

## Exclusive Schools in Delhi: Their Land and the Law

*In 2004, the Supreme Court ordered that the Delhi government examine if private schools had complied with contracts which require provision of free education for the poor as a condition for being allotted land at a concessional rate. In the past few decades the wedge dividing the schools of rich from those of the poor has been driven even deeper. This paper discusses the background of the clauses in the land allotment contracts and the law that makes it incumbent upon private schools to provide free seats for the poor. A case study of a private school which has been integrating 50 per cent of non-fee paying students with the others for the past 20 years is also highlighted.*

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In April, 2004, a Supreme Court judgment created anxiety among some of the most exclusive private schools in Delhi. The apex court directed the director of education, to examine whether the conditions under which these schools were given land at concessional rates were being complied with. It further directed him to take action against those not complying with the terms of the agreement.

### *Supreme Court Order*

This majority judgment delivered on the April 27, 2004, by Justice Kapadia, on behalf of the chief justice of India, Justice Khare, and himself, read:

It shall be the duty of the director of education to ascertain whether terms of allotment of land by the government to the schools have been complied with. We are shown a sample letter of allotment issued by the Delhi Development Authority issued to some of the schools, which are recognised unaided schools. We reproduce herein clauses 16 and 17 of the sample letter of allotment:

16 The school shall not increase the rates of tuition fee without the prior sanction of the directorate of education, Delhi administration and shall follow the provisions of Delhi School Education Act/rules 1973 and other instructions issued from time to time.

17 The – (society) shall ensure that the percentage of free ship from tuition fee as laid down under rules by the Delhi administration from time to time is strictly complied. They will ensure admission to the students belonging to the weaker sections to the extent of 25 per cent and grant free ship to them.'

We are directing the director of education to look into letters of allotment issued by the government and ascertain whether they have been complied with by the schools. This exercise shall be complied with within a period of three months from the date of communication of this judgment to the director of education. If in a given case, the director finds non-compliance of the above terms, the director shall take appropriate steps in this regard.

The highlights of this order publicised through the media,<sup>1</sup> brought to the attention of the public at large the possibility that a number of the 'top' schools in Delhi were not abiding by the terms of the contract by which they had obtained land for their schools. In keeping the poor out, these schools were thus being exclusive in more ways than one.

### **Questions**

Ever since this case caught the limelight it has thrown up a number of questions, and issues. The contract by which schools got land at cheaper rates, attracts the obvious question: "What does

free education for the poor have to do with the allotting land for private schools? How did such a clause find its way into such a contract in the first place?"

Unsurprisingly, there is an issue of the implementation (or not) of this clause and 'cloak of silence' that surrounded it all this while: "How is it no one had questioned it so far? To some what is more pertinent is – "How come it is coming to light even now?"

Then, there is the issue of the children – those of the poor as well as those of the rich. The question is – should they mix? If they mix then the parents may wonder why they should pay such high fees for exclusive schools if the schools can no longer 'exclude'. The concerns on this account are being garbed as apprehension for the welfare of the poor children and for the damage to their psyches when they see the difference between what the 'haves' have and they do not: 'What will happen at birthday parties they wonder – will invitations be along 'class' lines?'

Worrying the rich parents is the question of whether they will be expected to cross subsidise the education of the poor? The poor, (at least the few who have come to know about this clause) are eagerly enquiring how to get into the rich schools. The questions before the schools on the other hand, appear to be related to damage control. Many of these schools have recently started afternoon classes for a few poor children. Reminiscent of the famous 'Brown vs the Board of education' apartheid case in the US,<sup>2</sup> the questions that such schools appear to be asking, is – 'will separate, but equal, do'?

Waiting in the wings are another whole nest of tangled issues concerning the private sector vis-a-vis the directorates of school education. Wanting only for a spark to set them off are the issues regarding the common school system (and the control of the school map) versus the very current issues of 'international baccalaureate' schools, the WTO, and even foreign direct investment in education.

Thus this case raises concerns of what has happened in the past and poses many more about what will happen in the future. This paper addresses mainly the questions of the past. It attempts to show why, and how the subject of free seats for the poor, found a place in the contracts that private schools signed when accepting land at concessional rates. Secondly, though it must leave to the imagination the mechanisms that kept undercover this 'great terrain robbery' [Verma 2002] (to use a term coined by urban planner, Gita Dewan Verma), it explains how it is that this matter has finally come to light.

