

Title: Sweatt v. Painter

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Sweatt v. Painter

1950: U.S. SUPREME COURT decision regarding the SEPARATE-BUT-EQUAL PRINCIPLE in COLLEGE AND UNIVERSITY EDUCATION.

In early 1946 Heman Marion Sweatt, an African American postman, applied to the University of Texas School of Law. Although Sweatt already possessed both a bachelor's degree from Wiley College and credit for graduate work he had completed at the University of Michigan, he was denied admission to the law school because of his race. Sweatt then filed a lawsuit in state court against the university, charging that rejection of his application on the basis of race violated his Fourteenth Amendment right to EQUAL PROTECTION under the law. A state judge ruled that the university must either admit Sweatt or establish a law school for African Americans that would offer training equivalent to that of the law school at the University of Texas. However, when the state created a law school for blacks in Houston, Sweatt refused to enrol in it and again filed a lawsuit. The Texas courts offered Sweatt no relief, and in March, 1949, his case came before the U.S. SUPREME COURT.

Thurgood MARSHALL, an attorney for the NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (NAACP), hoped that Sweatt's case would overturn the Court's 1896 decision in PLESSY V. FERGUSON, which had established the enduring principle that racial segregation was constitutional if separate facilities were equal. Marshall contended that the separate law facilities provided for black students in Texas were in no way equal to those available to white students. Marshall introduced a mass of sociological data to the Court—a strategy that would be successfully employed four years later in BROWN V. BOARD OF EDUCATION. He also obtained an *amicus* brief signed by almost two hundred law professors arguing that the separate-but-equal doctrine violated the Fourteenth Amendment. Though the Court ignored most of the sociological data, it agreed that the black law school was inferior to the University of Texas Law School. In a unanimous decision on June 5, 1950, the Supreme Court ordered the University of Texas to admit Sweatt to its school of law. After attending the law school for one year, he had to withdraw because of poor grades.

The Supreme Court's *Sweatt v. Painter* decision did not overturn the *Plessy* ruling, and the separate-but-equal doctrine remained in effect at most southern universities. The University of Texas continued to deny admission to black undergraduates, and permitted black graduate and professional students to take only those courses not available at black schools. However, Heman Sweatt's victory markedPage 842 | [Top of Article](#) the first time that the Court agreed that inferior institutions violated the separate-but-equal doctrine. In later years states with segregated

institutions of higher education had either to increase their expenditures for black institutions or admit African Americans to programs formerly open only to whites.

—*Thomas Clarkin*

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