

Chapter 12 | Plessy v. Ferguson, 1896

Standard 2 – Key Events, Ideas and People: Students analyze how the contributions of key events, ideas, and people influenced the development of modern Louisiana.

GLE 8.2.6 Explain major social, political, and economic changes that affected Louisiana during the Progressive, Great Depression, and Huey Long eras.

Use the four sources and your knowledge of social studies to answer the questions.

Source 1: Plessy v. Ferguson Timeline

1890	Louisiana passes “Separate Car Act”
1891	_____
1892	Homer Plessy challenges the “separate but equal” law based on the 14th Amendment
1893	_____
1894	_____
1895	_____
1896	US Supreme Court upholds the “separate but equal” doctrine
1897	Plessy pays a \$25 fine
1898	_____
1899	_____
1900	_____

Source 2: Plessy v. Ferguson

The following two opinions were issued by the U.S. Supreme Court in 1896 during their ruling on the Louisiana law that required railroads to provide separate cars for blacks and whites. Homer Plessy had challenged this law, and Judge John H. Ferguson was the original trial judge. The majority of the Supreme Court justices agreed with the Louisiana law. Justice Brown’s opinion explains the majority decision. Justice Harlan gave the only dissenting opinion.

Justice Brown

[The Legislature] is at liberty to act with reference to the established usages, customs and traditions of the people, and with a view to the promotion of their comfort, and the preservation of the public peace and good order. . . . We consider the underlying fallacy of the plaintiff’s argument to consist in the assumption that the enforced separation of the two races stamps the colored race with a badge of inferiority. . . . The argument also assumes that social prejudices may be overcome by legislation, and that equal rights cannot be secured to the Negro except by an enforced [mixing] of the two races. We cannot accept this proposition. If the two races are to meet upon terms of social equality, it must be the result of natural affinities, a mutual appreciation of each other’s merits, and a voluntary consent of individuals. . . .

Justice Harlan

. . . the statute of Louisiana is inconsistent with the personal liberty of citizens, white and black, in that state, and hostile to both the spirit and letter of the constitution of the United States. . . . Slavery, as an institution tolerated by law, would, it is true, have disappeared from our country; but there would remain a power in the states, by sinister legislation, to interfere with the full enjoyment of the blessings of freedom, to regulate civil rights, common to all citizens, upon the basis of race, and to place in a condition of legal inferiority a large body of American citizens, now constituting a part of the political community, called the ‘people of the United States,’ for whom, and by whom through representatives, our government is administered. Such a system is inconsistent with the guaranty given by the constitution to each state of a republican form of government. . . . For the reasons stated, I am constrained to withhold my assent from the opinion and judgment of the majority.

Source 3: Jim Crow in Louisiana

Categories	Louisiana Law
Education	Separate public schools are mandated for white and “colored” children between the ages of 6 and 18 years.
Hospitals and Prisons	All prisons, lockups, or camps must have separate apartments for the white and “negro” races.
Public Accommodations	Circuses, shows, and tent exhibitions must have separate ticket offices and entrances for the white and “colored” races.
Transportation	All buses and railroads must provide separate seats (buses) and coaches (railroads) for the white and “colored” races.

Source 4: Codifying and Segregation

Constitution of 1868
Included a “bill of rights” and an “equal rights” amendment, enfranchised African American men 21 years and older, gave all citizens equal access to public services, removed restrictions of 1865 Black Codes, and integrated public schools.
Election of 1876
Marked the end of Military Reconstruction in Louisiana.
Constitution of 1879
Omitted “equal rights” amendment of 1868, established separate schools for African American children, and created Southern University as a state black college.
Constitution of 1898
Established voting requirements: must own property, be literate, and pay a poll tax; exempted citizens who voted prior to January 1, 1867, from the new voting requirements; created legal provisions that allowed for enforcement of (Jim Crow) laws that promoted segregation by race.

Item 1: Multiple Choice

Which group was most likely pleased with the actions described in the four Sources?

- A. Bourbon Democrats
- B. Cotton Exposition Visitors
- C. Lottery Company Officials
- D. New Orleans Ring

Item 2: Multiple Select

Based on these four Sources, which four activities were designed to keep freedmen from full participation in society?

- populism
- disfranchisement
- sharecropping
- convict lease system
- progressive policy
- segregation of the races

Item 3: Technology Enhanced Item

Based on Source 2 and your knowledge of social studies, read each statement and determine which justice implied this idea in his court opinion. Copy the statement from the list to the chart titled **The Opinion of the Court**. Every space in the chart will not be used. Use all options from the list.

- a. The error in the plaintiff’s argument is that social prejudices can be overcome by legislation.
- b. Social equality occurs only when it is voluntary and through mutual consent.
- c. The states have passed “sinister legislation” that has unjustly segregated the races.
- d. This justice implies that the 14th Amendment should apply and overturn the Louisiana segregation law.

The Opinion of the Court	
Justice Brown [Majority]	Justice Harlan [Dissent]

Item 4: Constructed Response

Based on Source 4 and your knowledge of social studies, describe what two trends are noticeable about “segregation” and “equality” as they relate to African Americans in Louisiana in the last half of the 19th century.
