INTRODUCTION

This unit has been developed for seventh and eighth grade students and it will be taught in social studies, language arts and through team teaching and an interdisciplinary approach.

The unit’s main focus is on the civil rights issues of the nineteen-sixties. It will also focus on the school and some communities. It will focus on the definition of defining human rights including not only political and civil rights, but also social, economic, and cultural rights.

Civil rights are freedoms and benefits that are guaranteed to people by law or tradition. The term “civil rights” refers to guarantees by law of fair and equal treatment for all people, regardless of race, religion, ethnic origin, age, sex, sexual orientation, disabilities, or personal beliefs.

The term “civil rights” is often used interchangeably with the terms “civil liberties” and “human rights.” Together, these phrases refer to the natural desire of all people to achieve freedom, equality, and justice. They include such basic rights as freedom of speech, religion, and assembly; the right to take part in the political process; and the right to fair and equal treatment under the law. These rights are also protected against government interference. Civil rights and civil liberties are the cornerstones of a free society.

The idea of civil rights and civil liberties has grown out of three main schools of thought. Some philosophers in the 1600s developed the theory of natural law. They argued that because human beings are created by God or nature, people have certain natural rights. The idea of natural rights was later included in the American Declaration of Independence of 1776. It states that “all men are created equal” and “endowed by their Creator with certain unalienable rights.”

A second school of that time took the position that rights and liberties came from the political state or society to which a person belonged. According to this group of thinkers, a person living outside organized society had no rights except that of self-defense. Therefore, it was argued only a government with the power to enforce the law can protect the rights of an individual. In order to have rights, then, a person must accept society’s rule.

The third school held that human rights were utilitarian because society benefited from the free and open
exchange of ideas. One of the leaders of this school of thought was the English philosopher John Stuart Mill who believed that freedom was good for both society and the individual. Freedom made people think and act for themselves, and this made them better people.

Long before civil rights came to the forefront in the societies, people's civil rights were being violated. After World War II the record of the federal government on civil rights was mixed. In Asia and Africa particularly, news of mistreatment of Negroes or other signs of color prejudice in the United States always damaged the nation's reputation. Nevertheless, civil rights became the most controversial political and social problem in the United States.

Civil rights and civil rights acts date as far back as 1865 and earlier, and they continue until today. The Civil Rights movement of the sixties demanded the end of Segregation in all aspects of American life, but that has not happened. There is segregation in almost every facet of our life, from the food we purchase to the school we attend, the church and society at large.

Race relations and poverty played an important role in civil rights. In the sixties one fourth of the poor was nonwhite, although nonwhites comprised only eleven percent of the population. The average minority earned just slightly more than half of whites' earnings and over half of the minorities were unemployed.

In the sixties several millions of whites escaped from poverty while only a few million of minorities did. Economic was not the only problem; deep-seated prejudices highlighted the lives of minorities who was economically well off. In order to try and eradicate poverty the federal government passed the Economic Opportunity Act and they implemented the Job Corps, a community action program to finance local efforts. Included was an educational program for small children and a system for training the unskilled unemployed.

Young people were in the forefront in both the fight for minorities and women in general. They were discontented, full of dilemmas and conflict and were affected more strongly than the older people and they reacted more forcefully. No valued institution escaped their criticisms including the educational system which poorly met their needs.

BACKGROUND ON CIVIL RIGHTS

In this great nation of ours, maintaining respect for diversity is one of our biggest problems and has been since the 1600s. People's rights have been violated for years. The term “civil rights” is often used interchangeably with the terms “civil liberties” and “human rights,” which refer to people achieving freedom, equality, and justice. They include such basic rights as freedom of speech, religion, and assembly, the right to take part in the political process, and the right to fair and equal treatment under the law. These rights are protected against government interference. Civil rights and civil liberties are the cornerstone of a free society.

