programs that support predoctoral and postdoctoral minority students in fields such as psychology, sociology, social work, nursing, and psychiatry. These programs house fellowships that provide both research training and mentorship from prominent researchers in the field and provide exposure to and an expanded awareness of research-intensive environments. Fellows also get exposed to successful minority researchers and scholars who can guide and help them to understand personal work patterns, career paths, and the importance of networks.

As the debate over the need for diversity-related programs continues into the 21st century, more careful attention will certainly be paid to federal legislation and the concept of affirmative action in political, legal, and educational circles. As the population of the United States grows and traditional definitions of race and ethnicity become challenged, this debate promises to manifest itself in a multitude of settings.

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See also Affirmative Action in Education; Affirmative Action in the Workplace; *Bell Curve, The;* Discrimination; Educational Performance and Attainment; Educational Stratification; Glass Ceiling; *Grutter v. Bollinger;* Higher Education; Institutional Discrimination; Science Faculties, Women of Color on; Tracking

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PLESSY V. FERGUSON

Plessy v. Ferguson (1896) is the notorious "separate but equal" case in which the U.S. Supreme Court upheld the Jim Crow segregation laws as constitutional. Although the phrase "separate but equal" does not appear in the decision itself, the doctrine it represents gave legal sanction to legalized segregation. In fact, "separate but equal" equals "Jim Crow affirmed." In *Plessy,* the Court held that "the enforced separation of the races, as applied to the internal commerce of the State, neither abridges the privileges or immunities of the colored man, deprives him of his property without due process of law, nor denies him the equal protection of the laws, within the meaning of the Fourteenth Amendment." In plain English—in black and white—Justice Henry Billings Brown kept Black from White.

This bad result was "good law" for nearly six decades. It would take the Supreme Court's decision in *Brown v. Board of Education* (1954) to overrule Justice Brown. To appreciate *Brown,* one must understand *Plessy.* If, as Justice John Marshall Harlan indicated in his dissent, *Plessy* is the worst Supreme Court ruling ever handed down (except for the *Dred Scott* decision), the *Brown* decision may rank as the greatest Supreme Court decision. This entry looks at the original facts of the *Plessy* case, traces its progress through the courts, and discusses its impact on U.S. society.

The Color Line

Although mollified by democratic language and reasoning, *Plessy* can be seen as an antidemocratic reaction to the democratic reforms of Reconstruction during the period from 1865 to 1877. As the nation's first experiment in economic emancipation and interracial democracy, Reconstruction produced three amendments to the U.S. Constitution—the Thirteenth, Fourteenth, and Fifteenth amendments (in 1865, 1868, and 1870, respectively)—which established (legally but not factually) civil rights for all U.S. residents. But the experiment failed—or, rather, the United States failed the experiment. Reconstruction was progressive, whereas *Plessy* was regressive. *Plessy,* in fact, was the ultimate deconstruction of Reconstruction. Far worse were its social and historical consequences. By reconciling White supremacy with the Reconstruction amendments of the 1860s, *Plessy* was a pact with the devil of Jim Crow, legitimizing the U.S. apartheid of systemic segregation.

The Railroad Line

In September 1891, the local activist Citizens Committee to Test the Constitutionality of the Separate Car Law (*Comité de Citoyens*) decided to challenge the constitutionality of the Louisiana Separate Car Act of 1890, which commanded that "all railway companies carrying passengers in their coaches in this State, shall provide equal but separate accommodations for the White, and colored races, by providing two or more passenger coaches for each passenger train, or by dividing the passenger coaches by a partition so as to secure separate accommodations." Violation of this act triggered a fine of $25 or imprisonment of not more than twenty days.

On June 7, 1892, Homer Adolph Plessy (1863–1925), a shoemaker in his late twenties, bought a first-class ticket at the Press Street Depot in New Orleans for passage on the East Louisiana Railroad to the city of Covington, which was in St. Tammany Parish in Louisiana. His ticket was for a seat in the first-class carriage on a train scheduled to depart at 4:15 PM. The trip was to have taken approximately two hours in its traverse to Covington, which was thirty miles to the north, on the other side of Lake Pontchartrain, near the Mississippi border. Plessy never reached his physical destination because he had a legal destination in mind. A dignified gentleman donning a suit and hat, this "Creole of color" quietly took his seat in a compartment reserved for Whites only. According to a story in the weekly *Crusader,* "As the train was moving out of the station, the conductor came up and asked if he was a White man. Plessy, who is as White as the average White Southerner, replied that he was a colored man. Then, said the conductor, 'you must go in the coach reserved for colored people.'" In effect, this scenario was staged; it was planned in advance.

