

TEACHING AMERICAN HISTORY PROJECT



Awwwk.....Jim Crow Laws/ Constitutional?

Grade – 8-12th

Length of class period – 1 or 2 class periods

Inquiry – In this lesson students will examine primary sources dealing with the Jim Crow Laws and the Constitution. To many students the Constitution may be a boring document that they cover during an early American history class. This lesson will take an in- depth look at laws in America that greatly affected the civil liberties of its citizens. The students will be answering;

- Were the laws constitutional?
- were the Jim Crow laws supported by the Constitution? Why or why not?
- How can the students speak out or against similar laws or inequalities that they see in their society?

This lesson not only acts to develop a deeper knowledge of the Jim Crow Laws and the Constitution of the United States, but also gives the student's outlets to voice their concerns over inequalities they see in their everyday lives.

Objectives: Students will know and be able to:

- Improve their ability to analyze and interpret primary sources.
- Create an argument supporting or refuting the establishment of the Jim Crow laws using the Constitution.
- Demonstrate problem solving skills dealing with inequalities and their everyday life.

Materials:

- Excerpts from Constitution Guided Sheet
- Examples of Jim Crow Laws Guided Sheet
- Brief intro Power Point of Jim Crow Laws
- Primary Source Analysis/ Graphic Organizer

Activities:

- **Intro:** Have a Venn diagram drawn on the board. The word Jim Crow should be in one circle Constitution should be in the other. Have a class discussion on any characteristics they can add to the diagram drawn on the board. Allow this activity to go on as long as it seems constructive and beneficial to the students, especially if they are finding commonalities between the two terms.
- After touching upon prior knowledge of the subject matter go into a brief Power Point that touches upon the main points of Jim Crow Laws. Granted these laws and history of Jim Crow spans a greater part of a century, but the purpose should be to create some context of the laws and their enactment.
- Explain to the students that they are now taking the role of historians and their job is to analyze the Constitution and several Jim Crow laws in order to support or refute their establishment. Their data will be presented to the President of the United States (Teacher).
- Pass out Jim Crow Law guided sheet and Constitution guided sheet.
- Break the class up into groups of 2-3 based on class numbers and hand them a primary source analysis sheet, which contains directions for the activity on the paper.
- Bring students back together and discuss as a class some of their findings in their analysis.

Closure: As a concluding activity students will complete a short free write answering the following question. Identify an inequality that you have observed in your everyday life. How would you deal with the problem? How and why does the Constitution of the United States support your specific circumstance (use examples from the document)?

Assessment:

Formal:

- Completion of Primary Source analysis sheet
- Proposal for speaking against inequality

Informal:

- Check and monitor progress
- Class participation

Connecticut Framework Performance Standards

- analyze, using historical and contemporary examples, the meaning and significance of the ideal of equal protection under the law for all persons
- Historical and contemporary conflicts over Constitutional principles
- Monitor and influence the formation and implementation of policy through various forms of participation

Selections from Constitution of the United States

www.law.cornell.edu/constitution/constitution.overview.html

Preamble:

The Constitution of the United States of America

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

Amendment V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

Amendment XIII

Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

Amendment XIV

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Examples of Jim Crow Laws

Accessed from http://www.nps.gov/archive/malu/documents/jim_crow_laws.htm

Buses All passenger stations in this state operated by any motor transportation company shall have separate waiting rooms or space and separate ticket windows for the white and colored races. *Alabama*

Restaurants It shall be unlawful to conduct a restaurant or other place for the serving of food in the city, at which white and colored people are served in the same room, unless such white and colored persons are effectually separated by a solid partition extending from the floor upward to a distance of seven feet or higher, and unless a separate entrance from the street is provided for each compartment. *Alabama*

Intermarriage The marriage of a person of Caucasian blood with a Negro, Mongolian, Malay, or Hindu shall be null and void. *Arizona*

Intermarriage All marriages between a white person and a negro, or between a white person and a person of negro descent to the fourth generation inclusive, are hereby forever prohibited. *Florida*

Education The schools for white children and the schools for negro children shall be conducted separately. *Florida*

Education Separate schools shall be maintained for the children of the white and colored races. *Mississippi*

Promotion of Equality Any person...who shall be guilty of printing, publishing or circulating printed, typewritten or written matter urging or presenting for public acceptance or general information, arguments or suggestions in favor of social equality or of intermarriage between whites and negroes, shall be guilty of a misdemeanor and subject to fine or not exceeding five hundred (500.00) dollars or imprisonment not exceeding six (6) months or both. *Mississippi*

Teaching Any instructor who shall teach in any school, college or institution where members of the white and colored race are received and enrolled as pupils for instruction shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00) for each offense. *Oklahoma*

Libraries Any white person of such county may use the county free library under the rules and regulations prescribed by the commissioner's court and may be entitled to all the privileges thereof. Said court shall make proper provision for the Negroes of said county to be served through a separate branch or branches of the county free library, which shall be administered by [a] custodian of the Negro race under the supervision of the county librarian. *Texas*



Directions: Your job, if you choose to accept it (and yes, you have to accept it) is to be a HISTORIAN. Your task is to review the list of Jim Crow Laws and select four. Read excerpts from the Constitution and find out what portions of the Constitution support or go against the law that your group has chosen. Be specific in your analysis and how or why the Constitution may or may not have supported the Jim Crow Laws.

Jim Crow Law	Does the Constitution support or refute law? Write an Example.