Lesson Title: Buried Truths – *Inspired by the acclaimed* podcast

**EQ:** To what lengths will people go to exercise their civil rights?

<table>
<thead>
<tr>
<th>Beliefs and Ideals:</th>
<th>The student will understand that the beliefs and ideals of a society influence the social, political, and economic decisions of that society.</th>
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<tbody>
<tr>
<td>Conflict and Change:</td>
<td>The student will understand that when there is conflict between or within societies, change is the result.</td>
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<td>Distribution of Power:</td>
<td>The student will understand that distribution of power in government is a product of existing documents and laws combined with contemporary values and beliefs.</td>
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<tr>
<td>Individuals, Groups, Institutions:</td>
<td>The student will understand that the actions of individuals, groups, and/or institutions affect society through intended and unintended consequences.</td>
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**Connecting Themes/Enduring Understandings**

<table>
<thead>
<tr>
<th>SSUSH20 Analyze U.S. international and domestic policies including their influences on technological advancements and social changes during the Truman and Eisenhower administrations.</th>
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<tbody>
<tr>
<td>b. Connect major domestic issues to their social effects including the G.I. Bill, Truman’s integration policies, McCarthyism, the National Interstate and Defense Highways Act, and Brown v. Board of Education.</td>
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<tr>
<th>SSUSH21 Analyze U.S. international and domestic policies including their influences on technological advancements and social changes during the Kennedy and Johnson administrations</th>
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<tr>
<td>b. Connect major domestic issues to their social effects including the passage of civil rights legislation and Johnson’s Great Society, following the assassination of John F. Kennedy.</td>
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**GSE for Social Studies**

<table>
<thead>
<tr>
<th>L9-10RHSS1: Cite specific textual evidence to support analysis of primary and secondary sources, attending to such features as the date and origin of the information</th>
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<tbody>
<tr>
<td>L9-10RHSS2: Determine the central ideas or information of a primary or secondary source; provide an accurate summary of how key events or ideas develop over the course of the text</td>
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<tr>
<td>L9-10RHSS9: Compare and contrast treatments of the same topic in several primary and secondary sources.</td>
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**Information Processing Skills**

1. Compare similarities and differences
2. Organize items chronologically
3. Identify issues and/or problems and alternative solutions
4. Distinguish between fact and opinion
5. Identify main idea, detail, sequence of events, and cause and effect in a social studies context
6. Identify and use primary and secondary sources
7. Interpret timelines, charts, and tables
8. Identify social studies reference resources to use for a specific purpose
9. Construct charts and tables
10. Draw conclusions and make generalizations
11. Determine adequacy and/or relevancy of information
12. Interpret political cartoons
<table>
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<tr>
<th><strong>Supporting Question 1</strong></th>
<th><strong>Supporting Question 2</strong></th>
<th><strong>Supporting Question 3</strong></th>
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<tbody>
<tr>
<td>How did white southerners create barriers for African Americans/Blacks in Southern society during the Jim Crow Era?</td>
<td>How did African Americans/Blacks fight oppression during the Jim Crow Era?</td>
<td>What role did the government play in either supporting or suppressing African American/Black civil rights?</td>
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<tr>
<th><strong>Instructional Activity</strong></th>
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<tr>
<td>Listening Guide/Graphic Organizer Take Literacy Test</td>
<td>Listening Guide/Graphic Organizer Fight in the Lunchroom Discussion</td>
<td>Listening Guide/Graphic Organizer Think/Pair/Share</td>
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<tr>
<th><strong>Featured Sources</strong></th>
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<tbody>
<tr>
<td>Episodes 1-6 Literacy Test Parking Lot</td>
<td>Episodes 1-6 Ralph McGill AJC article Parking Lot Ready to Order</td>
<td>Episodes 1-6 Truman Executive Order 9981 Parking Lot Ready to Order</td>
</tr>
</tbody>
</table>

**Performance Task**

Objective Perspective: Students will write a portrayal of events from the perspective of an object in the podcast. Example: Write from point of view of Isaiah Nixon’s gravestone.

**Taking Informed Action**

Connection to the re-opening of the Emmett Till case: Students are to assume the role of an investigator in the FBI’s Civil Rights Division. They will write a report to the Director of the FBI, arguing whether or not the cases covered in the Buried Truths podcast should be reopened and provide evidence to support their stance.
**Day 1: Literacy Test**

**Opener:** Take Literacy Test (attached below)

- Review Answers -

Ask students why you made them take the test.

Get them to guess the last year this was legally used in the United States.

**Work Session:** Introduce Podcast and listen to Episode 1: Pistols until 5:13. You might pause every couple of minutes, even within this excerpt, to discuss what is happening and students’ reactions/reflections on it. This might be helpful in every lesson where a podcast episode is used.

