

Race in the Constitution

Terms:

Legal Personality

Separate but Equal

State Action

Jim Crow Laws

Assigned Cases:

Plessy v. Ferguson; *Loving v. Virginia*; *Palmore v. Sidoti*; *Scott v. Sandford*.

Questions for Reading Assigned Cases:

How does the Court's opinion in *Dred Scott* factor in the language of the 13th and 14th Amendments? How should we read it today as moderns?

Plessy v. Ferguson introduced the notion of "separate but equal." Much of the argument around "separate but equal" has concerned the psychology of separation and its potential effects. How does the Court's interpretation of the 14th Amendment take account of psychology? What

Is there any role left for racial classifications today? Should there be? Why do so many issues of racial classification have to do with questions of sex and reproduction?

Additional Cases: