The Supreme Court Affirms That Segregation on Montgomery’s Buses Is Unconstitutional

Luther A. Huston

While black Montgomerians and their white supporters continued their boycott of the city’s buses into 1956, civil rights lawyers sought to overturn segregation laws in the courts. Their main case was Browder v. Gayle, which pitted four women who had been forced to give up their seats—Aurelia Browder, Claudette Colvin, Susie McDonald, and Mary Louise Smith—against the city of Montgomery, as represented by Mayor W.A. Gayle. The case, first heard in a federal court in Alabama, resulted in a decision claiming that the Fourteenth Amendment rights of the four women had been violated. As the following selection notes, this decision was upheld by the US Supreme Court in November, 1956. The Fourteenth Amendment guarantees that all citizens have due

process under the law as well as equal protection under the law. As the selection indicates, these guarantees had been adjusted in parts of the South to provide “separate but equal” facilities for blacks and whites, a feature made possible by the Supreme Court’s *Plessy v. Ferguson* decision in 1896. But as the author of the selection, journalist Luther A. Huston, writes, the Supreme Court’s decision in *Browder v. Gayle* would bring an end to “separate but equal.” In Montgomery, blacks were able to ride fully integrated buses by the end of 1956.

An Alabama law and a city ordinance requiring segregation of races on intrastate buses were declared invalid by the Supreme Court today [November 13, 1956].

The Court affirmed a ruling by a three-judge Federal court that held the challenged statutes “violate the due process and equal protection clauses of the Fourteenth Amendment to the Constitution of the United States.”

The Fourteenth Amendment provides that no state shall deprive any person of life, liberty, or property without due process of law nor deny to any citizen the equal protection of the laws.

In upholding the lower court’s judgment, the Supreme Court cited its 1954 decision outlawing racial discrimination in public parks and on public golf courses.

Officials of several Southern states indicated they would continue to enforce bus segregation laws despite the court’s decision. Segregationist leaders were bitter in their denunciations of the court and its ruling.

*“Separate but Equal”*

Although only Alabama laws were involved today, the ruling was interpreted as outlawing state or municipal