**Student Graphic Organizer:** Students will fill in the characters and go over the following three questions: How did white southerners attempt to maintain control of Southern society during the Jim Crow Era? How did African Americans/Blacks fight oppression during the Jim Crow Era? What role did the government play in either supporting or suppressing African American/Black civil rights?

**Found in podcast:** Isaiah Nixon, Dover Carter (beaten in car), Johnson Brothers (Jim and Johnny), Dorothy Nixon (daughter), Sally Nixon (Wife), John Harris (“friend” of Sharpe) Claude Sharpe (soon to be sheriff)

Listen to the rest of episode 1.

Read Truman’s executive order 9981 and have students create a new title for the order and summarize the document in ten words or less. To differentiate, have your gifted and high achievers to summarize the whole document in one word and explain their rationale.

**Summarizer:** Think/Pair/Share- Should the national government intervene when states refuse to nullify federal laws? Help the conversation by making connections to marijuana laws and nullification discussed in previous units if possible.

**HW**- Listen to episode 2 considering the same three questions.
The State of Louisiana

Literacy Test (This test is to be given to anyone who cannot prove a fifth grade education.)

Do what you are told to do in each statement, nothing more, nothing less. Be careful as one wrong answer denotes failure of the test. You have 10 minutes to complete the test.

1. Draw a line around the number or letter of this sentence.
2. Draw a line under the last word in this line.
3. Cross out the longest word in this line.
4. Draw a line around the shortest word in this line.
5. Circle the first, first letter of the alphabet in this line.
6. In the space below draw three circles, one inside (engulfed by) the other.

7. Above the letter X make a small cross.
8. Draw a line through the letter below that comes earliest in the alphabet.

Z V S B D M K I T P H C

9. Draw a line through the two letters below that come last in the alphabet.

Z V B D M K T P H S Y C

10. In the first circle below write the last letter of the first word beginning with “L”.

1 2 3 4 5

11. Cross out the number necessary, when making the number below one million.

1000000000

12. Draw a line from circle 2 to circle 5 that will pass below circle 2 and above circle 4.

1 2 3 4 5

13. In the line below cross out each number that is more than 20 but less than 30.

31 16 48 29 53 47 22 37 98 26 20 25
14. Draw a line under the first letter after “h” and draw a line through the second letter after “j”.

    a b c d e f g h i j k l m n o p q

15. In the space below, write the word “noise” backwards and place a dot over what would be its second letter should it have been written forward.

16. Draw a triangle with a blackened circle that overlaps only its left corner.

17. Look at the line of numbers below, and place on the blank, the number that should come next.

    2 4 8 16 ____

18. Look at the line of numbers below, and place on the blank, the number that should come next.

    3 6 9 ____ 15

19. Draw in the space below, a square with a triangle in it, and within that same triangle draw a circle with a black dot in it.

20. Spell backwards, forwards.

21. Print the word vote upside down, but in the correct order.

22. Place a cross over the tenth letter in this line, a line under the first space in this sentence, and circle around the last the in the second line of this sentence.

23. Draw a figure that is square in shape. Divide it in half by drawing a straight line from its northeast corner to its southwest corner, and then divide it once more by drawing a broken line from the middle of its western side to the middle of its eastern side.
24. Print a word that looks the same whether it is printed frontwards or backwards.

25. Write down on the line provided, what you read in the triangle below:

```
Paris
in
the
spring
```

26. In the third square below, write the second letter of the fourth word.

27. Write right from the left to the right as you see it spelled here.

28. Divide a vertical line in two equal parts by bisecting it with a curved horizontal line that is only straight at its spot bisection of the vertical.

29. Write every other word in this first line and print every third word in same line, (original type smaller and first line ended at comma) but capitalize the fifth word that you write.

30. Draw five circles that one common inter-locking part.
Materials:

- Copies of “Three Questions” Chart
- Buried Truths Podcast

Plan of Instruction:

Introduction:

The “Three Questions” chart is to be completed as students are listening to each episode of the “Buried Truths” podcast. Divide the students into three groups with each group focusing on one essential question. Have students share after each podcast episode.
“Three Questions”

Use the chart below to organize information from the “Buried Truths” podcast.

<table>
<thead>
<tr>
<th>Episode Title</th>
<th>How did white southerners attempt to maintain control of Southern society during the Jim Crow Era?</th>
<th>How did African Americans/Blacks fight oppression during the Jim Crow Era?</th>
<th>What role did the government play in either supporting or suppressing African Americans’/Blacks’ civil rights?</th>
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EXECUTIVE ORDER

ESTABLISHING THE PRESIDENT’S COMMITTEE ON
EQUALITY OF TREATMENT AND OPPORTUNITY IN
THE ARMED SERVICES

WHEREAS it is essential that there be maintained in the
armed services of the United States the highest standards of
democracy, with equality of treatment and opportunity for all
those who serve in our country’s defense:

NOW, THEREFORE, by virtue of the authority vested in
me as President of the United States, by the Constitution and the
statutes of the United States, and as Commander in Chief of the
armed services, it is hereby ordered as follows:

1. It is hereby declared to be the policy of the President
that there shall be equality of treatment and opportunity for all
persons in the armed services without regard to race, color,
religion or national origin. This policy shall be put into effect
as rapidly as possible, having due regard to the time required
to effectuate any necessary changes without impairing efficiency
or morale.

