**Plessy v Ferguson**

**Brown v Board of Education of Topeka, Kansas**

**14th Amendment Essay**

***Essay Question:*** *Explain the differences in the way that the Supreme Court interpreted the 14th amendment and equality in the Plessy v Ferguson and Brown v Board of Education cases.* ***Aspects that you will want to include in your essay are: what each Court said about the law and feelings of inferiority, the time of each case, and the ideas of society at the time of each case.***

***Learning Goals:*** *You will use* ***empirical reasoning*** *when you take both SCOTUS interpretations of the 14th Amendment and explain them using evidence from the cases*; ***social reasoning*** *when you talk about how blacks and whites felt during the times of the cases;* ***communication*** *when you actually write those ideas down in this essay.*

*Essay should be written in a Google Doc, 12 pt font, Times New Roman, and double-spaced. 5 paragraphs long.*

The Supreme Court, during the Segregation cases of Plessy v Ferguson and Brown v Board of Education of Topeka, KS, needed to interpret the meaning of the 14th amendment to the U.S. Constitution when deciding the cases. However, each of the Courts thought differently about what the amendment actually meant. Did the 14th amendment mean equal protection for all citizens, or did the amendment mean that there should be equal access to facilities for members of each race?

In Plessy, the Court ruled in a 7-1 majority that the equal protection clause of the 14th amendment meant that, as long as states provided equal access to services, that they were in alignment with the equal protection clause of the amendment. The Court ruled that the equal protection clause meant that equality could be enforced politically, but not socially. The law cannot force the social interactions of the races that Plessy seemed to want.

In Brown, the Court interpreted the clause differently. Equal protection was afforded to everyone, and segregation laws caused the race affected by them to be inferior. Justice Brown ruled that inferiority comes because people thought of themselves as inferior, and the law could do nothing about that. In Brown, the Court under Chief Justice Earl Warren, disagreed, saying that separate but equal was inherently unequal and generated feelings of inferiority when you separated kids based on race.

Society during the time of Plessy wasn’t ready for desegregation. Just after the Civil War, the South had not fully embraced losing slavery. Therefore, the states spent a great deal of time attempting to maintain status quo and keep the power that they had accumulated, that was sanctioned by the Court in Plessy. However, during the Civil Rights movement of the 1960’s, there was a great fight to secure the rights for African-Americans promised by the passage of the 13th and 14th amendments ending slavery and securing equal rights. The time seemed right for the ruling of the Court in Brown.

The Supreme Court in Plessy v Ferguson and Brown v Board of Education of Topeka, Kansas interpreted the 14th amendment very differently when it came to the law’s responsibility to give equality to both races. Based on the time of the cases and societal readiness for change, the rulings decided on how laws produced inferiority ranged from laws having nothing to do with creating feelings of inferiority to having EVERYTHING to do with producing feelings of inferiority.