

Hernandez v. Texas (1954): Evaluating Primary Sources

Hernandez v. Texas (1954) is one of the most significant but least understood Supreme Court cases of the civil rights era. This lesson discusses the history of segregated juries in Texas, the circumstances that led to the *Hernandez* case, the arguments used by counsel before the Supreme Court, and the outcome of the case.

Background for Teachers

Decided the same year as *Brown v. Board of Education of Topeka, Kansas*, *Hernandez v. Texas* tackled the issue of segregated, all-white juries deciding cases involving ethnic minorities such as African-Americans and Hispanic-Americans. Yet *Hernandez* today remains overshadowed by the much more famous case of *Brown*. This lesson plan examines the history of segregated juries in Texas, the circumstances in Jackson County Texas that led to the *Hernandez* case, the arguments used by Hernandez's attorneys before the U.S. Supreme Court, and the way that *Hernandez v. Texas* influenced the ongoing controversy over rights to a jury trial in the Lone Star state.

Exercise for Students

1. Explain to the students that this is a brief exercise in which they will examine and discuss primary sources which examine the history of *Hernandez v. Texas*.
2. Place the students in groups of three and distribute the primary sources, which are available here as a PDF file.
3. Ask the students to evaluate each source. When was it written? What is it? What does it tell you about *Heranandez v. Texas*? (Note: you may decide to remove one or more of the sources depending on the time you would like to devote to this exercise).
4. According to the sources, who was Pedro Hernandez? What crime was he charged with? Who argued his case before the Supreme Court and why?
4. Ask the students if they find any contradictions in the sources?
5. Ask the students which sources they find most significant?
6. Finally, ask students why *Hernandez v. Texas* has been overlooked by constitutional scholars and ordinary Americans despite its significance?

Primary Sources

All primary sources for this exercise are available here as a PDF file.