

Shine Brighter Première

Snapfile 7 Marriage is in the courtroom

Document 1, Vidéo p.72 – Extrait de *Untold History*, 2024.

Voiceover: In 1787, the Founders of the United States wrote the Constitution, a document that sets up the government. The Constitution states that the Supreme Court is the highest court in the land. It sits at the top of the judicial branch: above the federal court system and the state court system. Today, the Supreme Court is made up of 9 judges, called Justices. They are nominated by the President, and approved by the Senate. Once approved, a Justice can serve for life, or until they retire. The Chief-Justice is the highest-ranking officer of the judicial branch and leads all Supreme Court hearings. By reviewing laws, explaining laws and resolving disagreements, the Supreme Court's role is to protect the rights of citizens, state governments, and the federal government under the Constitution.

Supreme Court, *Untold History*, 2024.

Document 3, Vidéo p. 74 – Extrait de *Obama Foundation*, 2021.

Jim Obergefell: You know the case *Obergefell v. Hodges* started out purely with my late husband John and I wanting to commit to each other and to have our government acknowledge our existence. The driving force behind filing this lawsuit was a sense of dignity and a sense of respect. We wanted our marriage to matter.

Onscreen text: Jim's husband, John, died in 2013. Due to Ohio's ban on same-sex marriage, Jim could not be listed as the surviving spouse on John's death certificate. So Jim filed a lawsuit, joining a decades-long fight for marriage equality.

Jim Obergefell: That was the moment when my activism was born, but it's also the moment that I realized that this is a lawsuit that could have much greater impact outside of just our marriage and that realization that this fight for our marriage was a fight for all marriages across the nation. For me, I feel like I simply did what was the right thing to do in regards to my husband, in regards to living up to my promises to love, honor and protect.

Barack Obama: Progress on this journey often comes in small increments, sometimes two steps forward, one step back, propelled by the persistent effort of dedicated citizens. And then sometimes, there are days like this, when that slow, steady effort is rewarded with justice that arrives like a thunderbolt.

Love Wins: June 26, 2015, Part 1, *Obama Foundation*, 2021.

Évaluation de la compréhension de l'écrit – Guide pédagogique

Voiceover: What should someone do if their country places restrictions on them because of their race? For Homer Plessy, a mixed-race man from New Orleans, the answer was clear: resist. And he did. In 1896, he became the focus of a landmark U.S. Supreme Court decision that put racial segregation on trial. The story starts 13 years earlier, when the Supreme Court struck down the *Civil Rights Act* of 1875, deeming it unconstitutional. This allowed individual states to pass their own discriminatory laws segregating white and black people. And in 1890, Louisiana instituted the *Separate Car Act*, which required railroads to enforce segregated train cars. The following year, a committee of Southern civil-rights activists formed to challenge the Act through the courts. One of its members, Homer Plessy, who was one-eighth African-American, agreed to purchase a train ticket and sit in the whites-only car. The conductor ordered Plessy to leave the train car, and when Plessy refused, he was arrested and taken to jail. Convicted of violating the *Separate Car Act* by Criminal Court Judge John Howard Ferguson, Plessy and his fellow activists appealed the case all the way up to the Supreme Court. After hearing the arguments, it was Associate Justice John Marshall Harlan's opinion that the act was unconstitutional because separating people based on their race communicates that one race is inferior to the other, which goes against the Constitution's 13th and 14th Amendments. But he was the only Justice that felt that way. The rest of the court ruled that the *Separate Car Act* did not violate the 13th Amendment because it did not reestablish slavery, or the 14th Amendment because the separate train cars had equal conditions. Ultimately, the Supreme Court ruled that the act was constitutional. By establishing the legal doctrine of "separate but equal", *Plessy v. Ferguson* set an important legal precedent that divided U.S. society for decades, until the case was

overturned in 1954. Can you think of ways the separate but equal precedent impacted opportunities for racial integration?

Plessy v. Ferguson: Separate but Equal, *Untold History*, 2024.