

## Title of Lesson: Jim Crow Lived in Alabama in the late 1800s

(Suggested grade level: 11<sup>th</sup> Grade)

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### Background Information:

- This lesson relates to the Jim Crow system as it developed at the end of the nineteenth century and beginning of the twentieth century. *Jim Crow* was the colloquial term for segregation and referred to a blackface character popular on the minstrel stage. More information about the origin of the term is available at <http://www.ferris.edu/jimcrow/who.htm>.
- The [Encyclopedia of Alabama](#) has an extensive article about [Jim Crow](#) in Alabama
- Teachers may want to investigate:
  - The [Supreme Court's Plessy v Ferguson decision](#) of 1896, affirming the “separate but equal” doctrine, validated state segregation laws based on a belief in white supremacy,
  - The “separate but equal” doctrine that would not be overturned until the Supreme Court issued its [Brown v Board of Education decision](#) in 1954.
- There is a wealth of reliable resources that deal with the overall history of segregation and the topic of Jim Crow specifically. In addition to the ones already embedded in this lesson, here are a few more:
  - A Library of Congress Web site entitled [“A Century of Racial Segregation, 1859-1959”](#) contains Jim Crow documents and photos.
  - [Jim Crow Museum](#) is a collection of racist artifacts located on the campus of Ferris State University in Big Rapids, Michigan. The museum’s Web site includes information about Jim Crow and background on topics related to racial stereotyping, as well as images of racist memorabilia. Be forewarned; many of these images are deeply offensive.
  - [We Shall Overcome](#), hosted by the National Park Service, combines information about various historic places that played a part in the struggle for civil rights. There are many links to places in Alabama.
  - [American Radio Works](#), entitled “Remembering Jim Crow,” offers a treasure trove of resources on the topic, including many audio clips. American Radio Works is the national documentary unit of American Public Media, a nonprofit organization that produces and distributes public radio programming.
  - [Jim Crow Laws in Alabama](#) gives a partial list of segregationist laws in Alabama dating from 1875 to 1901. It was compiled by the Gilder Lehrman Center for the Study of Slavery, Resistance, and Abolition.
  - [“Jim Crow Laws”](#) The title of this site is a misnomer because it offers much more than just a summary of Jim Crow laws. It is actually an extensive narrative, written by a law professor about how Jim Crow developed. The site is part of “Awesome Stories,” a site that was launched “to help educators and individuals to find original sources, located at national archives, libraries, universities, museums, historical societies and government-created Web sites.” The Jim Crow narrative provides links to additional resources.
  - [“Segregation \(Jim Crow\)”](#) is an entry available at the Encyclopedia of Alabama, an on-line resource about the state. It provides a clear and succinct summary of the history of Jim Crow in Alabama.
  - [Jim Crow Laws From Various States](#) A sampling of segregationist laws from various states is provided by the National Park Service. Showing this list to students would help them understand that Jim Crow applied to all areas of life. Laws on this list relate to such things as separating the

racism in schools for the blind, maintaining separate entrances to the circus, and requiring separate burial sites for blacks and whites. The scope of these laws is simply astounding.

- [“Separate Is Not Equal, Brown v. Bd. of Education”](#) When you get to this Smithsonian site, concerned with the *Brown v Board of Education* Supreme Court decision, scroll down and click on the heading “Segregated America.” You will find information covering the topic from the late 1800s to the 1954 and you will also find photographs and copies of primary documents. There is a copy of a poll tax receipt for Birmingham, Alabama, dated 4/9/1896.
- [Photographs of Signs Enforcing Racial Discrimination](#) These photographs, available at this Library of Congress website, were taken during the 1930s and 1940s.

