

# PLESSY V FERGUSON

Unit IV: The Civil War and  
Reconstruction

# DE JURE V. DE FACTO

**De Jure:** According to **Law**

**De Facto:** Actual *or* in practice

Segregation existed because of Jim Crow Laws and also because of the “natural” ways communities rose – divided by race.

Jim Crow was de jure

Communal growth was de facto – as it had been

Some newly freed slaves did *not* want to live near whites for their own safety and fear of further mistreatment

# JIM CROW LAWS (DE JURE)

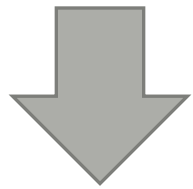
Essentially creates “**separate but equal**”

Laws passed to enable segregation to exist legally

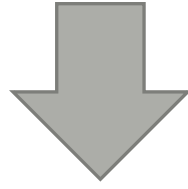
**Legalized** inferior treatment and inferior facilities

- -Schools
- -Hotels
- -Restaurants
- -Bathrooms

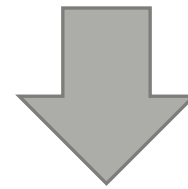
# Jim Crow Laws



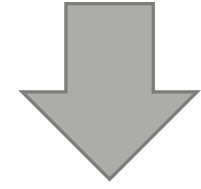
Became firmly established in southern states during Reconstruction



Required the separation of African Americans and whites in schools, parks, public buildings, and public transportation



Declared legal by Supreme Court in *Plessy v. Ferguson* decision (1896)



Battled against by the National Association for the Advancement of Colored People (NAACP)

**IMPERIAL  
LAUNDRY CO.**

**WE WASH FOR  
WHITE PEOPLE ONLY**



**PARAMOUNT THEATRE**  
**COLORED ENTRANCE**

*Enjoy Good Shows in Comfort*

nerves  
d it after  
THOU





On this sunny morning, Flood boards the train in Canon City, Colo., and is escorted to the first-class dining car of the Royal Gorge Route. The car is a masterpiece of oak, brass, glass and white linen. As Flood sits down at her table her eyes fill with tears.

The vestibule door between the train cars and its intricately etched glass has conjured up a powerful memory. When she was 6, Flood was on the outside looking in through exactly that sort of glass. A little girl got up from her dining car table and came up to the opposite side.

"And she came up to the window and smiled. And then we just took our fingers and we were playing on the window. We would follow each other's fingers and play and laugh," Flood recalls.

Then, the girl's mother saw the pair, and called her daughter back. "So she smiled at me and waved goodbye, and I could see her running back," Flood says.

As she watched the girl skip away, Flood did not feel resentful or sad. Flood was on one side of the door because she was black. The little white girl was dining in the train's dining car.

The two girls were separated by Jim Crow and etched glass, but for a few minutes they'd been friends nonetheless.



# *PLESSY V. FERGUSON* (1896)

Homer Plessey was a “creole” – African American with white roots traced to French/Spanish

1/8 African American

Louisiana had passed the **Separate Cars Act** – Legalizing segregated rail cars

Plessey boarded the white car and announced he was black

- Intended to be arrested to bring case to court

John Ferguson, the *local* level judge, upheld Plessey’s arrest.

It was moved to the state level where it was upheld and again at the Supreme Court level

7-1 decision at the Supreme Court



# SEPARATE BUT EQUAL

"Our Constitution is color-blind, and neither knows nor tolerates classes among citizens. In respect of civil rights, all citizens are equal before the law. ... The present decision, it may well be apprehended, will not only stimulate aggressions, more or less brutal and irritating, upon the admitted rights of colored citizens, but will encourage the belief that it is possible by means of state enactments, to defeat the beneficent purposes which the people of the United States had in view when they adopted the recent amendments of the Constitution." **-Justice John Harlan's lone dissenting opinion**

Separate but equal would hold up until 1954

Amendment XIII and XIV were denied

WHITE

COLORED





# IMAGINE IF...

The girls' team may only practice in the little gym

Argyle students are only allowed to use the computers from 1980

The basketballs in the gym had no grip, were lopsided, and deflated

Each desk had a chair too big or too small

The bathrooms were never cleaned and plumbing never worked

~~Existence = Equal~~

# 21<sup>ST</sup> CENTURY

## Close Read

- Does separate but equal still exist in the United States?
- If so, is it de jure or de facto by rule?
- Is it a problem?
- What are some solutions?
- What are the effects on different groups?