2. There shall be created in the National Military Estab-
lishment an advisory committee to be known as the President’s
Committee on Equality of Treatment and Opportunity in the Armed
Services, which shall be composed of seven members to be design-
nated by the President.

3. The Committee is authorized on behalf of the President
to examine into the rules, procedures and practices of the armed
services in order to determine in what respect such rules, pro-
cedures and practices may be altered or improved with a view
to carrying out the policy of this order. The Committee shall
confer and advise with the Secretary of Defense, the Secretary
of the Army, the Secretary of the Navy, and the Secretary of the Air Force, and shall make such recommendations to the President and to said Secretaries as in the judgment of the Committee will effectuate the policy hereof.

4. All executive departments and agencies of the Federal Government are authorized and directed to cooperate with the Committee in its work, and to furnish the Committee such information or the services of such persons as the Committee may require in the performance of its duties.

5. When requested by the Committee to do so, persons in the armed services or in any of the executive departments and agencies of the Federal Government shall testify before the Committee and shall make available for the use of the Committee such documents and other information as the Committee may require.

6. The Committee shall continue to exist until such time as the President shall terminate its existence by Executive order.

THE WHITE HOUSE,
July 26, 1948.

\[Signature\]
# Instructional Activities/Assessments

## Day 2: Putting Things in Perspective

### Day 2

**Opener**- Fight in the Lunchroom scenario.

Explain that history is about perspective and documentation and sometimes what is documented can be distorted or even totally false.

**Work Session**- Listen to episode 3 and have students put ideas into three categories.
Ralph McGill primary source AJC

**Summarizer**- Parking lot- sort ideas from the podcast so far into one of the three supporting questions using sticky notes and butcher paper.

**HW**- Listen to episode 4 and respond to Three Questions.
Will We Deliver Ourselves to Our Foes?

A short time ago a man named Sturridge, in Pittsburgh, wrote a series of articles about the South. He had gone to Florida and, acquiring a heavy fan, passed himself off as a Negro, traveling with a representative of the NAACP. The South reacted angrily.

Much of what he said was in error. There was the atmosphere of a howl about the trip of 28 days through the South. Many of his deductions were erroneous to the Negro population. The core of his articles was bad from the files of the NAACP (National Association for the Advancement of Colored People). Indeed, the careful analyst was led to suspect that he had not traveled in the South as much as to spend his time with local representatives of the NAACP. There was about it the loud arena of the phony.

But the core of it wasn't. There had been a man killed because he voted. There were instances of gross and awful brutality. There were instances of murder, done for obscure reasons of prejudice, unpunished and uninvestigated save with the whipsaw truth.

The Poor South

Now comes a case which justifies all Sturridge said, the untrue as well as the true.

Now comes a Georgia case which will allow Henry Wallace to say to the world, “See, all I have said about injustice in the South is true.”

Now comes a Georgia case which allows those enemies of the South who push the greatest, politically-conscious form of civil rights legislation, and those who plan worse, to say that the South lies when it says it is striving to eliminate injustice and prejudice and that it can handle its own problems.

Now and then one almost despair. We have enough to carry without our fools adding their own crimes to the weight of our burden.

Now and then one feels in the mood of the great John C. Calhoun when, on his deathbed, he said, “The South. The poor South. God knows what will become of her.”

In Jail

Sunday's press services carried a story which reported that the Associated Press reported on Saturday that the Montgomery County sheriff, R. M. McCormick, said at the county seat of Monticello, that a Negro father of six children was shot and killed because he insisted on his right to vote. The two men involved said they went there to get the man to work for them and that he was “tired in self-defense.”

That has a familiar ring. We have heard it when a prisoner was killed in his cell. We heard it two years ago when a Negro was called to his door and shot, after voting, “in self-defense.”

A man doesn't arm himself with a pistol when he goes to seek a hired hand.

These men have done more for the cause of Henry Wallace than a dozen Communists.

Enemies

These men have not merely taken human life, and left six orphans, but they have made it possible for every supporter of the present civil rights measures to get up on the floor of Congress when it convenes and point to it as support of their claim that, unless the Federal Government acts, it is not possible to curb violence in the South.

These men have made it more difficult for the Southern Senators and Congressmen to rally opposition.

The plain truth is that unless Georgia does something about it, we will pack the cars for this Montgomery County party and it will be a big one. And we will deserve to have to pay it.

Anger

Here is a test for us. We can only assume that the people of Montgomery County are angry about it. They are not for Henry Wallace. They, therefore, can't be for men who deliver public opinion into the hands of Henry Wallace and turn it more against the South.

This isn't just a murder. It isn't comparable with a gang killing. This is murder, so the sheriff says, for the offense of voting.

Now, the test for us is whether we who oppose Henry Wallaceism will oppose with equal vigor this killing.

If we don't—then we will lose the fight. And, what's more, we will deserve to lose it.

Responsibility

The killing will inevitably and correctly be connected with the recent primary. While both M. E. Thompson and Herman Talmadge were loud in their opposition to the civil rights primary, and while M. E. Thompson still is Acting Governor, the citizen activism will be directed toward the winner, Herman Talmadge, and his friends. Certainly he does not condone violence.

His friends in Montgomery County, which he carried, do him no greater favor than to see to it that full justice is done in this case. His friends here can do no greater service for Georgia and the South than to arouse every possible aid by their civic clubs, women's organizations, and churches to see to it that no wiles are not based on evidence. The honest and unprenjudiced jury is obtained, and that Georgia and the South show to the nation that it is, through its own courts, enforcement, and the law.

Now the issue is a vital one. We have been angry, often judgmentally so, at criticism of us. But we have too often let critics such as the one who wholesaled this story, when it does, really place the spotlight on us. Are we law-abiding people, or a violent people needing federal curbs? This case puts the answer squarely up to us.
Materials:

- Copies of Lunchroom Fight Worksheet

Plan of Instruction:

1. Introduction:

Imagine that you are the principal of a school and you just found out that there was a fight in the lunchroom. You’ve asked many students and teachers who witnessed the fight to write down what they saw and who they think started the fight. Unfortunately, you have received many conflicting accounts of not only who started the fight, but also who was involved and when the fight even started. It’s important to remember that NO ONE is lying about what they recall.

2. Assignment: In pairs, students must answer the following questions:

   - How could there be different stories of the same event if no one is lying?
   - Who are the people that might have seen this fight? (e.g., friends of those involved versus people who don’t know the students who were fighting; those who were fighting versus those who were witnesses; adults versus students)
   - What might make one person’s story more believable or plausible than another person’s?

3. Debrief. Issues to discuss:

   a. Why might people see or remember things differently?
   b. Who might have an interest in one student getting in trouble instead of another student? Who was standing where? Could they see the whole event?
   c. The plausibility of the stories themselves (e.g., issues of exaggeration and how the stories fit into what is known about the students’ prior histories). Is the story believable, trustworthy?
   d. Time: Do stories change over time? How might what we remember right after the event differ from what we remember a week later?

Does time make the way someone remembers something more or less trustworthy?
e. Physical Evidence: what kinds of evidence might have an effect on what you believe: bruises, missing objects, etc.

f. All of these things apply to history: How are events interpreted, remembered, explained, and judged to be trustworthy? Studying history involves considering peoples’ perspectives and biases, evidence, and trustworthiness. Similar to the principal, historians do the work of trying to figure out what happened in the past.

https://sheg.stanford.edu/history-lessons/lunchroom-fight
Lunchroom Fight

Imagine that you are the principal of a school and you just found out that there was a fight in the lunchroom. You’ve asked many students and teachers who witnessed the fight to write down what they saw and who they think started the fight. Unfortunately, you have received many conflicting accounts of not only who started the fight, but also who was involved and when the fight even started. It’s important to remember that NO ONE is lying about what they recall.

In your group, answer the following questions:

Why would there be different stories of the event if no one is lying?

__________________________________________________________________________________

__________________________________________________________________________________

__________________________________________________________________________________

Who are the people that might have seen this fight? (e.g., friends of those involved versus people who don’t know the students who were fighting)

__________________________________________________________________________________

__________________________________________________________________________________

__________________________________________________________________________________

What might make one person’s story more believable or plausible than another person’s?

__________________________________________________________________________________

__________________________________________________________________________________

__________________________________________________________________________________
### Instructional Activities/Assessments

#### Day 3: Get the Picture?

**Day 3**

**Opener**- Break down an image into quadrants. Students will get one quadrant of an image and make inferences only seeing 1/4th of what is happening. Then come together and discuss the entire picture. [May use picture of Isaiah Nixon’s grave]

**Work Session**- Listen to episode 5 using the Three Questions sheet.


**Summarizer**- Complete the Ready to Order Civil - Rights Developments sheet throughout class. Students will choose ten civil rights developments that they have learned about so far in class and rank them based on how much change they generated during the time period and then justify their thinking.

If teachers want to differentiate, they can provide the following bank of topics for students who may have a hard time recalling other civil rights developments: The Declaration of Independence, Bill of Rights, Seneca Falls Declaration, 13th-15th amendments, 17th amendment, Child Labor Laws, 19th amendment, Truman Integrating Armed Forces, Brown vs. Board of Ed Decision, Civil Rights Act of 1964, Voting Rights Act of 1965.