Viewed from the perspective of its underlying principle, other questions about this clause in the contract, shall hopefully, find their own answers. In conclusion, however, this paper will present the case of one school that has answered this question for itself.

I

### **School Land and Education of the Poor – the Connection**

To trace the genesis of the contract requirement of free education for the poor as a condition for cheaper land for schools, one needs to go back to the 1960s, which saw the integration of social objectives into urban land policy in India. By this time the principles of town planning had earned for themselves the recognition of being critical to urban development [TCPO 1996]. The principles of integrated planning were able to demonstrate their worth through their application to the housing problem faced by the newly independent nation in 1947. The influx of refugees from 'Pakistan' had necessitated the urgent construction of a number of refugee towns:

the idea of self-contained townships with employment opportunities, industry, trade, commerce, etc, were brought in and some of the refugee towns were planned on sound town planning lines – [TCPO 1962].

This appreciation of professional town planning, in turn, led to the special emphasis being laid towards the end of the 1950s on projects such as the development of the 'Model' Master Plan for Delhi, and in the Third Plan period (1961-66) on the development of a 'comprehensive urban land policy'.

The concept that land policy should serve social objectives was also firmly planted during this period. The Fazlur Rehman Committee (also known as the Committee on Urban Land Policy, 1965) set up in 1963, formally enunciated the social objectives of land policy, and recommended actions such as the 'safeguarding specially the interests of the poor and underprivileged sections

of urban society'; 'prevention of concentration of land ownership in few private hands' and 'optimum use of urban land' [Ministry of Health 1965].

These social objectives had, in fact, been 'suggested' in a note prepared by the TCPO, [TCPO 1962] and which had perhaps been serving up to now, as 'a de facto urban land policy'. In both the documents, i e, the TCPO policy note and the Rehman Committee report, there are chapters titled 'Social Objectives of Land Policy'. Numerous other similarities, revealing a fraternal relationship between the two documents can be clearly seen. What is more applicable to this discussion is that the TCPO policy note considered that the function of an urban land policy was to serve as "a well contrived instrument whose aim is to serve broader social objectives, and the unhampered fruition of National Plans" (p 3).

The same ethos, i e, of land policy as subservient to social objectives, also underlies the principles enunciated in the Master Plan of Delhi, 1962 [DDA 1962]. and the Model Regional and Town Planning and Development Legislation [TCPO 1965], both of which were inspired by this policy note.

The social objectives, that the land policies were designed to serve, were in turn derived from the Constitution of India. 'The Note on Urban Land Policy' [TCPO 1962], acknowledges that the concept of the welfare state under the Constitution of India and the broader objectives of the nation state, are the 'ends', which are served by the 'means' outlined in urban land policy:

The adoption of the concept of a welfare state under the Constitution, the initiation of national economic planning, and the acceptance by the Parliament of a socialist pattern of society as the national objective, lend a different complexion to the means to be adopted in tackling everyday problems.

– *A Note on Urban land Policy*, TCPO, 1962, p 3.

The use of urban land as a resource and the policy on price of land was also no doubt one of the 'means' to be employed to serve the larger national social objectives. As observed, the manner of land use was by now recognised for its linkage to urban development as a whole. It was also seen as having its own intrinsic value as a property. The 'optimum use of urban land' was one of the main concepts that had been recommended by the Rehman Committee, and in this context, this committee saw an 'opportunity' to create one resource from another when it suggested the use of urban land resources to finance other programmes of urban development and improvement:

utmost effort should be made to finance as far as possible the urban development and improvement programmes *out of the urban land resources themselves*. In other words, the public authorities would be well advised to pursue sound financial methods and price policies in the disposal of land so that financial resources are created for furthering urban development.

– *Report of the Committee on Urban Land Policy*, Ministry of Health, 1965, p 13.

In the context of the price policy too, the Committee on Urban Land Policy explicitly recommends the use of price policies to help the poor and to encourage uses that are in the larger interests of society such as schools:

the overall objective of price policy should be to help the poorer sections of the society and to encourage uses which are in the larger interests of the community like those for schools and playgrounds.

– *Report of the Committee on Urban Land Policy*, Ministry of Health, 1965 (p 51).

