

Equal Protection Clause Case Studies

Inquiry Compelling Question: Does everyone have equal protection?

Annotation Station

Highlight in **YELLOW** phrases that confuse you. Use context clues to figure out their meaning.

Highlight in **RED** examples where rights have been violated, denied, or limited.

Highlight in **GREEN** examples where rights have been protected or granted.

☆ Star the items that make you wonder and wish to explore further.

TEAM 1 Case Study: *Plessy v. Ferguson*, 1896

Background of the Case

The Louisiana Separate Car Act of 1890 required separate train cars for Black and White people. Homer Plessy, a local businessman, agreed to participate in a test to challenge this act by sitting in a Whites-only train car in 1892. Plessy was a multiracial man, but under Louisiana law, he was considered to be Black. When Plessy was told by railroad officials to vacate the Whites-only car, he refused and was arrested.

At trial, Plessy's lawyers argued that the Separate Car Act violated the 13th and 14th Amendments. Judge John Ferguson held that Louisiana could enforce this law for railcars within the state. Therefore, Plessy was found guilty and convicted. The case was taken to the U.S. Supreme Court to consider whether the Louisiana Separate Car Act violated the 14th Amendment.

Outcome of the Case

The U.S. Supreme Court ruled 7–1 against Plessy and held that the Louisiana state law was constitutional. The majority opinion of the Court upheld state-imposed **racial segregation** [separation of people into racial or other ethnic groups], stating that the 14th Amendment intended to establish absolute equality for the races before the law, but held that separate treatment did not imply the inferiority of African Americans. This case established the precedent known as the “separate but equal” doctrine.

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TEAM 2 Case Study: *Gong Lum v. Rice*, 1927

Background of the Case

The Chinese immigrant parents of nine-year-old Martha Lum enrolled her in Rosedale Consolidated School in Mississippi in 1924. Martha, who was born in the United States, attended classes on the first day at the all-White school. Greek Rice, the man representing the school's Board of Trustees, denied Martha the opportunity to return, stating that she was "not a member of the white or Caucasian race." Martha's father, Gong Lum, who was a taxpayer in the district, filed suit. The local court ruled in favor of the Lums and ordered the school to readmit Martha. However, the Mississippi Supreme Court reversed the lower court's decision, stating that the state constitution required separate schools for White and "colored" children and that Martha was not considered to be White. The case was appealed to the Supreme Court of the United States to determine whether denying Martha admission to the school violated the equal protection clause of the 14th Amendment.

Outcome of the Case

The U.S. Supreme Court ruled 9–0 against the Lums. The Court held that Mississippi's decision to bar Martha from attending the local White high school did not violate the 14th Amendment because she was entitled to attend a colored school. The Court used the *Plessy v. Ferguson* ruling that separate but equal accommodations in public education did not violate the 14th Amendment. The ruling established that racial segregation in schools was constitutional.

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TEAM 3 Case Study: *Brown v. Board of Education, Topeka, 1954*

Background of the Case

This case examined the fact that African American students had been denied admittance to certain public schools due to state laws allowing segregation by race. In other words, there were schools for White children and separate schools for African American children that were not the same.

The *Brown v. Board* case began in 1951 when Oliver Brown's daughter was denied enrollment into her local school. This case was the consolidation of similar school segregation cases from Kansas, South Carolina, Virginia, Delaware, and Washington, D.C. The argument made was that school segregation violated the equal protection clause of the 14th Amendment.

Lower courts denied the claims that separate schools were unfair or unequal. The lower courts based their ruling on the 1896 Supreme Court case of *Plessy v. Ferguson*, which stated that racially segregated public facilities were legal as long as the facilities for Black and White children were equal. This was known as the "separate but equal" doctrine.

Outcome of the Case

The U.S. Supreme Court ruled 9–0 in favor of Brown (and all the African American students represented in the case). Chief Justice Warren wrote, "In the field of public education the doctrine of 'separate but equal' has no place." The Court ruled that segregation in public schools deprives children of the equal protection of the laws guaranteed by the 14th Amendment.

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TEAM 4 Case Study: *Loving v. Virginia*, 1967

Background of the Case

In 1958, two residents of Virginia were married in the District of Columbia. The bride was Mildred Jeter, a Black woman, and the groom was Richard Loving, a White man. The married couple returned to their home state and were soon charged with violating Virginia's **antimiscegenation statute** [laws that enforce racial segregation by criminalizing interracial marriage]. Found guilty of a multiracial marriage, the Lovings were sentenced to a year in jail. Their case was appealed to the U.S. Supreme Court to decide whether Virginia's antimiscegenation law violated the equal protection clause of the 14th Amendment.

Outcome of the Case

The Court unanimously ruled 9–0 that Virginia's law against multiracial marriage violated the equal protection clause of the 14th Amendment. Chief Justice Earl Warren wrote, “Under our Constitution, the freedom to marry, or not marry, a person of another race resides with the individual, and cannot be **infringed** [limited] by the State.”

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TEAM 5 Case Study: *United States v. Virginia, 1996*

Background of the Case

The Virginia Military Institute (VMI) was established in 1839. It was one of the country's first state military colleges. This all-male college received funding from the state of Virginia. VMI's original mission was to produce "citizen-soldiers, men prepared for civilian life and military service."

VMI's male-only policy was challenged in 1990 when a female high school student was denied admission to VMI. She filed a complaint with the U.S. Attorney General. She alleged that VMI's **gender-biased** [to give favorable treatment to one gender over another] admissions policy was a violation of her rights. In this case, VMI was an extension of the government, specifically the state of Virginia.

The lower state court ruled in favor of VMI. The lower court agreed with the state of Virginia that a separate all-female institute was an appropriate solution. The decision of the lower court was appealed to the Supreme Court of the United States to determine whether VMI's gender-biased admissions policy violated the 14th Amendment.

Outcome of the Case

In a 7–1 decision, the U.S. Supreme Court held that VMI's gender-biased admissions policy violated the equal protection clause of the 14th Amendment because it was unfair to female students. Justice Ruth Bader Ginsburg wrote, "Sex classifications... may not be used, as they once were... to create or **perpetuate** [continue] the legal, social, and economic inferiority of women."

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TEAM 6 Case Study: *Obergefell v. Hodges*, 2015

Background of the Case

Jim Obergefell married his partner of 22 years in 2013. The case of *Obergefell v. Hodges* included 14 same-sex couples who joined with Jim Obergefell to challenge the ban on and refusal to recognize same-sex marriage in their respective states of Ohio, Michigan, Kentucky, and Tennessee. Each case had been brought before the local court, arguing that the state statutes violated the equal protection clause and due process clause of the 14th Amendment. While the trial court found in favor of the same-sex couples, the U.S. Court of Appeals for the Sixth Circuit reversed the decision and held that the states' bans on same-sex marriage and refusal to recognize marriages performed in other states did not violate the couples' rights to equal protection and due process. The case was appealed to the U.S. Supreme Court to determine whether the respective states had violated the 14th Amendment rights of same-sex couples.

Outcome of the Case

The Court ruled 5–4 that the state bans on same-sex marriage had violated the 14th Amendment rights of same-sex couples. The Court held that state bans on recognizing same-sex marriages that had been lawfully performed in other jurisdictions were unconstitutional. Additionally, the Court expressed that marriage was a fundamental right.

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