**HW**- Listen to episode 6 and respond the Three Questions sheet.
Dorothy’s hand on Isaiah Nixon’s Grave
Ready to Order – Civil Rights Developments

Directions:

1. Choose the top ten civil rights developments we have discussed so far in this class.

2. Rank/order the developments based on the amount of change generated during the time period with 1 generating the most change and 10 generating the least.

3. Justify your decisions with specific reasons or explanations.
<table>
<thead>
<tr>
<th>Order/Rank</th>
<th>Name of Development</th>
<th>Justification of Thinking</th>
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<td></td>
<td>Includes 8-10 Developments</td>
<td>5-7 Developments</td>
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<tr>
<td></td>
<td>Includes 8-10 justifications in the ranking</td>
<td>5-7 Justifications in the ranking</td>
</tr>
<tr>
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<td>Justifications illustrate a deep understanding of the developments and their impact on the time period.</td>
<td>Justifications are thorough in some cases, but too brief or lacking complexity in others.</td>
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</table>
The U.S. Bill of Rights

Congress of the United States

begun and held at the City of New-York, on

Wednesday the fourth of March, one thousand seven hundred and eighty-nine.

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 II

A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Amendment III

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

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 offence 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 defence.

Amendment VII

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

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.

https://www.archives.gov/founding-docs/bill-of-rights-transcript
IN CONGRESS, July 4, 1776.

The unanimous Declaration of the thirteen united States of America,

“When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security…

We, therefore, the Representatives of the United States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.”

https://www.archives.gov/founding-docs/declaration-transcript
Decloration of Sentiments. (1848)

“When, in the course of human events, it becomes necessary for one portion of the family of man to assume among the people of the earth a position different from that which they have hitherto occupied, but one to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes that impel them to such a course.

We hold these truths to be self-evident; that all men and women are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights governments are instituted, deriving their just powers from the consent of the governed. Whenever any form of Government becomes destructive of these ends, it is the right of those who suffer from it to refuse allegiance to it, and to insist upon the institution of a new government, laying its foundation on such principles, and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and accordingly, all experience hath shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves, by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their duty to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of the women under this government, and such is now the necessity which constrains them to demand the equal station to which they are entitled.

The history of mankind is a history of repeated injuries and usurpations on the part of man toward woman, having in direct object the establishment of an absolute tyranny over her. To prove this, let facts be submitted to a candid world…”

https://www.nps.gov/wori/learn/historyculture/declaration-of-sentiments.htm
AMENDMENT XIII

Passed by Congress January 31, 1865. Ratified December 6, 1865.

Note: A portion of Article IV, section 2, of the Constitution was superseded by the 13th amendment.

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

Passed by Congress June 13, 1866. Ratified July 9, 1868.

Note: Article I, section 2, of the Constitution was modified by section 2 of the 14th amendment.

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.

Section 2.

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age,* and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.
Section 3.
No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section 4.
The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section 5.
The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

*Changed by section 1 of the 26th amendment.*

**AMENDMENT XV**

*Passed by Congress February 26, 1869. Ratified February 3, 1870.*

Section 1.
The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude--

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

**AMENDMENT XVII**

*Passed by Congress May 13, 1912. Ratified April 8, 1913.*
Note: Article I, section 3, of the Constitution was modified by the 17th amendment.

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

AMENDMENT XIX


The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

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

https://www.archives.gov/founding-docs/constitution-transcript
Transcript of Brown v. Board of Education (1954)

SUPREME COURT OF THE UNITED STATES


Argued December 9, 1952

Reargued December 8, 1953

Decided May 17, 1954

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS*

Syllabus

Segregation of white and Negro children in the public schools of a State solely on the basis of race, pursuant to state laws permitting or requiring such segregation, denies to Negro children the equal protection of the laws guaranteed by the Fourteenth Amendment -- even though the physical facilities and other "tangible" factors of white and Negro schools may be equal.

(a) The history of the Fourteenth Amendment is inconclusive as to its intended effect on public education.

(b) The question presented in these cases must be determined not on the basis of conditions existing when the Fourteenth Amendment was adopted, but in the light of the full development of public education and its present place in American life throughout the Nation.

(c) Where a State has undertaken to provide an opportunity for an education in its public schools, such an opportunity is a right which must be made available to all on equal terms.

(d) Segregation of children in public schools solely on the basis of race deprives children of the minority group of equal educational opportunities, even though the physical facilities and other "tangible" factors may be equal.

(e) The "separate but equal" doctrine adopted in Plessy v. Ferguson, 163 U.S. 537, has no place in the field of public education.

(f) The cases are restored to the docket for further argument on specified questions relating to the forms of the decrees.

Opinion

MR. CHIEF JUSTICE WARREN delivered the opinion of the Court.

These cases come to us from the States of Kansas, South Carolina, Virginia, and Delaware. They are premised on different facts and different local conditions, but a common legal question justifies their consideration together in this consolidated opinion.