There have been many movements in the United States in which various groups of citizens have fought to secure personal and property rights guaranteed them by the United States Constitution. The Civil Rights movement in the U.S. refers to the campaign of African-Americans, who for reasons of prejudice, had long been denied many of the rights of citizenship enjoyed by white Americans. The racial injustices inflicted on African-Americans led to a period of social unrest in the 1950s and 1960s, when the black communities supported by many white sympathizers, rose up and challenged the social systems and authorities that were
depriving them of their rights as citizens.

After the civil war, from 1861 to 1865, three amendments to the Constitution, known as the Reconstruction Amendments, were approved. The Thirteenth Amendment of 1865 ended slavery, the Fourteenth Amendment of 1868 made citizens of ex-slaves, and the Fifteenth Amendment of 1870 guaranteed African-American men the right to vote. The prejudice against blacks was so pervasive that the new laws, and the rights that accompanied citizenship, were often ignored.

After the enactment of the Civil Rights Act of 1875, Congress took the first legislative steps to forbid the government to discriminate against blacks in public facilities at any level. This really did not work because the U. S. Supreme Court later held that the law applied only to legislation passed by the federal government. Many states, in the south particularly, took advantage of the ruling and passed a series of racially discriminatory laws that segregated the blacks from the whites in public accommodations. These laws were strengthened by the U. S. Supreme Court in 1896 in the ruling that approved “separate but equal,” *Plessy V. Ferguson*. The laws gave whites legal permission to treat blacks as second-class citizens.

**MODERN CIVIL RIGHTS BEGAN**

Modern civil rights began on May 17, 1954 when the Supreme Court overturned *Plessy* and ruled in the case of *Brown v. Board of Education*. The Court stated that the principle of “separate but equal” was unconstitutional in the public school system. It was understood that this principle should apply to all areas of public life.

In 1955 a black seamstress in Alabama, named Rosa Parks, refused to give up her seat on a bus to a white man and for this protest she was arrested.

Blacks in Alabama, no longer willing to sit at the back of the bus, soon launched a bus boycott of the Montgomery bus system and chose a young minister, Dr. Martin Luther King, Jr., to lead them in their protest. For a full year blacks refused to ride and finally, after a Supreme Court ruling in their favor, Montgomery desegregated its public transportation system. This success encouraged other blacks in the South to band together against the caste system. It also made King, who preached civil disobedience as the best way to destroy segregation, a national figure. His organization, the Southern Christian Leadership Conference, moved into the forefront of the Civil Rights movement.

Other new organizations also joined in the struggle, most notably the Congress of Racial Equality (CORE) and the Student Nonviolent Coordinating Committee (SNCC). However, the most significant developments resulted from the actions of ordinary individuals, chiefly students. In February 1960 four black students in Greensboro, North Carolina, sat down at a segregated lunch counter in a local five-and-ten and refused to leave when they were denied service. Their “sit-in,” a tiny defiance in itself, sparked a national movement. CORE rushed field workers to Greensboro, students in dozens of other southern towns and cities copied their example, until, by late 1961, over 70,000 persons had participated in sit-ins and over a hundred lunch counters had been desegregated.

In May 1961 another group of Negro and white foes of segregation organized a “freedom ride” to test the effectiveness of federal regulations prohibiting discrimination in interstate transportation. Boarding buses in
Washington, they traveled across the South. In Alabama they ran into trouble: at Anniston racists set fire to their bus, in Birmingham they were assaulted by a mob. Quickly other groups of freedom riders descended on the south, many deliberately seeking arrest in order to test local segregation ordinances in the courts. Repeatedly, these actions resulted in the breaking down of legal racial barriers.

The civil rights crusade soon spread to the North. Negroes, often joined by sympathetic whites, boycotted stores that refused to hire members of their race and picketed construction sites where black workers were not employed. In New York City some militants organized “rent strikes” to call attention to the noxious condition of Harlem tenements and school boycotts to protest against the de facto segregation that existed in predominantly black neighborhoods. The nationwide impact of the “Freedom Now” crusade was highlighted in August 1963 when 200,000 persons participated in an impressive “March on Washington” to demand racial equality. The orderly nature of the immense throng that gathered before the Lincoln Memorial and the evident sincerity of all concerned had a considerable impact upon public opinion.