Plessy could easily have passed as White. Phenotypically, Plessy exhibited none of the physical features associated with his race. Although there are no extant photographs of Plessy, the record is clear: "the mixture of colored blood was not discernible in him," as the Supreme Court acknowledged in its decision. To use the slang of the day, Plessy was an "octoroon" (a person of one-eighth Black blood)—an accident of "hypodescent" (a peculiar U.S. doctrine that classifies anyone with the least trace of African ancestry as "colored," with all of the legal and social stigmas that would attach to that classification). Facially, Plessy was White; racially, he was Black by the standards of that day. He was the perfect man to challenge the constitutionality of the Louisiana Separate Car Act. Plessy's racial ambiguity was useful as a legal strategy, providing a more poignant critique of White supremacy.

Conductor J. J. Dowling, pursuant to Louisiana law, informed Plessy that he needed to move from the "White car" to the "colored car." Typically hitched right behind the locomotive, this Jim Crow car would reek of soot and smoke. Whereas first-class seats were cushioned, colored seats were wooden. With dignified equipoise, Plessy refused. Law enforcement was summoned, and Detective Chris C. Cain asked Plessy to disembark from the train. Plessy complied with the officer of the law so as to challenge the law itself.

Drawing the Line

In Plessy's October 13 arraignment, John H. Ferguson, judge of Section A of the Criminal District Court, Parish of Orleans, presided. In the case filed as *State of Louisiana v. Homer Adolph Plessy,* Ferguson heard arguments by 55-year-old James Campbell Walker, a local Creole attorney, and Assistant District Attorney Lionel Adams, reputed to be a "crack trial lawyer." Walker agreed to defend Plessy for $1,000. Ironically, Plessy ("White as the average White Southerner") and Ferguson had the very same skin color.

After failing in his motion to have the case dismissed, Walker filed a motion to stay the proceedings so that arguments on the constitutionality of the Separate Car Act could be heard. Judge Ferguson then set a date for October 28. Meanwhile, in his October 14 brief, Walker argued that the Louisiana statute violated the Thirteenth and Fourteenth amendments. By requiring Plessy to sit in a Jim Crow car, the state was branding him with a "badge of slavery," which is proscribed by the Thirteenth Amendment (1865). The Separate Car Act also offended the Fourteenth Amendment (1868), which forbade any state's abridging the "privileges or immunities of citizens of the United States." The judge then congratulated Walker for the "great research, learning, and ability" that was evident in his brief. On November 18, Ferguson rendered his decision: "There is no pretense that he [Plessy] was not provided with equal accommodations with the White passengers. He was simply deprived of the liberty of doing as he pleased, and [is accused] of violating a penal statute with impunity." On November 22, Plessy appealed to the Louisiana Supreme Court.

Although Walker remained as part of Plessy's legal team, Albion Winegar Tourgée (1838–1905) took over as Plessy's lead attorney. After reviewing the statutory language of the Separate Car Act, the Louisiana Supreme Court in *Ex Parte Homer A. Plessy* (1893) noted a recent decision regarding the act's constitutionality: "We have had occasion very recently to consider the constitutionality of this act as applicable to interstate passengers and held that, if so applied, it would be unconstitutional because [it is] in violation of the exclusive right vested in Congress to regulate commerce between the States." However, because Plessy's destination was intrastate, the commerce clause (Article I, Section 8, Clause 3 of the U.S. Constitution) was not implicated: "It thus appears that the interstate commerce clause of the Constitution of the United States is not involved."

With Plessy's Thirteenth Amendment claim having failed, the Supreme Court then addressed his alternative pleading—his challenge of the Separate Car Act as a violation of the Fourteenth Amendment. The Court conceded that "no one has yet undertaken to submit the question to the final arbitrament of the Supreme Court of the United States." Then, in a prescient, almost prophetic pronouncement, the Court went on to say, "To hold that the requirement of separate, though equal, accommodations in public conveyances violated the [Fourteenth] Amendment would, on the same principles, necessarily entail the nullity of statutes establishing separate schools and of others existing in many States prohibiting intermarriage between the races. All are regulations based upon difference of race, and if such difference cannot furnish a basis for such legislation in one of these cases, it cannot in any."

The Bright Line

Three years later, the Supreme Court heard oral arguments on April 13, 1896, and handed down its decision on May 18. Tourgée continued to represent Plessy, with former Solicitor General Samuel F. Phillips serving as cocounsel. "The gist of our case," Tourgée declared in his opening statement, "is the unconstitutionality of the assortment [racial discrimination], *not* the question of equal accommodation." Space does not permit a detailed analysis of Tourgée's and Walker's constitutional arguments as laid out in their briefs.