In each of the cases, minors of the Negro race, through their legal representatives, seek the aid of the courts in obtaining admission to the public schools of their community on a nonsegregated basis. In each instance, they had been denied admission to schools attended by white children under laws requiring or permitting segregation according to race. This segregation was alleged to deprive the plaintiffs of the equal protection of the laws under the Fourteenth Amendment.

In each of the cases other than the Delaware case, a three-judge federal district court denied relief to the plaintiffs on the so-called "separate but equal" doctrine announced by this Court in Plessy v. Ferguson, 163 U.S. 537. Under that doctrine, equality of treatment is accorded when the races are provided substantially equal facilities, even though these facilities be separate. In the Delaware case, the Supreme Court of Delaware adhered to that doctrine, but ordered that the plaintiffs be admitted to the white schools because of their superiority to the Negro schools.
The plaintiffs contend that segregated public schools are not "equal" and cannot be made "equal," and that hence they are deprived of the equal protection of the laws. Because of the obvious importance of the question presented, the Court took jurisdiction.

Argument was heard in the 1952 Term, and reargument was heard this Term on certain questions propounded by the Court.

Reargument was largely devoted to the circumstances surrounding the adoption of the Fourteenth Amendment in 1868. It covered exhaustively consideration of the Amendment in Congress, ratification by the states, then-existing practices in racial segregation, and the views of proponents and opponents of the Amendment. This discussion and our own investigation convince us that, although these sources cast some light, it is not enough to resolve the problem with which we are faced. At best, they are inconclusive. The most avid proponents of the post-War Amendments undoubtedly intended them to remove all legal distinctions among "all persons born or naturalized in the United States." Their opponents, just as certainly, were antagonistic to both the letter and the spirit of the Amendments and wished them to have the most limited effect. What others in Congress and the state legislatures had in mind cannot be determined with any degree of certainty.

An additional reason for the inconclusive nature of the Amendment's history with respect to segregated schools is the status of public education at that time.

In the South, the movement toward free common schools, supported by general taxation, had not yet taken hold. Education of white children was largely in the hands of private groups. Education of Negroes was almost nonexistent, and practically all of the race were illiterate. In fact, any education of Negroes was forbidden by law in some states. Today, in contrast, many Negroes have achieved outstanding success in the arts and sciences, as well as in the business and professional world. It is true that public school education at the time of the Amendment had advanced further in the North, but the effect of the Amendment on Northern States was generally ignored in the congressional debates. Even in the North, the conditions of public education did not approximate those existing today. The curriculum was usually rudimentary; ungraded schools were common in rural areas; the school term was but three months a year in many states, and compulsory school attendance was virtually unknown. As a consequence, it is not surprising that there should be so little in the history of the Fourteenth Amendment relating to its intended effect on public education.

In the first cases in this Court construing the Fourteenth Amendment, decided shortly after its adoption, the Court interpreted it as proscribing all state-imposed discriminations against the Negro race. The doctrine of "separate but equal" did not make its appearance in this Court until 1896 in the case of Plessy v. Ferguson, supra, involving not education but transportation. American courts have since labored with the doctrine for over half a century. In this Court, there have been six cases involving the "separate but equal" doctrine in the field of public education. In Cumming v. County Board of Education, 175 U.S. 528, and Gong Lum v. Rice, 275 U.S. 78, the validity of the doctrine itself was not challenged. In more recent cases, all on the graduate school level, inequality was found in that specific benefits enjoyed by white students were denied to Negro students of the same educational qualifications. Missouri ex rel. Gaines v. Canada, 305 U.S. 337; Sipuel v. Oklahoma, 332 U.S. 631; Sweatt v. Painter, 339 U.S. 629; McLaurin v. Oklahoma State Regents, 339 U.S. 637. In none of these cases was it necessary to reexamine the doctrine to grant relief to the Negro plaintiff. And in Sweatt v. Painter, supra, the Court expressly reserved decision on the question whether Plessy v. Ferguson should be held inapplicable to public education.

In the instant cases, that question is directly presented. Here, unlike Sweatt v. Painter, there are findings below that the Negro and white schools involved have been equalized, or are being equalized, with respect to buildings, curricula, qualifications and salaries of teachers, and other "tangible" factors. Our decision, therefore, cannot turn on merely a comparison of these tangible factors in the Negro and white schools involved in each of the cases. We must look instead to the effect of segregation itself on public education.

In approaching this problem, we cannot turn the clock back to 1868, when the Amendment was adopted, or even to 1896, when Plessy v. Ferguson was written. We must consider public education in the light of its full development and its present place in American life.
throughout the Nation. Only in this way can it be determined if segregation in public schools deprives these plaintiffs of the equal protection of the laws.

Today, education is perhaps the most important function of state and local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the armed forces. It is the very foundation of good citizenship. Today it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms.