**Overview of lesson:** Students will examine two news articles published in Montgomery, Alabama which relate to the Jim Crow system as it applied to public transportation. One was published as an immediate reaction to the Supreme Court’s decision in the *Plessy v Ferguson* case in 1896. The other one mentions that the city of Montgomery had recently passed an ordinance of its own providing for separation of the races on local street cars. This second article asserts that white people in Washington, D.C., would soon pass similar legislation. The unidentified author makes several claims about how racist legislation would work to the “benefit” of blacks and states that even if blacks object, segregation “...is coming because ‘advanced civilization’ demands it and will have it.” Students will analyze these two primary sources, discuss their implications, and then examine the *Plessy v Ferguson* decision through the words of Justice John Marshall Harlan, the single Supreme Court Justice who dissented from the majority opinion. They will then create a fictional dialogue between Justice Harlan and the unidentified author of one of the Montgomery articles, using the arguments both made to highlight the different thinking of the two men. Finally, students will reflect on this question: If segregation existed in practice in the late 1800s, what difference(s), then or later, did the *Plessy v. Ferguson* decision make?

## Content Standards

*Alabama Course of Study: Social Studies* (Bulletin 2004, No. 18)

Grade Level 11 (p.75)

Content Standard 2: Describe social and political origins, accomplishments, and limitations of Progressivism

- Explaining Supreme Court decisions affecting the Progressive Movement  
Example: *Plessy versus Ferguson*

## *National Standards for History, 1996*

Standards in Historical Thinking (p.59)

Standard 2: The student comprehends a variety of historical sources

Therefore, the student is able to:

- C. Identify the central question(s) the historical narrative addresses and the purpose, perspective, or point of view from which it has been constructed

Standard 3: The student engages in historical analysis and interpretation

Therefore, the student is able to:

- B. Compare and contrast differing sets of ideas, values, personalities, behaviors, and institutions by identifying likenesses and differences

Standards in United States History for Grades 5-12 (p.103)

Era 6, Standard 2B: The student understands “scientific racism,” race relations, and the struggle for equal rights.

## Primary Learning Objective(s):

Students will:

- Draw connections between a poem and a historical topic, the Jim Crow system.
- Learn more about the Supreme Court’s *Plessy v Ferguson* decision.

- Analyze two primary sources related to the development of the Jim Crow system in Alabama.
- Compare the two sources in terms of their objectivity or lack of objectivity.
- Analyze Supreme Court Justice Harlan’s dissenting opinion in the *Plessy v. Ferguson* case.
- Write a fictional, civil dialogue between Justice Harlan and the author of one of the Alabama documents, showing that they understand each man’s arguments.
- Practice persuasive writing techniques in terms of countering another’s assertions.
- Consider the question of what effect laws have when they reinforce local customs.
- Give examples of *de facto* and *de jure* segregation.

**Time allotted:** 90 minutes

**Materials and Equipment:**

- [Document # 1](#): Alabama article reacting to Supreme Court’s *Plessy v. Ferguson* decision
- [Document # 2](#): Alabama article discussing mixing of races on street cars in Montgomery and Washington, D.C.
- [Document # 3](#): Justice Harlan’s dissent (teacher can use whole document or select certain portions)
- Instructions for creating fictional dialogue and rubric that will be used to evaluate it (attached)
- [“I, Too”](#) by Langston Hughes and [“I Hear America Singing”](#) by Walt Whitman

**Technological Resources:**

Computer with internet access  
Digital projector

**Background/Preparation:**

Students should:

- Have studied the Reconstruction period.
- Know that the Democratic Party and white power had been restored in southern states by 1877.
- Understand that African Americans lost significant ground in terms of their rights and freedoms after 1877.
- Be acquainted with the 1875 Civil Rights Act.