It is seen therefore that, historical, constitutional, ideological and planning considerations came together in the 1960s to lay down the social objectives of an urban land policy. It is the tune of these social objectives that is being played out in the contract signed by private schools every time they acquire land at a concessional rate, in return for a promise to educate the children of the poor, (whom the government would have otherwise had to provide schools for).

*Land – Central Policy, but State Subject*

A committee report however, is not a policy. A policy, even a central policy is not a law. Moreover, the regulation of land is a subject under the 'state list', not in the central or the even the concurrent list. How then did this policy come into the law by which the schools bought land in Delhi, Hyderabad, Faridabad, and Ahmedabad – in fact, all over the country?

As mentioned above, the same policy note/committee report also led to the development of a model regional and town planning and development legislation, which was adopted without change by most states [TCPO 1966]. This same policy note also influenced the development of the Model Master Plan of Delhi. The Master Plan of Delhi, based on principles of integrated development, in turn, became the model for town master plans all over India. The Master Plan of Delhi (1961-1981) is a statutory document. The Parliament of India passed it into law in 1962. It was this law/master plan that determined the contracts signed by the schools in Delhi.

*Master Plan of Delhi, 1962*

A master plan in India is usually prepared for a period of 20 years. It defines the various zones in the city, indicates land use, stages of development and serves as a framework for zonal development plans.

The master plan document for Delhi 1962, spells out at the outset, the beliefs and principles that have guided its development. In the plan document the importance of the school in the city is without a doubt. The master plan deems the school to be at the very 'centre' while the rest of the community structures are to be built up around the school. In the Master Plan of Delhi, this cardinal principle which should determine the arrangement of structures in a community, is stated thus:

The city is a living organism. To create conditions conducive to healthy social living, the hierarchy of the city structure is built from the bottom upwards. The housing cluster is built around the nursery school and the tot lot. The primary school, the high school, the community centre, and the district centre, are the order of the functional tiers around which the community structure is built up.

– *Master Plan of Delhi 1961-81*, (p 4)

The fundamental principle of the master plan, which governed all other minutiae, however, was its egalitarian orientation. A rule, which is stressed repeatedly in the plan, is an avoidance of stratification in society along socio-economic lines:

It is of the utmost importance that physical plans should avoid stratification on income or occupational basis

– *Master Plan of Delhi* (p 4)

It is not surprising therefore that this same orientation governs the conditions of the school land agreement, in order to force the intermingling of social classes, in much the same way in which the midday meal scheme today is 'forcing' the erosion of caste barriers by getting the upper and lower castes to sit together and eat a meal [Dreze and Goyal 2003].

Once a master plan is prepared, it serves, as a basic framework within which the 'physical plans' referred to above such as the zonal development plans are prepared. Every aspect of land administration is in conformity to the principles of the master plan in the same way in which all legislation has to be in conformity with the Constitution of India. The Delhi Development Authority (DDA) implements the Master Plan of Delhi. Similarly, master plans of other cities are

implemented, by and large, by the state urban development authority, or by a metropolitan development authority in the case of large metropolitan regions.

It is no mean achievement therefore, that despite the fact that different bodies implement their own master plans in myriad metropolitan cities all over the country, the ethos which flowed through the first policy note on urban land policy appears to have transcended time and state barriers to ensure that private schools nationwide agree to impart free education in return for the land that they stand upon.

The Supreme Court directive to the Delhi government in April 2004 to look into the letters of allotment issued by the government and to ascertain whether they have been complied with by the schools, therefore may be of concern not only to the schools in Delhi, but all over the country. Now that apex court has drawn attention to this issue, it is not unlikely that other state governments and other state courts may also be alerted to question what up to now has remained strangely 'under wraps'.

## II

### **Revelations and PIL**

It does appear strange that up to now, no one thought to question whether or not private schools were abiding by the terms of the contracts signed by them (some even as early as the 1960s) – until now. Could it have been because one knew about this clause?

