

MICHIGAN SUPREME COURT



Office of Public Information

contact: Marcia McBrien | (517) 373-0129

FOR IMMEDIATE RELEASE

LANDMARK *PLESSY V FERGUSON* DECISION IS FOCUS OF MGTV DISCUSSION WITH MICHIGAN SUPREME COURT CHIEF JUSTICE ROBERT P. YOUNG, JR. 1896 U.S. Supreme Court ruling established “separate but equal” doctrine for race segregation; “judicial sociology” at heart of faulty decision, Young says

LANSING, MI, May 3, 2011 – Educators seeking to spark Law Day discussions with their students will get an assist from the Michigan Supreme Court and Michigan Government Television this week, when MGTV airs an interview between MGTV Executive Director Bill Trevarthen and Chief Justice Robert P. Young, Jr.

“A Conversation with ... Chief Justice Robert Young” will air on MGTV on Friday, May 6 at 1:17 p.m. EDT. The interview will focus on the U.S. Supreme Court’s 1896 *Plessy v Ferguson* decision, which established the “separate but equal” doctrine, providing legal support for decades of racial segregation.

Young said that *Plessy*, which was overruled by the U. S. Supreme Court’s 1954 decision in *Brown v Board of Education*, “is sometimes taught as though it was some kind of legal aberration, one that couldn’t happen today because we know better now. That view is wrong, in my opinion. First, *Plessy* is an example of how a court decision can affect people’s lives – and in that case, literally millions of lives – in profound and sometimes deeply harmful ways. Moreover, *Plessy* is a textbook example of bad judicial decision-making, as a decision that really was not guided by the Constitution but by the trends of the moment.”

The catalyst for *Plessy* was an attempt by Homer Adolph Plessy, a 30-year-old shoemaker who was seven-eighths white and one-eighth black, to sit in a whites-only train car after buying a first-class ticket on a Louisiana railroad. He was prosecuted under Louisiana’s Separate Car Act, which provided that “all railway companies carrying passengers in their coaches in this state, shall provide equal but separate accommodations for the white, and colored races ...” The penalty for sitting in the wrong compartment was a \$25 fine or 20 days in jail. Plessy challenged the Separate Car Act under the Thirteenth and Fourteenth Amendments of the U.S. Constitution, but a majority of the Supreme Court upheld the law. Justice Henry Billings Brown, writing for the majority, said that “[I]n the nature of things, [the Fourteenth Amendment] could not have been intended to abolish distinctions based upon color, or to enforce social, as distinguished from political, equality, or a commingling of the two races upon terms unsatisfactory to either.”

Trevarthen said, “One of MGTV’s goals is to provide students and educators with a working knowledge of government, so this partnership with the Supreme Court fits very well with our mission. We hope that teachers will use this program to explore the *Plessy* decision, and the issues it raises, with their students.”

For more information on the *Plessy* decision, visit “Landmark Cases of the U.S. Supreme Court,” a project of the Supreme Court Historical Society and the nonprofit Street Law, Inc., at <http://www.streetlaw.org/en/landmark.aspx>.

Michigan Government Television, a non-profit 501 (c) 3 corporation, is a public affairs initiative of and is financially supported by Michigan’s cable television industry. MGTV reaches an audience of over 1.5 million homes, offices, and schools served by cable television in Michigan. Please check MGTV’s web site at www.mgtv.org for the programming schedule and information on channel numbers and carriage.

-- MSC --