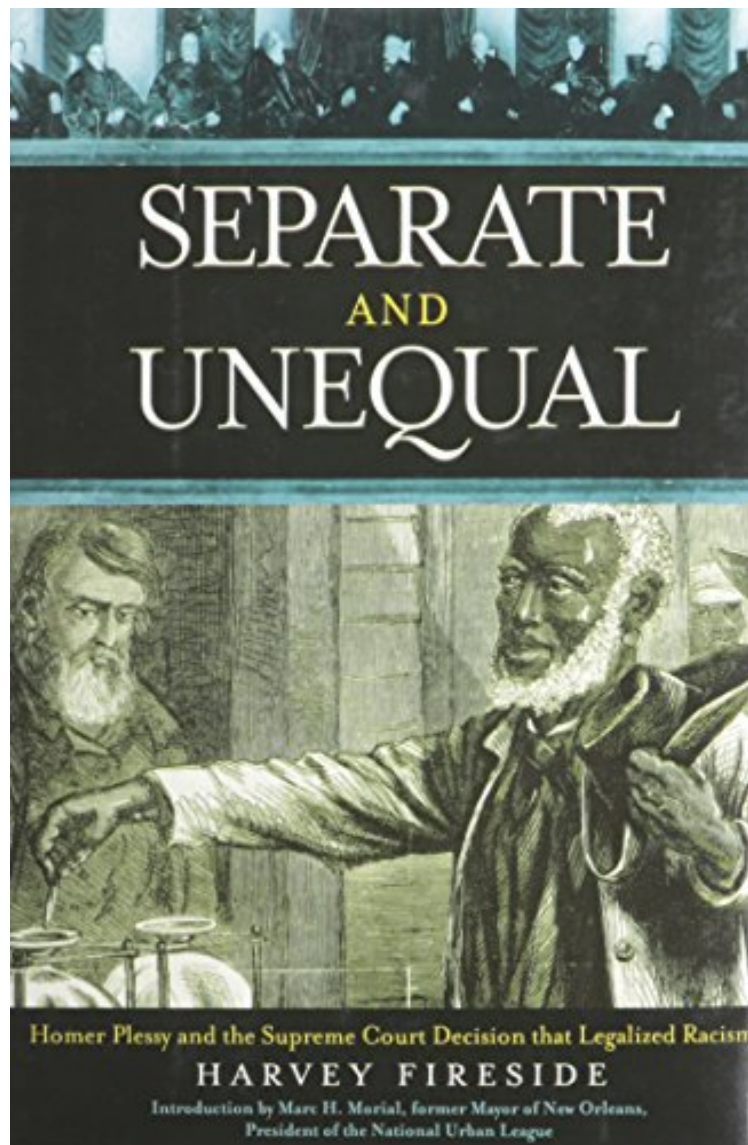


[Read free ebook] Separate and Unequal: Homer Plessy and the Supreme Court Decision that Legalized Racism

Separate and Unequal: Homer Plessy and the Supreme Court Decision that Legalized Racism

Harvey Fireside

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Harvey Fireside : Separate and Unequal: Homer Plessy and the Supreme Court Decision that Legalized Racism before purchasing it in order to gage whether or not it would be worth my time, and all praised Separate and Unequal: Homer Plessy and the Supreme Court Decision that Legalized Racism:

2 of 2 people found the following review helpful. History of systematic segregation in the south. By James E. Kennedy. An unfortunate book that reviews how the south was able to manipulate the courts and state rights into a legal system the US government did not find fit to change til 1964. It is not an easy read due to its legal content. It does show how the separate but equal rule had been misapplied. 0 of 0 people found the following review helpful. Four Stars. By Gamecock. Good book and very educational for young adults. 2 of 4 people found the following review helpful. Poorly written, half-heartedly analyzed and apparently unedited. By Jonathan Levy. I must disagree with the other review. I find this book inherently unreadable. Fireside's arguments are inadequate for the weight of this topic, and rather than give a complete picture of Mr. Plessy and the Supreme Court Justices involved in the decision (as the title may suggest the book will discuss), Professor Fireside spends fully one third of the book examining the fall out from Plessy. None of the product reviews hint that so much time will be spent discussing Brown v. BOE or the left-wing preaching in which Fireside engages towards the end. Homer Plessy, in fact, is such a minor character in this story that his portrait is not even included in the photo insert. Furthermore, any errors in interpretation in typography, however superficial they may be are forgivable, except one. Midway through the book, Fireside accurately states that Justice Brewer recused himself for an unknown reason (even though many claim there was a reason, his daughter's death, to which Fireside makes no allusion), but Fireside later says that Brewer ruled AGAINST Plessy. This self-contradictory drivel is easily edited out, yet it made its way into the book anyway. I will certainly be looking for another Plessy book, and I suggest you do to.