**Procedures/Activities:**

**Engagement/Motivation Activity:**

- 1) Display a copy of Walt Whitman’s [“I Hear America Singing,”](#) and give students time to read the poem. Then display a copy of Langston Hughes’s brief poem [“I, Too.”](#) Tell students that he was an African American author (1902-1967), dubbed by some as the “Poet Laureate of the Negro Race,” and that his poem “I Too” is a response to Whitman’s poem.
- 2) Conduct a brief class discussion about Hughes’s poem, using these questions as a guide: What topics/themes are raised in the poem, and what do you think Hughes is suggesting about those topics/themes? Which words/phrases communicate those thoughts?
- 3) Explain to students that this poem introduces the Jim Crow system, the subject of the lesson. Ask if any students know what the term *Jim Crow* means or where it came from. Give students time to respond. Note – the term was coined prior to the Civil War and eventually became synonymous with the word *Negro*. Provide this brief definition of the Jim Crow system from [Ferris State University’s Web site](#): “Jim Crow was the name of the racial caste system which operated primarily, but not exclusively in southern and border states, between 1877 and the mid-1960s. Jim Crow was more than a rigid set of anti-Black laws. It was a way of life. Under Jim Crow, African Americans were relegated to the status of second class citizens. Jim Crow represented the legitimization of anti-Black racism.”

- 4) Encourage students to connect the poem to the topic of Jim Crow. If there's time, display the [map of states which passed Jim Crow laws](#).
- 5) Tell students that they'll be studying some Alabama documents related to the Jim Crow system in the late 1800s and contrasting the thinking of many southern whites in that time period with the thinking of Supreme Court Justice John Harlan, the only Supreme Court Justice to dissent from (disagree with) the "separate but equal" doctrine.

<b>Step 1</b>	Distribute copies of document # 1_ or display a copy using an overhead or digital projector. Have someone read the brief article in its entirety including title and sub-heading. Ask students to rate this article on a scale of 1-10 in terms of its objectivity: 10 being the most objective, 5 being somewhere in between objective and subjective, and 0 being the most subjective and biased. Have students call out their scores and explain their reasoning. Ask, "What significant facts did the article contain?" List those on the board. Ask, "Were any opinions expressed or communicated in this document?" List those. It isn't important that every student agree on a final score, only that there's some general consensus on the range of objectivity. If students have not previously studied the <a href="#">Plessy v Ferguson</a> Supreme Court Case, this is an opportunity to cover its major features, including the important fact that it provided the legal means for enforcing segregation, <a href="#">de jure segregation</a> .
<b>Step 2</b>	Distribute a copy of document # 2_ to every student. Tell them that they are to rate this article using the same number system they did for the first, but as they read they should circle all the words/phrases that assert facts and underline all the words/phrases that communicate opinions and assumptions. When everyone is finished, solicit a score from each student. How does the overall score for this document compare to that of the first? Call on volunteers to explain why they scored this second document the way they did. Require them to quote from the document itself to support their judgments. Finally, ask the class to speculate about why this unnamed author held the opinions and assumptions he expressed. Using the history they already know, what could explain his tilting in that direction? Why would this author's opinions have been common in the South in the late 1800s and early 1900s?
<b>Step 3</b>	Give students the following information: <ul style="list-style-type: none"> <li>• When Supreme Court justices cast their votes in the <i>Plessy v. Ferguson</i> case, seven justices upheld the Louisiana law separating the races, one justice abstained from voting, and only one justice voted against it.</li> <li>• The justice who voted against the majority opinion was John Marshall Harlan.</li> <li>• As is still the custom with the Supreme Court, justices who disagree with the majority opinion can write what is called a "dissenting" opinion, explaining the reasons they believe the majority is incorrect.</li> <li>• Justice Harlan did that, and his dissenting opinion has since become famous because of its support for equal rights at a time when many in white society did not believe in equality between the races.</li> </ul>
<b>Step 4</b>	Give each student a copy of <a href="#">Harlan's dissenting opinion</a> . Provide two guiding questions to go with the reading: <ol style="list-style-type: none"> <li>1) Why does Justice Harlan say he opposes the majority opinion in this case?</li> <li>2) What kind of arguments does he use to support his own conclusion?</li> </ol> Depending on how much time you have available and how well you think your students can understand the wording, you might want to select certain portions.

