (1939)
- Steward Machine Co. v. Davis, 301 U.S. 548, 585 (1937)
- Korematsu v. United States, 323 U.S. 214, 216 (1944)
- Hirabayashi v. United States, 320 U.S. 81, 100 (1943)
- Gibson v. Mississippi, 162 U.S. 565, 591 (1896)
- Steele v. Louisville & Nashville R. Co., 323 U.S. 192, 198-199 (1944)
- Buchanan v. Warley, 245 U.S. 60 (1917)
- Hurd v. Hodge, 334 U.S. 24 (1948)