On June 7, 1892, Homer A. Plessy, a New Orleans shoemaker, white in appearance but Negro according to the "one drop" rule that discriminated against anyone with even a small fraction of African blood by that injurious label, boarded a "Whites Only" railroad coach. He then volunteered his lineage to the conductor, who ordered that he move to a car set aside by state law for Negroes—and so began the legal crusade that culminated in one of the most tragic and dishonorable decisions in Supreme Court history. Here, acclaimed historian Professor Harvey Fireside presents a powerful account of Plessy v. Ferguson, the famously unlawful ruling that institutionalized racism and helped inspire the civil rights movement. Separate and Unequal combines judicial records and historic photographs with a richly evocative portrait of Jim Crow-era Louisiana and a tale of the personal heroism of Homer Plessy; lawyer Albion Tourgée, who argued his case pro bono; and Justice John Marshall Harlan, the decision's sole dissenter, who argued fervently against the Court majority opinion that "separate but equal" accommodations were not unjust and demeaning. With sophistication and passion, Fireside shares a history less renowned but every bit as explosively influential as that of Rosa Parks.

From Booklist. When Homer Plessy, a fair-skinned black man, challenged the laws on separate accommodations in 1892, he triggered a process that would eventually codify separate but equal as a national doctrine of racism. Civil rights historian Fireside explores the social and historical context in which Plessy challenged the mistreatment of blacks--and eventually lost. Fireside details the lives of Plessy and the Creole community of free people of color who resisted the erosion of their hard-won civil equality and economic independence during Reconstruction. He also portrays Plessy's attorney, Albion W. Tourgee, characterized at the time as a carpetbagger, who took on the case at no charge. But the temperament of the Supreme Court had shifted back to the pre-Civil War view of states' rights and was influenced as well by concerns with reconciling with the South for the sake of the nation's economic development. The separate-but-equal doctrine would stand until Plessy was overturned in 1954 by the Brown decision. This is an engrossing account of a shameful ruling. Vanessa Bush. Copyright © American Library Association. All rights reserved. From The Washington Post. More than 100 years ago, in Plessy v. Ferguson, the United States Supreme Court found that a Louisiana law that required separate cars on trains for whites and "coloreds" was constitutional. Black people who believed that such segregated establishments were inferior suffered, in the Court's analysis, from low self-esteem. Today the thousands of students who attend historically black colleges seem to agree. These African Americans have proudly chosen segregation over integration, at least for the purpose of higher education. The problem, however, is that in the interval the Supreme Court reversed course: Brown v. Board of Education, decided in 1954, declared that black schools were inherently unequal. Does that mean black colleges are unconstitutional? Are they at least politically incorrect? Given the history of white supremacy in the United States, is it possible that a black institution can ever be as good as a white one? Two recent books, part of the cottage industry of publications commemorating (one hesitates to say "celebrating") the 50th anniversary of Brown, approach this issue from quite different directions. The titles imply the authors' points of view. Separate and Unequal is Harvey Fireside's critique of how Plessy, high on his list of "all-time most shameful" cases ever decided by the Court, "legalized racism." In Is Separate Unequal?, Albert Samuels makes the case for strong black institutions even in the post-civil-rights era. Samuels, who graduated from historically black Southern University, where he now teaches political science, suggests that Brown reflects an "American Creed" that the law should not make racial distinctions. African-American political strategies, on the other hand, are informed by the black experience with slavery and discrimination and remain acutely race conscious. While both books evaluate the morality of racial separation, Samuels's thesis is