Since this was one of the practical 'nitty-gritties' of school management, many of those teaching in the colleges of education were (understandably?) not aware of the conditions under which land was given for schools. Was it possible that those who administered education in the directorates of education were also not aware of this clause? Was this situation similar to that of the compulsory education acts in India? A research study had found that even administrators of education were quite unaware of the existence of compulsory education acts [Juneja 1998, 2003a]

But, unlike the compulsory education acts, the land allotment contract conversely, is not an 'out of sight' document. This allotment letter is usually one of the papers filed and considered at the time the school is accorded recognition. It is probably required for many other purposes as well. It involves at least three parties, the society taking the land, the land authority giving the land, and the department of education. Even though the schools were built upon the land, strangely, the terms of the land allotment remained on paper. This state of affairs could well have continued.

#### *83rd Constitutional Amendment Bill and Revelations*

Among the academic community, this matter became common knowledge, quite by chance through the discussions related to the consideration by the Parliament in 1997, of a proposal; vide the Constitutional 83rd Amendment Bill, to make education into a fundamental right. Clause 2 (3) of the 83rd CAB stated:

2 (3) the state shall not make any law, for free and compulsory education under clause (2), in relation to educational institutions not maintained by the state or not receiving aid out of state funds

– *The Constitution (Eighty-third) Amendment Bill, 1997, Bill No XXXIX of 1997.*

The matter of the constitutional amendment was sent, as per due process to the department related parliamentary standing committee for education [Juneja 2003]. A number of experts were invited to place their views before the committee. Many scholars questioned the special protection being given to private schools through a constitutional amendment, no less. Debated also, was the issue of whether there was any such thing as a private school? One side of the argument was that no schools can consider themselves as 'not having received' from the state, and therefore, the government should not consider them free of an obligation to give back to society.

Many who were following the proceedings of the standing committee became aware for the first time that fee charging schools are given a number of concessions including land at throwaway prices. After this it soon became common knowledge that the cheap land was given by

contractual agreement in lieu of free enrolment to the poor to the tune of 25 per cent of their enrolled strength.

In the case of Delhi, the agreement of schools with the DDA included the clause no 17 of the Supreme Court verdict which highlighted free schooling for the poor children. The non-implementation of the terms of this contract meant that the municipal corporations and the Delhi government were needlessly spending public money on the infrastructure and the teachers required to educate a number of children equal, at any given time, to 25 per cent of the enrolled strength of the private schools that had taken concessional land. As a rule of thumb, the number of private schools in a metropolitan city is at least 50 per cent of the total schools in the city [Juneja 2003b].

#### *Public Interest Litigation in Education*

Even the common knowledge that some of the schools were taking the land but not the poor children for free education as per their contract agreement, may not have changed anything but for the intervention of a public interest litigation (PIL) in education that challenged this state of affairs in a court of law.

Since the 1980s, judicial activism and PIL were becoming increasingly common in India [Nayar 1995]. In Delhi, an NGO called 'Social Jurist' from the late 1990s onwards started calling to question the appalling conditions in government and municipal schools in Delhi.

In 2002, this NGO filed a PIL in the High Court of Delhi (C W No 3156 of 2002) against the government of the National Capital Territory (NCT) of Delhi, the municipal corporation of Delhi, and the union of India. One of the main issues in this PIL was:

It is submitted that none of these schools has complied with the aforementioned condition of land allotment and the authorities are totally insensitive and apathetic towards the rights of poor as they have not taken any action against such erring schools. It is submitted that impugned actions/inactions of the respondents are adversely affecting the fundamental rights to education of the children of the poor which are guaranteed to them under Article 21, 38, 39 (c) and (f), 41, 45, 46, 51 (b) and (f) read with Delhi School Education Act, 1973, Universal Declaration of Human Rights (1948) and UN Convention on rights of the child (1989).

– (Public Interest Litigation) In the High Court of Delhi at New Delhi, C W No 3156 of 2002

Within a period of a few months, in January 2004, the high court, gave their judgment on this matter and ruled that:

Thus, it is very clear that 25 per cent of the students belonging to poor sections are entitled to get admission and free ship in such schools. However, it would be for the directorate of education to investigate the matter and to point out to the DDA wherever a breach is committed. If there are no rules for admission framed in this regard, it would be for the directorate of education to see that the rules are framed so that the weaker sections of society may not suffer. It is hoped that within a period of four months this exercise shall be carried out and, after the DDA is informed, it will be the duty of the DDA to take appropriate action against any school committing breach of the condition. A compliance report be filed by the directorate of education after four months. With these directions, the petition stands disposed of

–(B C Patel C J and Badar Durrez Ahmed J) by judgment dated January 20, 2004 in C W 3156 of 2002.

