



Worksheet 3b – Key Decisions 4 Questions and Answers

Read the extract from the Court's decision and then discuss the questions that follow. You should agree on your answers before sharing them with the class.

Plessy v. Ferguson

Laws permitting, and even requiring, their separation in places where they are liable to be brought into contact do not necessarily imply the inferiority of either race to the other ...

...

The most common instance of this is connected with the establishment of separate schools for white and coloured children ...

...

We consider the underlying fallacy of the plaintiff's argument to consist in the assumption that the enforced separation of the two races stamps the coloured 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 coloured race chooses to put that construction upon it.

The argument also assumes that social prejudices may be overcome by legislation, and that equal rights cannot be secured to the negro except by an enforced commingling of the two races. We cannot accept this proposition. If the two races are to meet upon terms of social equality, it must be the result of natural affinities, a mutual appreciation of each other's merits, and a voluntary consent of individuals.

If one race be inferior to the other socially, the Constitution of the United States cannot put them upon the same plane.

Questions

- What argument is presented to justify the assertion that segregation does not imply unlawful discrimination?
- What do these extracts from the decision reveal about contemporary attitudes towards the civil rights accorded to African-Americans?