considerably more provocative. It's a shame that it's the less intriguingly written book. Fireside, author of six previous books on civil rights issues, has written a riveting account of Plessy. Most of the facts have been noted by others, but they are no less fascinating in the re-telling. The central irony was that Homer Adolph Plessy looked white. Louisiana, however, followed the "one-drop" rule, which meant that a person with any African ancestry was considered black. Plessy was recruited by the Citizens Committee to Test the Constitutionality of the Separate Car Law. When on June 7, 1892, he boarded a "whites only" train car, the conductor had no idea that anything untoward was going on until Plessy said the sentence he had rehearsed: "I have to tell you that, according to Louisiana law, I am a colored man." The railroad companies were on his side: After all, operating separate colored cars was expensive. Plessy was represented by Albion Tourgee, a white lawyer. Everyone expected that the law would be affirmed by the Louisiana courts, but there was hope that the U.S. Supreme Court would see things differently. It did not. As the justices saw it, the law treated blacks and whites just the same -- both were subject to punishment for being in the wrong car. It seemed to the majority that Plessy's real complaint was that blacks were socially inferior to whites, which was not a problem that the law could solve. Fireside is mildly critical of Tourgee's litigation skills, but considering that the vote was 7-1, one wonders whether any lawyer could have persuaded that court, which included former slave owners, to rule differently. The Supreme Court's blessing of American apartheid was, it turns out, the result of a test case gone terribly wrong. Fireside is not a lawyer, and his long-winded analysis of the court's decision is less than insightful. For example, he accuses the majority of "simply disregarding the fourteenth amendment and its panoply of civil rights." The Court may have misinterpreted the amendment (although proponents of affirmative action would later agree that the Constitution does not require color-blindness) but it cannot fairly be said to have ignored it. Indeed, if the Court's reasoning was as superficial as Fireside makes it sound, it would not have taken nearly 50 years for Thurgood Marshall and the NAACP to get the decision overturned. Fireside's treatment of Justice John Harlan's dissent is similarly unreflective. He cites with approval a passage in which Harlan states reassuringly that white race would be dominant "for all time" if whites followed Harlan's color-blind interpretation of the Constitution. And Fireside is silent about Harlan's appeal to a different racial prejudice to make his case: His dissent declared the Louisiana law illogical because it would permit a "Chinaman" to ride with white people, even though he was a member of a "race so different from our own that we do not permit those belonging to it to become citizens of the United States." Finally, Fireside does not sufficiently consider the possibility that the Louisiana Creoles who recruited Plessy to challenge the law -- a group descended from French settlers and African slaves -- resented the law's "one-drop" construction of race as opposed to its endorsement of segregation. In other respects, however, his analysis of the role of the mixed-race community is thoughtful and well-researched -- the book's most important contribution to our understanding of the case. In practice the car designated for blacks was anything but equal. Black passengers were forced to share their compartment with anyone deemed unfit for the white car, including smokers, drunkards and convicts of any race. Whether African Americans would be exercised by segregation if their establishments were actually equal is the theme of *Is Separate Unequal?* The question must be presented hypothetically: The black colleges that Samuels uses to study the issue are largely inferior to their white counterparts in resources and reputation. Still they are a popular choice for African Americans, which makes *Brown* a difficult case for Samuels -- specifically, he argues that the Court's declaration that separate facilities are inherently unequal is a "troublesome assertion." Samuels focuses on a 1992 Supreme Court case -- *United States v. Fordice*, in which the Court considered whether government support for black colleges is consistent with *Brown*. Samuels's conclusion is that the Court "erred badly" when it equated traditionally black colleges with "the regime of state-imposed, legal exclusion of blacks from all-white educational institutions." He is adept at exploring the tension that the case exposed among different groups of blacks, including the middle-class liberals who, in *Fordice*, supported the NAACP's goals of maximum integration and the students, especially Southerners, who seem to prosper in the educational environment at black schools. A significant portion of the black community, he writes, viewed the NAACP as "out of step" with the best interests of African Americans. Indeed the success of historically black colleges raises "fundamental questions about the entire basis for the Court's decision in *Brown*." Samuels's book is a revision of his doctoral dissertation, and it reads like it. It is exhaustively researched, but much of the writing is dry. There are too many long descriptions of court cases. Samuels ignores the important affirmative action cases the Court decided last summer, which seems strange in light of the space devoted to their precedents. But these are minor complaints. Overall the book is a timely and provocative analysis of an under-theorized part of civil rights jurisprudence -- the preference of some African Americans to learn with their own kind.

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