

# U.s. landmark case of plessy v. ferguson

Law



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5 November Assignment of the case: Plessy v. Ferguson decided: 1896, overruled in 1954 Facts of the case: In the year 1890 a law called the 'Separate Car Act' was passed that stated that different accommodations were required for the people that belonged to the black and the white races on railroads including on the trains. A group of black people belonging to the Comite des Citoyens from New Orleans were concerned about this law leading to racial discrimination and segregation and thus decided to put their efforts in repealing the law. The case was mainly orchestrated by Homer Plessy, and on 7 June 1892, he bought a first class ticket at the Press State Depot and boarded the car that was reserved for only white people on the East Louisiana Railroad. The railroad company, which opposed the law on the grounds that it would require the purchase of more railcars, had been informed already as to Plessy's racial lineage. Plessy was asked to vacate the seat when he took it on the train bound to Covington and he refused to do so and was immediately arrested. The train was then stopped and Plessy was remanded for a trial in Orleans. He then argued that his rights as per the Thirteenth and the Fourteenth Amendment had been violated and that he had been discriminated against. Legal issues: Upholding of the constitutionality of state laws requiring racial segregation in public facilities under the doctrine of 'separate but equal'. Majority opinions: Decision handed by a vote of 7 to 1 with the majority opinion written by Justice Henry Billings Brown. Plessy's arguments were rejected which were based on the Fourteenth Amendment with a decision that the state of Louisiana did not violate racial laws and a view was rejected stating that the state implied blacks to be inferior and merely contended that under the purview of public policy, the two races should be separated. According to Justice Brown, " We <https://assignbuster.com/us-landmark-case-of-plessy-v-ferguson/>

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." Concurrence: Justice Henry Billings Brown. This landmark case was the foundation stone of the legal foundation for the doctrine of separate but equal, understanding that a segregation that was based on classifying races was held to be legal so long as the facilities that were provided to both races were of equal quality and were not superior or inferior in any manner. However, Southern state governments refused to provide blacks with genuinely equal facilities and resources in the years after the Plessy decision. The states not only separated races but, in actuality, ensured differences in quality. According to the facts of the case, in January 1897, Homer Plessy pleaded guilty to the violation and paid the fine. Dissent: Justice John Marshall Harlan. He wrote, " There is a race so different from our own that we do not permit those belonging to it to become citizens of the United States. Persons belonging to it are, with few exceptions, absolutely excluded from our country. I allude to the Chinese race." Discussion: Tourgee and Phillips were the counsels that spoke on behalf of Plessy in the courtroom and they argued upon the violations of the rights that Plessy had under the Thirteenth and the Fourteenth Amendments prohibiting slavery, and the rights which guarantee the same rights to all citizens of the United States, and the equal protection of those rights, against the deprivation of life, liberty, or property without due process of law. Tourgee said in Plessy's defense that the reputation of being a black man was " property," which, by

the law, implied the inferiority of African-Americans as compared to whites.

Works Cited Homer A. Plessy v. Ferguson 163 U. S. 537