In a 7 to 1 decision, Justice Brown delivered the opinion of the Supreme Court, which dismissed Plessy's Thirteenth Amendment and Fourteenth Amendment arguments in short order. On the issue of racial prejudice and the role of the law in promoting social equality beyond legal equality, Justice Brown stated, "Legislation is powerless to eradicate racial instincts or to abolish distinctions based upon physical differences, and the attempt to do so can only result in accentuating the difficulties of the present situation. If the civil and political rights of both races be equal, one cannot be inferior to the other civilly or politically. If one race be inferior to the other socially, the Constitution of the United States cannot put them upon the same plane."

A lone voice would beg to differ. Justice Harlan, in one of the most celebrated dissents in Supreme Court history, eloquently took his fellow justices to task for a fundamentally flawed decision: "But in view of the Constitution, in the eye of the law, there is in this country no superior, dominant, ruling class of citizens. There is no caste here. Our Constitution is color-blind, and neither knows nor tolerates classes among citizens. In respect of civil rights, all citizens are equal before the law." This dissent is all the more remarkable considering the fact that Justice Harlan was "a former slaveholder" from Kentucky. It is a little-known fact that he borrowed the metaphor of "color blindness" from the legal brief submitted by Plessy's lead counsel, Tourgée, who had first used the legal metaphor of color blindness as a Superior Court judge in North Carolina years earlier.

Converging racial and legal status, *Plessy*'s "separate but equal" doctrine was a "bright line" rule. First, the rule of hypodescence—that anyone with ancestry of color is automatically assigned to that color classification—sustains a binary opposition between Black and White and defines anyone with a perceptible trace of African ancestry as Black. On this basis, all Blacks must be segregated from Whites where Jim Crow laws demand it. Thus, Plessy was the perfect man to put the Separate Car Act to the test, for he exposed the absurdity of hypodescent biocentrism and its legal consequences. Although Plessy was Black by legal fiat, his skin color was as White as that of Judge Ferguson, who sat in initial judgment of him.

Hardening the Color Line

On January 11, 1897, more than four and a half years after his arrest, Plessy found himself before Orleans Parish Criminal District Court once more. On the charge of having violated Section 2 of Act 111 of the Separate Car Act, Plessy pleaded guilty. He duly paid

his fine of $25. Nationally, his case was met with apathy; privately, Plessy faded into obscurity. On March 1, 1925, Plessy died. A local newspaper reported a two-line notice of his death. But Plessy is immortal as a symbol of the struggle for equality and racial justice.

In *The Souls of Black Folk* (1903), W. E. B. Du Bois wrote that "the problem of the Twentieth Century is the problem of the color line." The color line was drawn in bold by *Plessy v. Ferguson.* As Mark Elliott pointed out, *Plessy* marked the final effort by radical Republicans of the Civil War generation to establish an interracial democratic republic. By keeping the Jim Crow status quo, *Plessy* deepened the racial divide. Although the Louisiana courts differentiated between racial segregation and racial discrimination, the bottom line remains the same—race segregation is race subordination. Like cracks in glass, the "separate but equal" doctrine spread throughout the Jim Crow states as transportation segregation reinforced education segregation. Thus, it took 58 years before the *Brown* decision overruled Justice Brown's 1896 ruling to erase the color line legally, although not socially. Democracy is a process of progressive equalizing. This process is nowhere better illustrated than by the overturning of *Plessy* by *Brown.*

Christopher George Buck

See also African Americans; *Cisneros v. Corpus Christi School District;* Discrimination; Du Bois, William Edward Burghardt; Minority Rights; People of Color; Pluralism; Racism; Segregation

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PLURALISM

Pluralism often implies the acceptance of social diversity as a positive cultural influence. Whereas diversity is a demographic fact, pluralism is more often an attitude about the positive value of diversity in a society that is informed by a democratic ideology of egalitarianism. Significantly, there are those who oppose it—some within the dominant culture because of fears of contamination and others within traditionally marginalized communities because of fears about the hegemonic power of the dominant culture in assimilating all peoples and eliminating cultural distinctiveness. This entry looks at the history and current status of pluralism in the United States.

Beginning With Religion

In the United States, pluralism was originally understood in religious terms and implied an acceptance of the variety of Protestant denominations. Even though the population of the early states was not homogeneous, that diversity had little impact on notions of pluralism; those from beyond the dominant culture were considered to be inferior and were excluded from society. This meant that nascent concepts of pluralism were informed by the diversity within a mostly Protestant male-dominant culture of European descent. Early political arrangements reinforced the status quo regardless of legal rhetoric and served as the gatekeepers of the right to participate in public culture.