

2.4 African American Life After Reconstruction

After Reconstruction, how did African Americans respond to racial discrimination?

Explore

“Separate But Equal”

How did *Plessy v. Ferguson* solidify segregation policies?

In 1890, Louisiana passed the Separate Car Act, a Jim Crow law that segregated the state’s railcars. The law required all railroads in the state to provide “equal but separate accommodations” for white and African American passengers. The law also prohibited passengers from entering railcars not assigned to their own race. However, many African American professionals in New Orleans felt that this law was unconstitutional.

Breaking the Law on Purpose

On June 7, 1892, a passenger on the East Louisiana Railroad named Homer Plessy sat in a “whites only” train car. Plessy was Creole—a person of mixed European (primarily French and Spanish) and African descent. Even though Plessy’s skin was light colored and he was mostly European in ancestry, Louisiana’s [segregation](#) laws considered him to be black. Because of that, sitting in the “whites only” car got him arrested, but it was no accident that Homer Plessy sat in the “whites only” car and refused to move.

Plessy was part of a civil rights organization, a group of people fighting for equal rights for African Americans. The organization was called the Citizens’ Committee to Test the Constitutionality of the Separate Car Law. His organization wanted to go to court to challenge Louisiana’s 1890 Separate Car Act by violating the law on purpose in order to establish a test case. Plessy hoped his arrest would begin a legal fight that would result in the end of all [Jim Crow laws](#). Sure enough, the case of [Plessy v. Ferguson](#) made it all the way up to the Supreme Court of the United States.

The Supreme Court’s Decision

Plessy’s lawyer argued that the Separate Car Act was unconstitutional. He said the law violated the Thirteenth and [Fourteenth Amendments](#) of the Constitution, which had outlawed slavery and made African Americans citizens of the United States. The Supreme Court heard the *Plessy v. Ferguson* case on April 13, 1896, and handed down its decision on May 18. In a 7–1 vote, the Court ruled that state laws such as the Separate Car Act do not force people into slavery, and therefore, do not violate the Thirteenth Amendment.

The ruling also concluded that most segregation laws did not violate the Fourteenth Amendment as long as separate facilities were “equal.” The majority of the court stated that segregation laws, by nature, did not violate the equal protection clause of the amendment. As long as the facilities provided the same accommodations, they could remain separate. The majority opinion, authored by Justice Henry Billings Brown, recognized that the Fourteenth Amendment was intended to create absolute racial equality before the law. However, the ruling also stated that the amendment was not intended to end all legal distinctions based on race, or to enforce social equality in the United States. In short, the judges concluded that segregation is a legal form of discrimination.

This Supreme Court’s decision in *Plessy v. Ferguson* reinforced the precedent that segregation was an acceptable practice. It supported the idea that separating people by the color of their skin was not unconstitutional, as long as the facilities provided to both groups were equal. As a result, the Supreme Court’s decision permitted the passage of many Jim Crow laws throughout the South. After *Plessy v. Ferguson*, legal segregation would last well into the 1960s. During this time, the meaning of “equal” was stretched and debated many times over.

