

Challenging Segregation

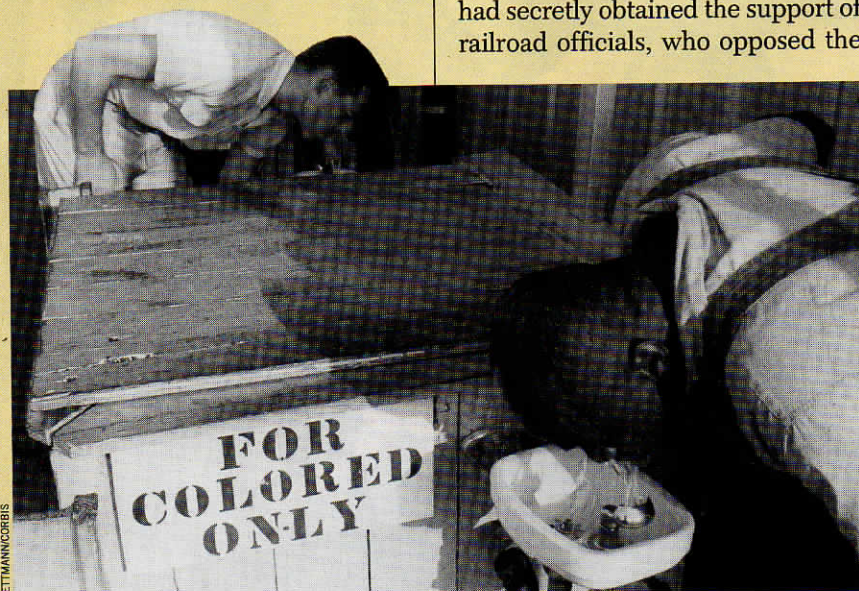
The Long Road to *Brown v. Board of Education*

The year was 1892, and Homer A. Plessy, described in court papers as “of mixed descent, in the proportion of seven-eighths Caucasian and one-eighth African blood,” bought a first-class ticket from New Orleans to Cov-

ington, Louisiana. When he took a seat reserved for whites on the East Louisiana Railway, Plessy was jailed for violating a state law that banned members of either race from occupying accommodations set aside for the other. Plessy and his associates had secretly obtained the support of railroad officials, who opposed the



MARCHING FOR EQUALITY: Young people from around the nation joined this 1947 protest against laws requiring black students to attend separate schools.



LIFE UNDER JIM CROW: With approval from the Supreme Court, southern states posted WHITE ONLY and COLORED ONLY signs at water fountains, waiting rooms and bathrooms. They also designated “colored only” sections at theaters and beaches.

segregation law on the grounds that it “saddled their employees with the burden of becoming the state’s race policemen.” The railroad also had a more practical objection: segregation forced the company to provide “extra cars that might only be half-used.”

When his case reached court, Plessy argued that the law violated his constitutional right to equal protection, as guaranteed by the 14th Amendment. But in its ruling on *Plessy v. Ferguson*, announced May 18, 1896, the Supreme Court declared that laws requiring “equal but separate” treat-

TIMELINE

1849 The Supreme Court of Massachusetts upholds the legality of segregation in *Roberts v. City of Boston*, the first case to challenge school segregation.

1857 In *Dred Scott v. Sandford*, the Supreme Court declares that neither free blacks nor slaves have rights, and rejects the notion that black Americans can become citizens.



1865 The Civil War ends and the Reconstruction period begins. Slavery and involuntary servitude are abolished when the 13th Amendment is ratified in December 1865.

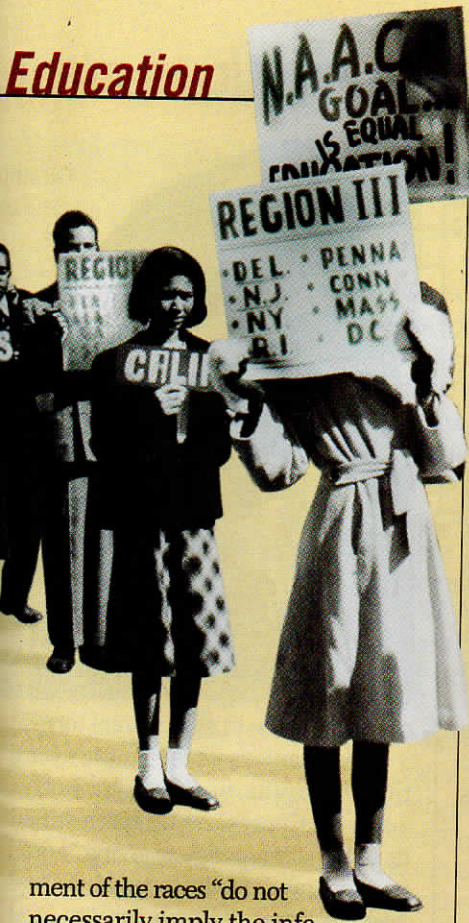
1868 The 14th Amendment redefines citizenship to include black Americans.

1870 The 15th Amendment grants black men the right to vote. Women are excluded.



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SEGREGATED BY LAW: 17 states required separate schools for blacks and whites.

ment of the races “do not necessarily imply the inferiority of either race,” and cited the widely accepted propriety of separate schools for white and colored children. In dissent, Justice John Harlan wrote, “The thin disguise of ‘equal’ accom-

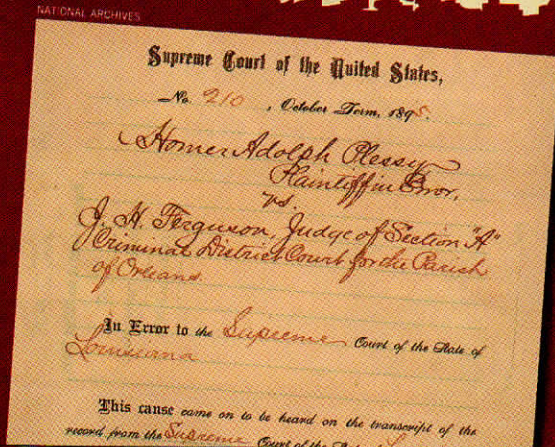
modations...will not mislead anyone, nor atone for the wrong this day done.” Following the “separate but equal” verdict, southern states bolstered their resolve to segregate blacks and whites.

Under “Jim Crow” laws, African Americans were required to enter public buildings through separate doorways, drink from separate water fountains, and attend separate schools. At many parks, signs stated: NEGROES AND DOGS NOT ALLOWED. The “thin disguise” endured until 1954, when a series of school-segregation cases culminating in *Brown v. Board of Education* led to the overturning of *Plessy*.

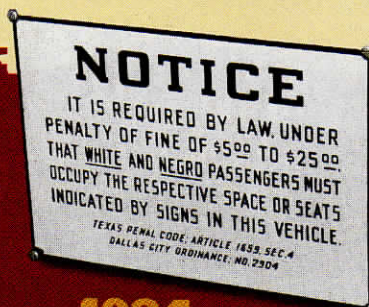
“The thin disguise of ‘equal’ accommodations...will not mislead anyone, nor atone for the wrong this day done.”

—John Harlan, dissenting from the Supreme Court’s 1896 Plessy decision

1896 ▶ In *Plessy v. Ferguson*, the Supreme Court upholds the constitutionality of laws that provide “separate but equal” facilities, and rejects the argument that segregation violates the 14th Amendment.



1909 The National Association for the Advancement of Colored People (NAACP) is founded. The nation’s oldest civil rights organization, it leads the fight against state-sanctioned segregation in public schools.



1934 Charles Hamilton Houston becomes chief counsel of the NAACP.