The passage of the Civil Rights Act of 1964 seemed like a major step forward, but the forces resisting change remained formidable. In the spring of 1965 peaceful demonstrators in Selma, Alabama, were brutally assaulted by state policemen wielding clubs and tossing canisters of tear gas into their ranks. Liberal opinion was shocked as never before; thousands descended upon Selma from all over the nation to demonstrate their sympathy and support for Americans blacks. Congress passed still another civil rights act, giving the federal government power to send officials into the South to register black voters. Another law, passed in 1968, took important steps in the direction of outlawing discrimination in the sale and rental of housing, and imposed stiff criminal penalties on persons found guilty of interfering with anyone’s civil rights.

Yet in spite of and to an extent because of civil rights legislation, racial conflict remained America’s most serious domestic problem. As in so many other aspects of modern life, progress itself caused new difficulties to arise. Official recognition of past injustices made Negroes more insistent that all discrimination be ended, and the very process of righting past wrongs gave them the strength to carry on their fight more vigorously.

Black militancy, building steadily during the war and postwar years, had long been ignored by the white majority, but in the middle sixties it burst forth so powerfully that the most smug and obtuse white citizens had to accept its existence.

As has been seen, the World War II record of the federal government on civil rights was mixed. A beginning was made at increasing opportunities for Negroes in the armed forces, and because of the labor shortage, black workers improved their economic position considerably. After the war, the ideological conflict with the communists provided an additional reason for concern about racial intolerance. In Asia and Africa particularly, news of the mistreatment of Negroes or other signs of color prejudice in the United States always damaged the nation’s reputation.

Nevertheless, civil rights became the most controversial political and social problem in the United States after 1945, for two quite separate reasons. Fear of communist subversion led to repressions, culminating in the excesses of McCarthyism, that alarmed liberals without quieting the fears of conservatives. And the rising aspirations of American Negroes, highlighted by their awareness that as the centennial of the Emancipation Proclamation approached they were still second-class citizens, produces an increasing militancy among members of the race that shook the political structure of the country.

Truman was president from (1945-52). He tried harder than any previous president to improve the lot of the blacks. Although his own loyalty program was not always administered with sufficient regard for individual
rights, he vetoed the McCarran Act, saying that it would “put the Government into the business of thought control.” However, Congress overrode the veto by a voice vote. President Truman created a Committee on Civil Rights, and he pressed for the desegregation of the armed forces. But his efforts to obtain federal antipoll tax and antilynching legislation were filibustered to death in the Senate and Congress also refused his request for a permanent Fair Employment Practices Commission.

Under Eisenhower, (1953-60) while the McCarthy hysteria reached its peak and declined, the government compiled a spotty record on civil rights.

As for the blacks, Eisenhower completed the formal integration of the armed forces and appointed a Civil Rights Commission, but he was temperamentally incapable of making a frontal assault on the racial problem. All in all, civil libertarians had little to cheer about as the nation passed mid-century.

At this point, the Supreme court interjected itself into the civil rights controversy in dramatic fashion. Under pressure of litigation sponsored by the National Association for the Advancement of Colored People, the Court had been gradually undermining the “separate but equal” principle laid down in Plessy v. Ferguson (1896). Attention focused on the segregated public schools of the South.

In 1953, President Eisenhower appointed California’s Governor Earl Warren as Chief Justice. Convinced that the Court must take the offensive in the cause of civil rights, he succeeded in welding his associates into a unit on the question. In 1954 an NAACP-sponsored case, Brown v. Board of Education of Topeka, came up for decision. In this case, Thurgood Marshall, leader of the NAACP campaign, directly challenged the “separate but equal” doctrine even at the elementary school level, submitting a mass of sociological evidence to show that the mere fact of segregation made equal education impossible and did serious psychological damage to both black children and white. Speaking for a unanimous Court, Warren accepted Marshall’s reasoning and specifically reversed the Plessy decision. “In the field of public education, the doctrine of ‘separate but equal’ has no place,” Warren declared. “Separate educational facilities are inherently unequal.” Recognizing the practical problems posed by this edict, the Court, in 1955, ordered the states to proceed “with all deliberate speed” in integrating their schools.