As a result of these orders of the court, the directorate of education was thus forced to take action on the land contract of the private schools. Meanwhile, in April, this matter caught the attention of the Supreme Court, when private-unaided schools in Delhi appealed against a high court

judgment on a fee hike [Supreme Court of India, Civil Appellate Jurisdiction, Civil Appeal No 2699 of 2001 et al]. As seen from the excerpt of their judgment at the outset of this paper, the apex court left the schools in no doubt about its views – thus effectively leaving little scope for appeal to the higher court on this matter.

Outside the court, the issues have only just begun to be taken in hand. This paper does not deal with the followup actions of the government in the court. The purpose of this paper is to present the background of the policy and the law that makes it incumbent upon private schools to provide free seats for the poor. In the interests of brevity, this paper has not dwelt on the 165th report of the law commission, which had also recommended a similar social obligation for private schools to be built into the central legislation on free and compulsory education [Law Commission 1998]. With this judgment, it is very clear that both the state and the apex courts have treated this matter as an obligation of the school, by virtue of their land contracts. As this paper has shown, the terms of this contract were themselves, an 'end product' of the principles set out in the Constitution of India, through the process of distillation of 'social objectives' into land policy, legislation and master plans.

#### *Options for the Private Schools*

What will the schools do now? Can't they buy out their land? Will they integrate? Will they raise the fees? These issues are beyond the scope of this paper. However, merely to set at rest some of these speculations, and to enable it to move on to the 'remaining' option, reference is being made here to a one point of view that addresses some of these issues. According to Aggarwal (2004), under the present law, the schools do not have the option of renegotiating their contract. If they wish to do so then "the lease deeds have to be cancelled and lands have to be surrendered to the DDA by the societies and only thereafter, fresh lease deeds could be executed and fresh conditions could be laid down. The existing policy of the government of India does not permit allotment of land for school on concessional/free of cost but only through an open public auction. Once land is surrendered, the same will not be again available on concessional/free of cost".

Aggarwal (2004) is also of the view that schools are not legally justified in raising, on this account, the fees to be charged from fee paying students: "schools cannot legally hike fee and other charges of the fee paying students on the ground of integration of certain percentage of children from the weaker sections of society arising out of the conditions of the allotment of land to the societies on concessional/free of cost for construction of schools. The schools have already academic and the physical infrastructure which can easily accommodate additional students. Even if, there is any marginal increase in the revenue expenditure, the society that has got the public land has to meet it from their own resources and the same cannot be passed on to fee-paying students".

Apparently the only remaining option therefore is that, if the schools choose to continue to function, would be to integrate. Separate schools in different shifts, as shown in this paper, would be in contravention of the spirit of the constitutional and social objectives that shaped this clause in the contract. In conclusion, this paper presents the example of one school that has been integrating 50 per cent of non-fee paying students for the past 20 years.

### **III**

#### **Inclusive Loreto Day School, Kolkata**

The scenario of the mixing of social classes that was envisaged in the 'common school system' advocated by the Report of Education Commission, 1966, is being played out at the Loreto Day School, Sealdah, Kolkata. A case study on behalf of the department of international development provides an extremely illuminating account of the processes that have caused the school to be seen today as 'a model of successful integration of middle class and poor children'. Based on a report [Jessop 1998] of this study, an attempt is made here to illustrate some of the achievements of this school in socio-economic integration.

Half of the 1,400 students of this school are non-fee paying. In this sense it has moved beyond all other Loreto schools in India, where, by policy, 20 per cent of all admissions are reserved for the economically deprived, with a view that:

The poor child is recognised as an asset since her presence challenges the school community to live by value judgments based on human dignity and not on

money, possessions or even on talent. She is welcomed into school and treated with the same respect as is accorded to others.

– *Nurturing to Freedom, 1991.*

In 1979, when Sister Cyril took over as principal of the Loreto Day School, there were 790 students, of whom 90 were poor and therefore non-fee paying. Through a process of transformation over the past two decades, involving 'moving away from privilege and towards community' this school has managed to integrate rich and poor students without resorting to any form of selection and at the same time, has retained quality results.

