

LESSON: *Plessy v. Ferguson* and Jim Crow, the Context for *Brown v. Board*

GRADE LEVEL: Middle School

SUBJECT: History

TIME REQUIRED: 90 mins

This lesson will introduce students to the *Plessy v. Ferguson* case and how it allowed for Jim Crow laws and segregation in America.

RATIONALE

This lesson introduces students to *Plessy v. Ferguson* and Jim Crow laws. In this activity, students will work on reading comprehension and targeted reading by focusing on summarization and reading for specific content topics.

NOTE: This lesson is dependent on reading levels. Make sure to check the differentiation and reading supports sections if concerned about reading level.

This lesson plan and materials needed to teach it can be found at the Thurgood Marshall Institute: <https://tminstitutelfd.org/>

ESSENTIAL QUESTIONS

Why do we treat people differently?

OUTCOMES AND OBJECTIVES

After the lesson, students will...

- Understand the significance of *Plessy v. Ferguson* and its impact on racial segregation in the United States.
- Identify key features of the Jim Crow era and how it affected Black people.
- Create a timeline of important events related to segregation leading up to *Brown v. Board of Education*.

PREPARING TO TEACH

Make sure students have some conception of the Reconstruction era and both the advancements and steps back America made post-Civil War.

SCAFFOLDS AND ACCOMMODATIONS TO SUPPORT LEARNERS

Reading support...

The lesson has a few supports built in that are easily adjusted. Reading in groups and out loud occurs to help with lower-level readers, and the out-loud reading also has

Copyright ©2024 All Rights Reserved [NAACP Legal Defense and Educational Fund, Inc.](#) Use of **curriculum** constitutes acceptance of our Terms and Conditions and Privacy Policy

check-in moments for comprehension. The second reading has targeted reading goals to help narrow students' focus on a single aspect of the reading to help direct understanding.

Differentiation...

One element of differentiation could be more difficult or comprehensive readings. Another could be to expand upon the expectations for both the *Plessy* reading and the Jim Crow laws project, adding more goals for students.

Adjusting for high school grades...

See Differentiation for suggestions to scale to high schoolers.

INSTRUCTIONAL ACTIVITIES SEQUENCE

To begin the lesson, have a quick review assessment of Reconstruction and/or the Civil War to prime student thinking and provide an opportunity to see how much students remember. Following this brief review, give students the excerpt from the National Archives:

During the era of Reconstruction, Black Americans' political rights were affirmed by three constitutional amendments and numerous laws passed by Congress. Racial discrimination was attacked on a particularly broad front by the Civil Rights Act of 1875. This legislation made it a crime for an individual to deny "the full and equal enjoyment of any of the accommodations, advantages, facilities, and privileges of inns, public conveyances on land or water, theaters and other places of public amusement; subject only to the conditions and limitations established by law, and applicable alike to citizens of every race and color."

Beginning with passage of an 1887 Florida law, states began to require that railroads furnish separate accommodations for each race. These measures were unpopular with the railway companies that bore the expense of adding Jim Crow cars. Segregation of the railroads was even more objectionable to Black citizens, who saw it as a further step toward the total repudiation of three constitutional amendments. When such a bill was proposed before the Louisiana legislature in 1890, the Black community of New Orleans protested vigorously. Nonetheless, despite the presence of 16 Black legislators in the state assembly, the law was passed. It required either separate passenger coaches or partitioned coaches to provide segregated accommodations for each race. Passengers were required to sit in the appropriate areas or face a \$25 fine

or a 20-day jail sentence. Black nurses attending white children were permitted to ride in white compartments, however.

In 1891, a group of concerned young Black men of New Orleans formed the “Citizens’ Committee to Test the Constitutionality of the Separate Car Law.” They raised money and engaged Albion W. Tourgée, a prominent Radical Republican author and politician, as their lawyer. On May 15, 1892, the Louisiana State Supreme Court decided in favor of the Pullman Company’s claim that the law was unconstitutional as it applied to interstate travel. Encouraged, the committee decided to press a test case on intrastate travel. With the cooperation of the East Louisiana Railroad, on June 7, 1892, Homer Plessy, a mulatto (7/8 white), seated himself in a white compartment, was challenged by the conductor, and was arrested and charged with violating the state law. In the Criminal District Court for the Parish of Orleans, Tourgée argued that the law requiring “separate but equal accommodations” was unconstitutional. When Judge John H. Ferguson ruled against him, Plessy applied to the State Supreme Court for a writ of prohibition and certiorari. Although the court upheld the state law, it granted Plessy’s petition for a writ of error that would enable him to appeal the case to the Supreme Court ... **The ruling in this Supreme Court case upheld a Louisiana state law that allowed for "equal but separate accommodations for the white and colored races."**

This reading should be done out loud by the teacher with students following along. After finishing each paragraph, have the students write one to two sentences summarizing what was read and comparing with a partner. After reading the entire passage together, come up with a class summary of *Plessy* and what it established.

Once the class has a group understanding of *Plessy*, share with students the link to HISTORY. Divide students into groups and have them research the following elements of Jim Crow segregation, with each group examining one of the topics:

- Transportation
- Education
- Public Spaces
- Housing

Students should start their research with HISTORY, but can use other internet sources if needed. Each group should come up with a poster presentation of what Jim Crow laws did and what that looked like for their specific topic. These will be “presented” at the end of the class with a gallery walk, where students can walk around and see what others have discovered about Jim Crow segregation and what it looked like in different facets of Black people’s lives.

ASSESSMENT

The assessment of this lesson will be the presentations at the end of class and should be formative assessments. What you will be looking for is basic understanding of Jim Crow and how it played out in the context of each group's theme. Teachers will also assess student understanding of *Plessy* during the summary creation activity.

MATERIALS NEEDED AND ADDITIONAL RESOURCES FOR ENRICHMENT

[Plessy v. Ferguson \(1896\) | National Archives](#)

[Jim Crow Laws: Definition, Facts & Timeline | HISTORY](#)