The Warren court also handed down a series of rulings protecting the civil rights of radicals.

Such actions led conservatives to denounce the Court, but the justices held their ground. In 1962 and 1964 they moved in still another direction, requiring that both state legislative and federal congressional districts be apportioned strictly in terms of population, in accordance with the principle of “one man, one vote.” In nearly all the states rural areas were heavily overrepresented, chiefly because as the trend of population toward the cities proceeded, legislators had refused to reapportion election districts. Since this resulted in the votes of some citizens having less weight than others, the Court held that their right to equal protection of the law was being violated. It applied this rule even to the upper houses of state legislatures, some of which in imitation of the United States Senate, were organized on a purely geographical basis.

Segregation became highly significant in the Court’s history. The most immediately important, however, was the school desegregation case. Despite the Brown decision, few districts in the 17 southern and border states seriously tried to integrate their schools. Within two months after the ruling, White Citizens Councils dedicated to all-out opposition were springing up all over the South. Some southern employers took reprisals against Negro jobholders who tried to enroll their children in white schools and some landlords evicted their tenants. When the school board of Clinton, Tennessee, integrated the local high school in September 1956, a mob roused by a northern fanatic rioted in protest. The school was kept open with the help of the National Guard,
but the next year segregationists blew up the building with dynamite. In Virginia the governor announced a plan for “massive resistance” to integration that even denied state aid to local school systems willing to desegregate on an experimental basis. When the University of Alabama admitted a single black girl in 1956, riots broke out and university officials forced her to withdraw and then expelled her when she complained more forcefully than they deemed proper.

President Eisenhower hoped to avoid federal involvement in these conflicts. Personally, he thought real equality for Negroes could not be obtained by government edict. “I am convinced that the Supreme Court decision set back progress in the South at least fifteen years.” In 1957 events compelled Eisenhower to act. That September the school board of Little Rock, Arkansas, opened Central High School to a handful of carefully picked black children. However, the governor of the state, Orville M. Faubus, called out the National Guard to prevent them from attending. Egged on by the governor, unruly crowds taunted the children and their parents. Eisenhower could not ignore this direct flouting of federal authority. He dispatched a thousand paratroopers to Little Rock and summoned 10,000 National Guardsmen to federal duty. The black children then began to attend classes, but it was necessary to maintain a small force of soldiers at Central High for the entire school year to protect them.

Such extremist resistance strengthened the determination both of Negroes and of many northern whites to make the South comply with the desegregation decision. Besides pressing a variety of cases in the federal courts, leaders of the movement sought to bring internal pressure on the southern states by conducting a drive to win political power for southern blacks, long systematically excluded from the polls. In September 1957 Congress established a Civil Rights Commission with broad investigatory powers and a new Civil Rights Division in the Department of Justice. This law also authorized the attorney general to obtain injunctions to stop southern registrars and election officials from interfering with Negroes seeking to register and vote.

President Kennedy’s original approach to the civil rights problem was to make full use of existing laws rather than to seek new legislation. Under the vigorous direction of his brother Robert, the Justice Department acted to force the desegregation of interstate transportation facilities in the South, to compel southern election officials to obey civil rights legislation, and to override resistance to school integration. In 1962, when Mississippi authorities, led by Governor Ross Barnett himself, blocked the admission of a Negro student, James H. Meredith, to the University of Mississippi, President Kennedy called the Mississippi National Guard to federal duty and, despite bloody riots, made the university accept the student.