<b>Step 5</b>	Pair students and hand out document, <i>A CIVIL CONVERSATION ON AN OBJECTIONAL TOPIC</i> (attached). Instructions are detailed in the attached document along with an explanation of how the dialogue will be graded. Go over everything so students know what is expected of them.
<b>Step 6</b>	Establish a time limit for students to create their dialogues.
<b>Step 7</b>	Have pairs of students read their dialogues for the entire class. For each of the dialogues ask: <ul style="list-style-type: none"> <li>• Which arguments made in a dialogue do they find most effective?</li> <li>• Why?</li> </ul>
<b>Step 8</b>	Collect the dialogues and close the lesson by asking students to reflect on and then respond to this question: If segregation existed in practice in the late 1800s, what difference(s), then or later, did the <i>Plessy v. Ferguson</i> decision make? Allow students to respond. Then ask, “How might Justice Harlan have answered that question?” Review the terms <i>de jure</i> and <i>de facto</i> .

#### Assessment Strategies:

- Evaluate dialogues using the rubric.
- Suggested essay question:
  - Explain how *Plessy v Ferguson* sanctioned and perpetuated Jim Crow laws.
  - Using “Race Separation” from the *Montgomery Advertiser* and Justice Harlan’s dissenting opinion, compare and contrast the arguments made in both documents.

#### Extension:

- Have students collect images from the Jim Crow era and put together a curated exhibit.
- Students could write a short poem or lyrics for a song in response to this lesson.
- Students could do a [“Six Degrees of Separation”](#) project, researching the connection between Supreme Court Justice John Marshall Harlan and Justice Thurgood Marshall. Marshall, a brilliant African American lawyer and advocate for civil rights, was a great admirer of Harlan because of his courageous dissent in the *Plessy v Ferguson* case. Marshall was the attorney who argued before the Supreme Court for the plaintiffs in *Brown v Board of Education*. In 1967, he became the first African American to serve on the Supreme Court when President Lyndon Johnson appointed him to that office.
- Encourage students to read parts or all of the non-fiction book, *The Warmth of Other Sun: The Epic Story of America’s Great Migration* by Isabel Wilkerson. It tells the story of the migration of blacks who fled the South for northern and western cities in search of a better life in the 1900s. By focusing on three individuals and detailing the circumstances of their lives both before and after they left the South, Ms. Wilkerson provides a clear portrait of the racism that was pervasive in the South but also present in the North for most of the 1900s.

## A CIVIL CONVERSATION ON AN OBJECTIONAL TOPIC

(Segregation in the South in the late 1800s and early 1900s)

You and your partner are going to create an imaginary, but respectful, dialogue which could have taken place between Justice John Marshall Harlan and the anonymous author of one of the articles published in Montgomery, Alabama, that you read earlier in this lesson (the one that mentioned Washington, D.C.). You can give the anonymous Alabama author a name or just refer to him as John Doe.

Your dialogue must:

- Maintain a polite and civil tone (you can't call the other man a "stupid jerk" or hurl other kinds of insults at him);
- Reflect the ideas, opinions, and assumptions the two men expressed in their writings (even though you may find some of these offensive);
- Be centered on the essential disagreements between the two individuals, not minor points;
- Be composed in your and your partner's own words (no more than two brief quotes from the original documents);
- Exhibit balance in terms of how much each man contributes to the conversation;
- Show that each man was listening to the other and responding to what he said, not just uttering statements disconnected to the unfolding conversation;
- Contain a minimum of 400 words and a maximum of 500 (that's the total for whole dialogue, not just one person's part); and
- Not contain major grammatical or spelling errors.

Each of these eight required attributes will be used to evaluate your part of the dialogue in the following manner:

- Clearly superior job (10 points)
- Strong job ( 8-9 points)
- Adequate job (7 points)
- Weak job (1-6 points)
- Failure to turn in a dialogue (0 points)