We come then to the question presented: Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other "tangible" factors may be equal, deprive the children of the minority group of equal educational opportunities? We believe that it does.

In *Sweatt v. Painter*, supra, in finding that a segregated law school for Negroes could not provide them equal educational opportunities, this Court relied in large part on "those qualities which are incapable of objective measurement but which make for greatness in a law school." In *McLaurin v. Oklahoma State Regents*, supra, the Court, in requiring that a Negro admitted to a white graduate school be treated like all other students, again resorted to intangible considerations: "... his ability to study, to engage in discussions and exchange views with other students, and, in general, to learn his profession." [p*494] Such considerations apply with added force to children in grade and high schools. To separate them from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone. The effect of this separation on their educational opportunities was well stated by a finding in the Kansas case by a court which nevertheless felt compelled to rule against the Negro plaintiffs:

Segregation of white and colored children in public schools has a detrimental effect upon the colored children. The impact is greater when it has the sanction of the law, for the policy of separating the races is usually interpreted as denoting the inferiority of the negro group. A sense of inferiority affects the motivation of a child to learn. Segregation with the sanction of law, therefore, has a tendency to [retard] the educational and mental development of negro children and to deprive them of some of the benefits they would receive in a racial[ly] integrated school system.

Whatever may have been the extent of psychological knowledge at the time of *Plessy v. Ferguson*, this finding is amply supported by modern authority. Any language in *Plessy v. Ferguson* contrary to this finding is rejected.

We conclude that, in the field of public education, the doctrine of "separate but equal" has no place. Separate educational facilities are inherently unequal. Therefore, we hold that the plaintiffs and others similarly situated for whom the actions have been brought are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment. This disposition makes unnecessary any discussion whether such segregation also violates the Due Process Clause of the Fourteenth Amendment.

Because these are class actions, because of the wide applicability of this decision, and because of the great variety of local conditions, the formulation of decrees in these cases presents problems of considerable complexity. On reargument, the consideration of appropriate relief was necessarily subordinated to the primary question -- the constitutionality of segregation in public education. We have now announced that such segregation is a denial of the equal protection of the laws. In order that we may have the full assistance of the parties in formulating decrees, the cases will be restored to the docket, and the parties are requested to present further argument on Questions 4 and 5 previously propounded by the Court for the reargument this Term. The Attorney General of the United States is again invited to participate. The Attorneys General of the states requiring or permitting segregation in public education will also be permitted to appear as amici curiae upon request to do so by September 15, 1954, and submission of briefs by October 1, 1954.
It is so ordered.

* Together with No. 2, Briggs et al. v. Elliott et al., on appeal from the United States District Court for the Eastern District of South Carolina, argued December 9-10, 1952, reargued December 7-8, 1953; No. 4, Davis et al. v. County School Board of Prince Edward County, Virginia, et al., on appeal from the United States District Court for the Eastern District of Virginia, argued December 10, 1952, reargued December 7-8, 1953, and No. 10, Gebhart et al. v. Belton et al., on certiorari to the Supreme Court of Delaware, argued December 11, 1952, reargued December 9, 1953.

https://www.law.cornell.edu/supremecourt/text/347/483
Opener- *Black Like Me* Reading excerpt. This is the story of a white man dressing up as a black man in the Jim Crow South. Have students create a Venn diagram comparing the podcast to the excerpt.
*Note: Teachers should read the excerpt in advance to determine how appropriate it is for their students.*

Work Session- Introduce Objective Perspective- Have students brainstorm how they will write from the point of view of an object in the podcast and detail what they see, how they feel, etc. (ex. From the P.O.V. of Isaiah Nixon’s grave)
Using the podcast graphic organizer, brainstorm the perspective of the selected object. Be sure to include an answer to the following question: Why were these truths buried?

Summarizer- Connection to Emmitt Till/ Taking Informed Action: Students are to assume the role of an investigator in the FBI's Civil Rights Division. They will write a report to the Director of the FBI, arguing whether or not the cases covered in the Buried Truths podcast should be reopened and provide evidence to support their stance.

HW- Complete the Objective Perspective assignment and share with the class the next day as an opener.
It was late dusk when the bus pulled into some little town for a stop. ‘We get about ten minutes here,’ Bill said. ‘Let’s get off and stretch our legs. They’ve got a men’s room here if you need to go.’

The driver stood up and faced the passengers. ‘Ten-minute rest stop,’ he announced.

The whites rose and ambled off. Bill and I led the Negroes towards the door. As soon as he saw us, the driver blocked our way. Bill slipped under his arm and walked towards the dim-lit shed building.

‘Hey, boy, where you going?’ the driver shouted to Bill while he stretched his arms across the opening to prevent my stepping down. ‘Hey, you, boy, I’m talking to you.’ Bill’s footsteps crunched unhurriedly across the gravel.