Many of the non-fee paying students receive free uniforms, food and books from the school. These students are subsidised by the non-fee paying students, by local and overseas sponsors and by the dearness allowance grants made to registered private schools by the West Bengal administration.

Jessop (1998) in documenting a case study of the school writes, "What is unique about Loreto Sealdah is its ability to straddle two forms of 'best practice' simultaneously. The school measures well against conventional criteria such as the academic results in the West Bengal Exam Board public examinations, where more than 50 per cent of class XII pupils attain a first class pass annually... Even more interesting is the school's ability to defy the logic that social class really counts in the success or failure of a school."

The study documents how the values such as social justice are transmitted through demonstration. The school stands against acquisitiveness, consumerism and the trappings of modern life in favour of valuing people and relationships. A curriculum of value education is transacted in classes 1 to class 10, and uses an experience-based approach to the development of values. The middle class parents of the school have been supportive of the efforts of the school and its values.

Today, through the 'passionate' efforts of its principal, Sister Cyril to challenge the unequal life chances of Indian children, opportunities for practical engagement with a right culture, social justice and the option for the poor, the pupils of this school have become enabled 'to reflect on and make choices about what values they wish to pursue in life':

The regular school child learns at first hand what real destitution is and will be less likely to dismiss the poor as a nuisance when she holds a position of power later on, and if the regular child is herself poor, then she learns the need to work for her own community and is challenged to share rather than climb up the social ladder and be lost to her own people .

–Sister Cyril, 1995.

## **Conclusion**

Inclusive schools like the Loreto Day School Sealdah, challenge prevailing assumptions in society, and force reflection on questions such as 'what is education for?' 'Is education something that is delinked from society, democracy and social justice'?

Issues such as these, with directors of education, needing to be directed by the courts to implement the law, call into question the role of the government in education and social justice. What is and what should be the role of the government vis-a-vis private schools? What if 'market demand' and commercial interests alone governed education? What will be the larger implications for society? Should we move towards greater regulation of education or away from it? What about the constitutional directives to reduce disparities?

Indeed the debate that may yet have been a simple case about a contract and its violation 25 years ago, is no longer so. In the past few decades the wedge dividing the schools of the rich from those of the poor has been driven even deeper. (And the violation of the land contract has no doubt contributed to sinking it in.) Across the thick end of the wedge, the debate is about the values generated in society by the 'policy in practice' versus the practice of values espoused in

the Constitution of India. It pushes into the glare of the spotlight, the role of the government vis-a-vis the Constitution.

For the schools, however, the message from the courts binds them to the letter of the law. The schools are under a contractual obligation to integrate the children from the weaker sections. The letter of the law cannot be separated from its spirit. As this paper has shown, the spirit of this law through the process of distillation of 'social objectives' into land policy, legislation and master plans, was derived from the Constitution of India.

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### Notes

1 Children's right, government's duty, *Statesman*, January 25, 2004; 'Quota in Schools: Will It Really Break the Barriers?' *The Times of India*, January 25, 2004, 2a "Brown vs Board of Education laid the foundation for shaping future national and international policies regarding human rights. Brown vs Board of Education was not simply about children and education. The laws and policies struck down by this court decision were products of the human tendencies to prejudice, discriminate against, and stereotype other people by their ethnic, religious, physical or cultural characteristics"

<http://brownvboard.org/summary/>

2b "One of the most significant cases regarding segregation was the case of Brown vs Board of Education. In 1952, the Supreme Court was approached by four states and the district of Columbia, challenging the constitutionality of the segregation of races in the public schools. They wanted desegregation in the public school system, because the current segregation was not equal and it violated their freedoms as citizens of the US"

"It is doubtful if the Supreme Court has ever in all its history made a decision of greater social and ideological significance than this one. This event was a turning point in the desegregation of public schools, and the beginning to an equality among all races".

<http://campus.northpark.edu/history/WebChron/USA/BrownEd.html>

2c Excerpt from the judgment in the landmark case in the US of Brown vs Board of Education (1954) chief justice Warren Writing for the majority:

Our Constitution is colour-blind, and neither knows nor tolerates classes among citizens... Today, education is perhaps the most important function of state and local governments... 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 ever to be undone...

We conclude that in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal.

– <http://www.landmarkcases.org/brown/home.html>

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