PLYLER V. DOE

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In the United states most, Americans can take going to school for granted. However, the situation previously was hugely different for the children of immigrants that are undocumented. Plyler vs Doe case is an important step to understand the concept behind the laws that defines the education right for children of immigrants. In 1975 the Texas legislature enacted laws for local school districts authorities to deny enrollment to undocumented non-citizen children. This meant that the children of undocumented citizens have to pay tuitions so that they can attend public schools while other children attended for free. In 1982 four undocumented immigrant families filed a class actions suit against the Texas school district. The district court held that the state law was a violation of 14th amendment protection clause. The united states supreme court granted cert. The policy makers look at this as way to save states revenue while for people it was getting their basic right of education.

The fourteenth amendment protects all the people within the state jurisdiction including undocumented immigrants. Immigration status is a non-suspect classification that meant that the law wasn’t subject to strict scrutiny. The children have no control over their parents unauthorized entry into united states neither they are able to change their own immigration status (*Plyler v. Doe*, 1982). The children that are entering the country with their families are either unaware of the legal issues or cannot do anything. Furthermore, the constitution is for all people regardless of their background, where they live, how they got there is under the application of the law. Basic education forms the foundation of productive citizenships. Denying specific class or group of people from getting education will prevent them from contributing their part in nations progress. The constitution fails its scrutiny in providing quality education to undocumented immigrant children that it provided to other children. The right to education is a basic need of any person as much as a right to vote. The denial of education cannot be based on rational basis. The state has specific interests in reducing the burden on its capacity to provide high quality education but in this case, there were no substantial evidences that segregation of undocumented citizens will improve quality of education and limit its budget (“Access to Education—Rule of Law,” n.d.).

Furthermore, denying a specific group their basic right to education can also promotes social discrimination in the society. Exclusion or any hate directed towards someone that have no control over it can cause worry and anxiety among individuals which in general have negative impacts on the morale of a society.

Today almost 11.1 million undocumented immigrants live in the country in which about 1.7 millions are those that came with their parents without knowing anything (Burciaga, 2016). These 1.7 million people have contributed in some way or shape towards the economy of the country. If they were denied their basic human rights their would have been more unemployment and increase in crimes.

The law is for “all persons within a jurisdiction”, and hence unauthorized immigrants should be treated like any other person under the 14th amendment. The discussion however was on the definition of persons in jurisdiction that whether unauthorized immigrants are counted under jurisdiction or not. These ideas were solely based on the concept that migrants might not be able to own any property and not on the basis that they might have rights at all (Calabresi & Barsky, 2017). However, the court ruling was in favor of the illegal immigrants and it considered them to have equal protection of the law with jurisdiction within that state.

**References**

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