**Honors Practical Law**

**“Harlan’s Great Dissent”**

**Mr. Fernandez**

Answer the following questions as you read the article - be sure to read carefully, highlighting and annotating as you go:

**This assignment will be graded as a 20 point quiz… good luck.**

1. What was the main constitutional question before the Supreme Court in *Plessy* (1896)?
2. What rationale did the Supreme Court offer for it’s majority opinion?
3. Explain the significance of the Supreme Court’s ruling in *Plessy*.
4. Read the quotes from Harlan’s dissenting opinion. How does it confirm lessons you have already learned in this class? Explain.
5. How has Harlan’s dissenting opinion from *Plessy* inspired other leaders in civil rights?
6. In what ways might Harlan’s dissent in *Plessy* have pleased his namesake… former Chief Justice John Marshall? How might it have offended him?
7. Why had the Emancipation Proclamation not applied to Kentucky?
8. How did Harlan respond to the proclamation? Explain his opinion of it.
9. How did Harlan “flip flop” on the issue of slavery? Explain his rationale.
10. What is meant by “a split in the private and public man?”
11. For what reasons does Harlan deserve the moniker “The Great Dissenter?”
12. Explain the quote, “Flawed human beings are responsible for civilization’s advances as well as its retrogressions.”