But progress remained painfully slow. The new aggressiveness of blacks caused alarm in some quarters in the North and there was ominous talk of a “white backlash.” The belief that all citizens should be guaranteed the basic civil rights was growing steadily stronger. In 1961 the Twenty-third Amendment to the Constitution was ratified, giving residents of the District of Columbia the suffrage in Presidential elections. Three years later the Twenty-fourth Amendment outlawed state poll taxes in federal elections, a device traditionally employed to keep poor Negroes from voting in the South. After Kennedy’s assassination, the Civil Rights Act of 1964 outlawed discrimination in all places of public accommodation, such as hotels, restaurants, and theaters. It also empowered the attorney general to bring suits on behalf of individuals to speed school desegregation and strengthened his hand still further in the campaign to register Negro voters. Racial discrimination by both employers and unions was also declared illegal, and federal agencies were authorized to withhold funds from state-administered programs that failed to treat blacks and whites equally.

The Supreme Court promptly upheld the constitutionality of this law and the southern reaction, while anything but enthusiastic, was much less violent than many observers had feared. By the end of 1964 the public
The accommodations section was being enforced in some southern cities. At the end of the 1963-64 school year, only half the black children in the border states and barely one percent of the 2.84 million in the states of the old Confederacy were attending white schools. Local customs died hard. In many communities, for example, traveling blacks mixed with whites in restaurants and bus terminals, but local Negroes kept to themselves, partly out of fear, partly for lack of money, partly through choice. Fear also kept many from appearing before the new federal registrars. “Too many Negroes are not desegregated mentally yet,” one Nashville clergyman explained.

The Negro struggle for equality influenced and was paralleled by that of Mexican Americans, principally in the southwestern states. The fortunes of la raza, as the Spanish-speaking community in the Southwest called itself, were affected by the same forces that affected blacks. During both World Wars the labor shortage led to improvement of their lot; during bad times, especially during the Great Depression, they were the first to suffer. About half a million were either deported or “persuaded” to return to Mexico during the 1930s. In general, Mexican Americans were underpaid, badly housed, and subject to all sorts of discrimination. At the same time their labor was badly needed in may areas. Both during World War II and again between 1948 and 1965 federal legislation encouraged the importation of farm workers from Mexico, and may other Mexicans entered the country illegally. The latter were know as mojados or “wetbacks,” because they often slipped across the order by swimming the Rio Grande.

Spanish-speaking residents of the Southwest had been traditionally apolitical and submissive; they tended to accept their fate with resignation, to mind their own business, not to “make trouble.” But in the early 1960s a new spirit of resistance arose. Leaders of the new movement called themselves Chicanos, possibly shortened form of the word Mexicano, a Mexican. The Chicanos demand better schools for their children and easier access to higher education. They urged their fellows to take pride in their traditions and culture, to demand their legal and human rights, to organize themselves politically. As with the blacks, the dominant middle-class majority adjusted itself to Chicano demands grudgingly and very slowly. Although many people agree with the concepts, principles, and ideas behind civil rights and civil liberties, the government and some people in society will try to restrict those rights. Because civil rights have been threatened throughout history laws have been passed and implemented to protect them. Much remained to be done before true racial equality can be achieved in the United States.

LESSON PLANS and ACTIVITIES

I. Objective: to become familiar with the Constitution and the Bill of Rights.
   a. Show film—“Making of the Constitution.”
   b. Discussion of the film.
   c. Explain the parts of the Constitution and their purposes.
II. Objective: To become Constitution literate and Amendment literate.
    Distribute a copy of the Constitution and the Amendments to each student.
Divide the class into groups. Each group will select two to four of the amendments and prepare for a presentation as to why the amendments are important when it comes to civil rights and civil liberties.

b. Define racism, prejudice, and discrimination.

III. Objective: To improve students reading and writing.

a. Students will read three books over a six week period and write a book report. Books can be selected from the students’ reading list.

b. Have student research the following questions and write two to three paragraphs on each.

What forms of segregation did the civil rights movement fight against?
What did the federal government do to help in the fight for equality for African Americans?
How did women’s roles in society between 1950 and 1970 change?

Comprehension and Critical Thinking

I. Cause and Effect

On a separate sheet of paper, answer the following questions about cause and effect in the struggle of African Americans for equal rights.

