Rules Before Plessy

Trace how Indiana laws restricted civil rights before 1896.

IS.1.13 "Identify "separate but equal" policies and "Black Codes" in Indiana prior to the Plessy v. Ferguson case (1896). Analyze the impact of these policies on civil rights in Indiana in the late 19th century."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline Article XIII and the 1869 school law as the two main policies, then circle one civil rights consequence of each.

Two Barriers in Indiana

1. In 1851, Indiana adopted Article XIII of its state constitution. It barred Black people from moving into or settling in the state. An 1852 state law helped enforce that exclusion with penalties. These rules were part of Indiana's Black Codes, laws that restricted Black people's freedom because of race. Picture a Black family considering a move across the state line: the exclusion rule said they could not make Indiana their new home. That meant fewer choices about where to live, work, and build a community. The rule targeted newcomers, not every Black resident already living in Indiana.

2. School access presented a different barrier. An Indiana law passed in 1869 required separate public schools for Black children wherever enough Black children lived nearby to form a school. Where there were too few to organize a separate school, Black children could attend the other public schools. Thus the law did not require a separate building for every Black child in the state. Still, the state made race a rule for assigning many children to schools. Even if lessons were called equal, separation treated classmates differently under the law and could limit where a child learned alongside neighbors.

3. These policies were in place before the U.S. Supreme Court decided Plessy v. Ferguson in 1896. In that case, the Court upheld racial separation in railroad cars under the claim that separate facilities could be equal. Plessy did not start segregation in Indiana: the 1869 school law had already required it in many communities. The exclusion policy and the school policy worked at different points in a person's life. One restricted a family's chance to settle in the state; the other separated many children after they lived there. Both show how government rules could narrow civil rights without saying that Black people had no rights at all.

2 ANSWER WITH EVIDENCE

Use the passage

1. How did Article XIII restrict a Black family's choices in Indiana?

2. How did the 1852 law strengthen the restriction imposed by Article XIII?

3. Under the 1869 law, when could Black children attend the other public schools? How did the law still make race a factor in school access?

4. What evidence shows that Plessy v. Ferguson did not begin school segregation in Indiana?

3 YOUR TURN

Your own words

Write a 70 to 95 word museum label about civil rights in Indiana before 1896. Explain how Article XIII and the 1869 school law restricted different choices, including what happened when too few Black children lived nearby to form a separate school.

ANSWER KEY

Rules Before Plessy

HIGH SCHOOL · IS.1.13

PART 1 · READ AND MARK

Underline Article XIII and the 1869 school law as the two main policies, then circle one civil rights consequence of each. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	How did Article XIII restrict a Black family's choices in Indiana?	**It barred Black newcomers from settling in Indiana, limiting where a family could live and build a community.**
2	How did the 1852 law strengthen the restriction imposed by Article XIII?	**It helped enforce the ban on Black newcomers settling in Indiana by imposing penalties.**
3	Under the 1869 law, when could Black children attend the other public schools? How did the law still make race a factor in school access?	**They could attend the other public schools when there were too few Black children to form a separate school. Where there were enough, the law required separate schools for them.**
4	What evidence shows that Plessy v. Ferguson did not begin school segregation in Indiana?	**Indiana's 1869 law required separate schools in many communities, decades before the 1896 Plessy decision.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

Before Plessy v. Ferguson, Indiana had already written racial barriers into its laws. Article XIII of the 1851 state constitution barred Black newcomers from settling in Indiana, limiting where families could make a home. The 1869 school law required separate schools where enough Black children lived nearby to form one. Where there were too few, they could attend other public schools. These policies affected different choices: one restricted where families could settle, while the other used race to determine many children's schools.

Accept responses that distinguish the exclusion of Black newcomers from the conditional school separation rule. Do not accept claims that the 1869 law required separate schools where too few Black children lived nearby to form one.