

Plessy v. Ferguson ^[1]

Plessy v. Ferguson

by Lynn Roundtree, 2006



Samuel Fields Phillips (1824-1903), North Carolina lawyer. Image from the Southern Historical Collection, University of North Carolina at Chapel Hill.

^[2]In 1896 the U.S. Supreme Court ^[3] upheld the so-called separate-but-equal segregation ^[4] of whites and blacks in public facilities in its decision on *Plessy v. Ferguson* ^[5]. Homer Plessy, a Louisianian who was seven-eighths Caucasian, bought a first-class ticket and sat in the "whites only" car of a train leaving New Orleans. When asked to move, he refused, and he was subsequently arrested. The Court ruled that "laws permitting, and even requiring [the two races'] separation in places where they are liable to be brought into contact do not necessarily imply the inferiority of either race to the other." Enforced separation of the races-what Justice John Marshall Harlan ^[6] called "the thin disguise of equal accommodations" in his dissent in *Plessy*-remained the law of the land until several decisions on segregation in public accommodations by the Court in the 1950s. In *Brown v. Board of Education of Topeka, Kansas* ^[7] (1954), the Supreme Court specifically overruled *Plessy*.

Two North Carolinians stood as steadfast opponents of the separate-but-equal doctrine at its outset. Both Judge Albion W. Tourg  e, a state superior court judge during Reconstruction ^[8] and an equal rights advocate, and Samuel Field Phillips ^[9], a leading North Carolina lawyer and former solicitor general of the United States, acted as counsel for the plaintiffs in *Plessy* and argued the case orally before the Supreme Court.

The virulent white supremacy campaigns at the beginning of the twentieth century brought to power public officials ready and willing to pass laws, statutes, and ordinances requiring separate-and often patently inferior-public facilities. For more than half a century, North Carolina blacks, living under Jim Crow laws, were physically segregated from whites, denied the right to vote ^[10], and severely limited economically.

References:

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Joel Williamson, *The Crucible of Race* (1984).

Additional Resources:

"Plessy v. Ferguson (1896)." *Our Documents*. Library of Congress. <http://www.ourdocuments.gov/doc.php?flash=true&doc=52> ^[5] (accessed December 4, 2012).

The Rise and Fall of Jim Crow: Jim Crow Stories: Plessy v. Ferguson." PBS.org. 2002. http://www.pbs.org/wnet/jimcrow/stories_events_plessy.html ^[11] (accessed December 4, 2012).

"Plessy v. Ferguson." LearnNC.org. <http://www.learnnc.org/lp/pages/1564> ^[12] (accessed December 4, 2012).

Duignan, Brian. "Plessy v. Ferguson." *Encyclop  dia Britannica*.

<http://www.britannica.com/EBchecked/topic/464679/Plessy-v-Ferguson> ^[13] (accessed December 4, 2012).

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Subjects:

[Gilded Age \(1876-1900\)](#) ^[14]

[Civil Rights](#) ^[15]

[Court cases](#) ^[16]

[Events](#) ^[17]

[Law and legal history](#) ^[18]

[Segregation](#) ^[19]

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