

Name _____

Date _____

Plessy v. Ferguson

Use the text to answer each question below.

1. After the Civil War, federal troops remained in the South for 12 years. During this period, known as Reconstruction, the federal government made a concerted effort to improve the legal and social status of formerly enslaved Black people. The troops were there in part to enforce new laws including the 13th, 14th, and 15th Amendments. The 13th Amendment outlawed slavery, the 14th promised all Americans equal protection under the law, and the 15th granted Black men voting rights. But in 1877, federal troops left the South as part of a compromise in a contested presidential election. Reconstruction came to an abrupt end. As Southern Democrats returned to power, they enacted Jim Crow laws aimed at reversing progress toward racial equality. These state and local laws prevented African Americans from voting and segregated public accommodations like schools, waiting rooms, and transportation.

According to the passage, which of the following events led to the end of Reconstruction?

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| A. The final battle of the Civil War | B. The ratification of the 13th, 14th, and 15th Amendment |
| C. The integration of public accommodations | D. The removal of federal troops from the South |
2. By 1890, a Jim Crow law called the Separate Car Act had been passed in Louisiana. The act called for the segregation of train cars, requiring all passenger trains to provide “equal but separate accommodations” for Black and white passengers. As Black people around the South saw their civil rights gains eroding, they realized that “separate but equal” accommodations perpetuated their status as second-class citizens. In response, pockets of organized resistance began to form, including one aimed at the Separate Car Act. A group of Black New Orleans businessmen formed the Citizens’ Committee to Test the Constitutionality of the Separate Car Law. Their strategy was simple: Send a Black man to sit in a “whites-only” car on the East Louisiana Railway and get him arrested under the Separate Car Act. They would then challenge the law, arguing that it violated the equal protection clause of the 14th amendment. The Committee believed this act of civil disobedience would lead to racial segregation being ruled unconstitutional.

With which of the following statements would a member of the Citizens’ Committee have most likely agreed?

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| A. If public facilities are of equal quality, segregation is sometimes reasonable. | B. Additional civil rights gains would be nice, but not worth fighting for. |
| C. Racial segregation infringes on the constitutional rights of Black people. | D. “Whites-only” cars should be open to Black passengers who are willing to pay extra. |

3. After one failed attempt to challenge the act, a member of the group named Homer Plessy was recruited to be the new plaintiff. Plessy was a French-speaking Creole of African American and European heritage. He was light-skinned, only one-eighth Black, and would be able to pass as a white person sitting in the whites-only car. The plan was highly coordinated. The Committee knew railroad companies disliked the Separate Car Act because it forced them to buy additional train cars. So when the Committee informed the East Louisiana Railway of their plan in advance, the railroad company did nothing to intervene. On top of this, the Committee hired a private detective to conduct the arrest. This ensured that Plessy would be arrested for violating the Separate Car Act and not a different law.

With which of the following statements would the head of the East Louisiana Railway have most likely agreed?

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| A. The Separate Car Act clearly violates the constitution and should be challenged. | B. Homer Plessy must be arrested for violating only the Separate Car Act. |
| C. Homer Plessy's light skin makes him the perfect plaintiff to challenge the Separate Car Act | D. The Separate Car Act is bad for business and costs the railway company a lot of money. |
4. On June 7, 1892, Plessy purchased a ticket and sat in an empty seat in a "whites-only" train car. When the conductor asked his race, Plessy identified himself as Black. The conductor told Plessy he had to move to a Black section of the train. Plessy refused and was arrested and jailed. In Louisiana state court, Plessy's lawyers argued that the Separate Car Act violated Plessy's constitutional rights, but Judge John H. Ferguson ruled against Plessy in favor of the law. Plessy's lawyers appealed Ferguson's decision to the Supreme Court, and the court accepted the appeal. In 1896, the Supreme Court ruled in a 7-1 decision that the law did not violate the equal protection clause of the 14th Amendment. In the court's view, as long as states maintain separate but equal facilities, segregation was not prohibited by the constitution.

How did Plessy's case make it to the Supreme Court?

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| A. Every state court decision is reviewed by the Supreme Court to ensure fairness. | B. Media coverage forced the Supreme Court to take up the case after they had rejected Plessy's appeal. |
| C. A Supreme Court justice from Louisiana took a special interest in the case. | D. Plessy's lawyers appealed a state court decision, and the Supreme Court agreed to hear the case. |

5. In the Supreme Court's majority opinion, Justice Henry Brown wrote, "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. If this be so, it is not by reason of anything found in the act, but solely because the colored race chooses to put that construction upon it." Justice John Marshall Harlan was the only justice who disagreed with the court's ruling. In his dissenting opinion, he wrote, "In the eye of the law, there is in this country no superior, dominant, ruling class of citizens. There is no caste here. Our Constitution is colorblind and neither knows nor tolerates classes among citizens...The arbitrary separation of citizens, on the basis of race...is a badge of servitude wholly inconsistent with the civil freedom and the equality before the law established by the Constitution. It cannot be justified upon any legal grounds."

With which of the following statements would Justice Henry Brown have most likely agreed?

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| A. Black people choose to see racial segregation as a racist practice. | B. Racial segregation provides preferential treatment to white people. |
| C. Racial segregation is morally wrong, but technically legal and protected by the constitution. | D. Black people are forced into a form of second-class citizenship by racial segregation. |

6. The committee's plan to challenge the Separate Car Act had backfired. By upholding the "separate but equal" doctrine, the Supreme Court had provided legal justification for racial segregation. This laid the foundation for decades of Jim Crow laws and segregation throughout the South. Although states were required by law to provide equal accommodations for Black people, their train cars, schools, and bathrooms were nearly always inferior and poorly maintained. It took nearly 60 years for the *Plessy v. Ferguson* decision to be overturned with the Supreme Court case *Brown v. Board of Education* in 1954.

Which of the following best describes the relationship between the Citizens' Committee's plan and racial segregation?

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| A. The Citizens' Committee's plan to challenge racial segregation was unsuccessful legally, but helped shape public opinion. | B. The Citizens' Committee's plan to challenge racial segregation was successful in the state of Louisiana, but opened the door for legal segregation in other states. |
| C. The Citizens' Committee's plan to challenge racial segregation ultimately ended up laying the foundation for decades of legal segregation. | D. The Citizens' Committee's plan to challenge legal segregation was massively popular and resulted in the end of segregation in the South. |