I stood on the bottom step, waiting. The driver turned back to me.

‘Where do you think you’re going?’ he asked, his heavy cheeks quivering with each word.

‘I’d like to go to the rest room.’ I smiled and moved to step down.

He tightened his grip on the door facings and shouldered in close to block me. ‘Does your ticket say for you to get off here? he asked.

‘No, sir, but the others —’

‘Then get your ass back in your seat and don’t you move till we get to Hattiesburg,’ he commanded.

‘You mean I can’t go to the —’

‘I mean get your ass back there like I told you,’ he said, his voice rising. ‘I can’t be bothered rounding up all you people when we get ready to go.’

‘You announced a rest stop. The whites all got off,’ I said, unable to believe he really meant to deprive us of rest-room privileges.

He stood on his toes and put his face up close to mine. His nose flared. Footlights caught silver glints from the hairs that curled out of his nostrils. He spoke slowly, threateningly: ‘Are you arguing with me?’

‘No sir.’ I sighed. ‘Then you do like I say.’

We turned like a small herd of cattle and drifted back to our seats. The others grumbled about how unfair it was. The large woman was apologetic, as though it embarrassed her for a stranger to see Mississippi’s dirty linen.

‘There’s no call for him to act like that,’ she said. ‘They usually let us off.’

I sat in the monochrome gloom of dusk, scarcely believing that in this year of freedom any man could deprive another of anything so basic as the need to quench thirst or use the rest room. There was nothing of the feel of America here. It was rather some strange country suspended in ugliness. Tension hung in the air, a continual threat, even though you could not put your finger on it.

‘Well,’ I heard a man behind me say softly but firmly, ‘if I can’t go in there, then I’m going in here. I’m not going to sit here and bust.’
I glanced back and saw it was the same poorly dressed man who had so outraged Christophe. He walked in a half crouch to a place behind the last seat, where he urinated loudly on the floor. Indistinguishable sounds of approval rose around me — quiet laughter, clearing throats, whispers.

‘Let’s all do it,’ a man said.

‘Yeah, flood this bus and end all this damned foolishness.’

Bitterness dissolved in our delight to give the bus driver and the bus as good as they deserved.

The move was on, but it was quelled by another voice: ‘No, let’s don’t. It’ll just give them something else to hold against us,’ an older man said. A woman agreed. All of us could see the picture. The whites would start claiming that we were unfit, that Negroes did not even know enough to go the rest room — they just did it in the back of the bus; never mentioning, of course, that the driver would not let us off.

The driver’s bullish voice attracted our attention.

‘Didn’t you hear me call you?’ he asked as Bill climbed the steps.

‘I sure didn’t,’ Bill said pleasantly.

‘You deaf?’

‘No, sir.’

‘You mean to stand there and say you didn’t hear me call you?’

‘Oh, were you calling me?’ Bill asked innocently. ‘I heard you yelling “Boy” but that’s not my name, so I didn’t know you meant me.’

Bill returned and sat beside me, surrounded by the approval of his people. In the immense tug-of-war, such an act of defiance turned him into a hero.

**Performance Task**

**Objective Perspective**

**Directions:** After you answer the questions below, write a one-page typed or two-page written narrative from the point of view of the object you chose. Your narrative should be written in first person and include details from the podcast, but feel free to incorporate additional context, events, and/or people throughout. Use your podcast graphic organizer for help!

1. What object/thing did you choose from the podcast?

2. What does the object see throughout the podcast and beyond?

3. How does the object feel about the events in the podcast?

4. What observations could the object make about the time period and type of people that it observes?

5. How is the object’s interpretation different from a person in the same situation(s)?
### Objective Perspective Rubric

<table>
<thead>
<tr>
<th></th>
<th>16-20 pts</th>
<th>11-15 pts</th>
<th>6-10 pts</th>
<th>1-5 pts</th>
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</thead>
<tbody>
<tr>
<td><strong>Organization</strong></td>
<td>The narrative is logical, interesting, and easy to follow.</td>
<td>The narrative has a logical sequence which audience can follow.</td>
<td>Audience has difficulty following the narrative because student jumps around.</td>
<td>Audience cannot understand the narrative because there is no sequence of information.</td>
</tr>
<tr>
<td><strong>Subject Knowledge</strong></td>
<td>Student uses 5 or more references to content in the podcast and incorporates historical references outside of the podcast.</td>
<td>Student uses 5 or more references to content in the podcast.</td>
<td>Student uses 3-4 references to content in the podcast.</td>
<td>Student uses 0-2 references to content in the podcast.</td>
</tr>
<tr>
<td><strong>Total Points:</strong></td>
<td></td>
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/40 pts
The Buried Truths lesson plans were created by WABE, Atlanta’s NPR station, with support from the Georgia Department of Education.

We invite you to share with us the ways in which you used the Buried Truths lesson plans on Facebook and Twitter or email us at Hank@buriedtruths.org