

Plessy v. Ferguson (1896)

Name: _____

Breaking the Rules

You may have heard the saying, "Some rules are meant to be broken." In 1890, a man named Homer Plessy broke the rules. The state of Louisiana had passed the **Separate Car Act**, which required railway companies to have "separate but equal" train cars for black people and white people. A person who sat in the wrong car had to pay a \$25 fine or go to jail for 20 days.

You can probably guess that the cars for blacks weren't as nice as the cars for whites. Not only that, it seemed unfair to make black people sit separately. A group of citizens called the "Free People of Color in New Orleans" formed a committee dedicated to repealing this law. They convinced Homer Plessy, who was 7/8 white and 1/8 black, to test the law by sitting in a whites-only train car. When Plessy was asked to move, he refused and was arrested.



Homer Plessy

ISSUE

Is it constitutional to make black people sit in a separate train car from white people?

DECISION

Yes, because the Constitution only protects legal equality, not social equality.

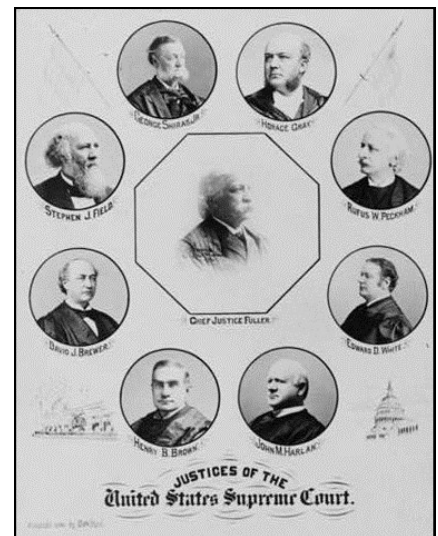
The Argument

Plessy argued that Louisiana's Separate Car Act violated the **14th Amendment** to the U.S. Constitution. It says that states may not "deny to any person within their jurisdiction the equal protection of the laws." He argued that requiring black people to sit separately from white people implied that blacks were inferior to whites, and therefore unequal.

The Decision

The Supreme Court disagreed. It saw separate train cars as an issue of social equality, not political or legal equality. It said separating the races did not take away civil or political rights. Justice Brown wrote for the Court, saying that "if one race be inferior to the other socially, the constitution of the United States cannot put them upon the same plane." Justice Brown said there had been separate schools for black and white students for a very long time, and many court cases had decided that states were allowed to have these **segregated** schools.

Out of the nine justices, Justice Harlan was the only one to dissent, or disagree. He wrote that "our constitution is color-blind" and does not tolerate "classes among citizens." He said the Court's decision would lead to racial hatred and increased attacks against black peoples' rights.



U.S. Supreme Court, 1896



So What?

The Court's decision set the stage for many more years of discrimination against people of color. Plessy's case gave rise to a new doctrine: "separate but equal." States were free to pass laws that kept races separate, and although the facilities were supposed to be equal, they rarely were. The "separate but equal" doctrine would not be abolished until the Civil Rights Act of 1964.