1. Why were few African Americans elected to government positions before 1960?
2. According to the Supreme Court Decision of Brown vs. Board of Education in 1954, what was the effect of “separate but equal”?
3. What incident sparked the civil rights movement?

II. Fact or Opinion

Decide whether each of the following statements is a fact or opinion. Write each statement on a separate sheet of paper. Next to each statement, write F for fact or O for opinion.

1. When African Americans began to vote in increasing numbers, they gained political power.
2. Southern states used poll taxes, grandfather clauses, literacy tests, and threats of violence to keep African Americans from voting.
3. Nonviolent civil disobedience is more effective than black separatism or black power.

III. Contrasting and Comparing

On a separate sheet of paper, write a few sentences either comparing or contrasting the following.

1. Contrast the views of Malcolm X and Martin Luther King, Jr.
2. Compare the Civil Rights Act of 1964 and the Brown vs. Board of Education Supreme Court decision of 1954.
3. Contrast the situation of African Americans before 1960 and today.
Problem Solving

1. Divide class into four or five groups. Permit the groups to think of a right that they think all people should have, eg. be protected from robbers and burglars. Individually or in the groups have students explain how they think those rights can be protected.
2. Have the groups give some thought to what their classroom would be like if there were no rules. Think what might happen if the teacher didn’t have the right to tell anyone what to do. Choose a student from each group to explain their answers.
3. Give the groups the following information and have them make a decision as to why or why not it is unfair discrimination.

- Their city fire department will not hire women as firefighters.
- Their state has a law that says all students of the same race must attend separate schools from the other students in their community.
- Two people of different race work for the state at the same jobs. One is paid less than the other.
- Their city has a regulation that states, their family cannot live in some sections of the city because of their religious beliefs.

4. Most people obey a law that they think is unjust why, why not? What can people do to change the law or laws.

ENRICHMENT

1. Select four different African American political leaders in this century. Write a paragraph about their background and what methods they used in the fight for civil rights.

Most of these words will be referred to within the unit. In order to maximize retention and promote familiarity, have students learn the definitions and use each word in a sentence.
Vocabulary List

1. National Association for the Advancement of Colored People (NAACP)
2. Student Non Violent Coordinating Committee (SNCC)
3. Sit-Ins
4. Nonviolent resistance
5. Civil Rights Movement
6. Black separatism
7. Black power
8. Freedom rides
9. Jim Crow laws
10. Segregation
11. Separate but equal
12. Separation of powers
13. Poll tax
14. Natural rights
15. Equal protection clause
16. Constitution
17. Bill of rights
18. Basic right
19. Literacy test
20. Equal protection clause
Resource List

Films
“Eyes on the Prize”

“Malcolm X”

“Americans Civil Rights Movement”

Speakers

Gary Highsmith
259 Edgewood Ave.
New Haven, Ct. 06511
203-946-8854

Bernard Ferrara
259 Edgewood Ave.
New Haven, Ct. 06511
203-946-8854

The video “America's Civil Rights Movement” introduces the civil rights movement through people who risked their lives during the movement. The video challenges the students to understand the primary fundamental democratic principles behind the movement and to identify with the sacrifices that were made.

For access to the video and other materials, contact:

Bernard Ferraro
Bibliography and Suggested Reading List for Teachers


Harris, Jacqueline, L. *History and Achievement of the NAACP :* Franklin Watts, New York, 1992. This is a history of the NAACP and some of its accomplishments.


Whitney Young, Jr. Director of the National Urban League in this book.


Bibliography & Suggested Reading List for Students


This book provides information on famous fights for human rights.


This is an introduction to the United States Government.


In this book is the story of very young people who fought for civil rights.
This is a dramatic story of some of the men and women who fought for the rights we enjoy today.

This book examines the relationship and the relevance of federalism in the 1980’s.

This book contains information about the 250,000 people march on Washington demanding a change.

This work defines human rights and how they can be protected.

In this book young civil rights activists tell their own stories.