

ASSIGNMENT DISCOVERY ONLINE CURRICULUM

Lesson Title:

Racism: Law and Attitude

Grade Level:

11-12, with adaptation for younger students

Subject Area:

United States History, Civics

Duration:

Two days

Objectives:

Students will

1. understand the difference between *de facto* and *de jure* discrimination in the United States, and
2. understand the challenges in creating and enforcing laws that make certain racist actions and speech illegal.

Materials:

- Reference materials on the Constitution of the United States, the Bill of Rights, and de jure and de facto racism
- Writing materials
- Internet access (if accessible)
- Take-Home Activity Sheet: Fighting De Facto Racism

Procedures:

1. In order for students to begin to understand that racism (the idea and racist practices) is contrary to the ideals set forth by the founders of the United States, it is important for them to know what those ideals are. Read the famous second paragraph of the Declaration of Independence to the class. Ask students to listen carefully and write down key words (such as *equal*, *life*, *liberty*, and the *pursuit of happiness*) that describe the ideals our founding fathers sought to create in an independent democracy.

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.

2. Now discuss with students whether they believe that all people in the United States have equal rights as defined in the Declaration of Independence? Even when the law seems to grant full and equal rights to all people, how are some groups of people disenfranchised or discriminated against? Why do you think this happens?
3. As a class, define racism. (For example: “Racism is the belief that certain races of people are by nature superior to others. Racism can also be discrimination based on race.”) Ask students to provide examples of racism in our nation’s history. Student examples might include slavery, segregation, hate groups, hate crimes, racial profiling, affirmative action, and employment discrimination. Once the class has generated a list of examples of racism, ask them to divide the list into those practices of racism that are illegal and those that are wrong but not currently illegal. (Slavery, segregation, and hate crimes are all illegal, while the existence of hate groups, racist Web sites, racist song lyrics, or other racist publications are not illegal.)
4. Explain to students that racism can be described in two ways: **de jure** (that which is a matter of law) and **de facto** (that which is in reality or evidenced by human attitude). Slavery, segregation, and hate crimes are considered de jure discrimination because they are illegal. Hate groups, racist Web sites, and other racist publications are considered de facto; they might contradict the ideals that the founding fathers of the United States proclaimed, but they are not punishable by law.
5. Ask students to talk about the effects of de facto racism. (For example, are there any consequences to racist Web sites? If so, what are they?) Can de facto racism be controlled by acts of law? Should they be? Why or why not? Do you think there’s a connection between de facto racism and hate crimes? Why or why not?
6. Now introduce the Bill of Rights to your students. (This document is available online at <http://www.constitutionfacts.com/amendments.shtml>.) Remind students that the Bill of Rights contains the first 10 amendments to the Constitution. These amendments were added in 1791 to protect the rights of individuals. Have students read the First Amendment:

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.

Ask students to discuss the meaning of this amendment. Why is this amendment so important? What everyday rights would be taken away if we didn’t have this amendment? How would our nation be different? (You may want to discuss the

consequences in a nation that does not have freedom of speech.) Now ask students to consider this: Does this amendment protect some forms of de facto racism? If so, how? Discuss with students the challenges of creating legislation that both protects free speech and expression while protecting people from acts of racism.

7. Pass out copies of the Take Home Activity Sheet: Fighting De Facto Racism. In this homework assignment, students will review the terms *de jure* and *de facto* and provide examples for each. They will then compose an essay on what they believe to be the best strategy to overcoming de facto racism.

Adaptation for grades 9-10

Rather than prepare individual essays, have the students contact their state legislator's office to learn about historical or current legislation passed in their state that deals directly with racist behaviors or attitudes. The class as a whole might read the legislation and discuss whether or not they believe it has proven effective in their state. In addition, discuss which nonlegislative efforts have proven effective (such as education, marches, and parenting).

Questions:

1. What does the word *racism* mean to you? What behaviors and attitudes does a racist person display?
2. Discuss the challenges that we face in dissolving racism in the United States.
3. Do racist publications, such as song lyrics or Web sites, influence people's opinions and attitudes toward others? How do they make you feel?
4. How is racism like sexism? Ageism? How is it different? How have we as a country prioritized each of these forms of discrimination?
5. What is a hate crime? Discuss one hate crime that has made the national news in recent years. How did it make you feel?
6. Should laws be created that increase the punishment of criminal acts proven to be motivated by discrimination? Do you think hate crime legislation helps decrease or at least deter acts of racism that lead to violence? Why or why not?

Evaluation:

Students will be evaluated based on their ability to demonstrate an understanding of the differences between de jure and de facto racism, as well as their ability to communicate (through class discussion and essay writing) their opinions as to how de facto racism can be fought.

Three points: Student has actively participated in classroom discussions, was able to provide examples of different types of racism in the activity sheet, and has completed a thoughtful, well-constructed essay on how he or she believes de facto racism can be overcome.

Two points: Student has participated to some degree in the classroom discussions, was able to offer at least one example of both types of racism, and

completed a fairly clear essay on how he or she believes de facto racism can be overcome.

One point: Student was attentive during classroom discussions, but was unable to provide a sufficient definition or examples for de jure and de facto racism, and had difficulty constructing a clearly written essay.

Extensions

Examining the Law

Have students select a form of racism that has become illegal (de jure) and research the laws that were written to address it. Students may choose to research the Thirteenth Amendment, which abolished slavery; the Fifteenth Amendment, which made it illegal to deny people the right to vote based on the color of their skin or their religion; or the Civil Rights Act of 1964, which bans discrimination because of a person's color, race, national origin, religion, or sex. Students may also choose to research hate crime legislation that has been passed in their state. Have students outline the legislation they have studied by answering questions such as: What is the law? When was it passed? Why was it passed? What does it say? Has it been effective? Why or why not?

Web Links:

Enriching the Focus on Ethnicity and Race

American Psychological Associations' Task Force on Diversity Issues at the Precollege and Undergraduate Levels of Education in Psychology offers this interesting article geared for teachers dealing with ethnicity and race.

<http://www.apa.org/monitor/mar98/dial.html>

United States Census

Lesson plans provided to examine the latest Census which could be a great starting point in examining "A question of Race."

<http://www.census.gov/>

American Anthropological Association Statement on “Race”

American Anthropological Association attempts to represent the generally held thoughts and scholarly positions of a majority of anthropologists on the issue of race. This statement could be used as an interesting point of discussion.

<http://www.ameranthassn.org/stmts/racepp.htm>

Hidden Racism Requires Super Sleuthing

Take an International look at hate as Discovery Channel Europe takes a look at hate in America and Ireland. An extensive list of links to learn more about Personal and Institutional Racism are included.

<http://www.discoveryeurope.com/hateandviolence/usahate/usahatehome.html>

Vocabulary:

de facto

Definition: In reality or fact.

Context sentence: **De facto** racism will exist even if we find a way to make racism illegal.

de jure

Definition: According to law.

Context sentence: When slavery was abolished, the United States eliminated one form of **de jure** racism.

discriminate

Definition: To make distinctions on the basis of class or category without regard to individual merit; to show preference or prejudice.

Context sentence: It is unlawful to **discriminate** against someone based upon his or her race, religion, or sex.

legislate

Definition: To create or pass laws.

Context sentence: It is one thing to **legislate** against racism, while it is another to do away with it.

race

Definition: A categorization of people based on shared biological traits, such as skin color, hair texture, and eye shape.

Context sentence: Some question whether humans are all a part of a single **race** or from a variety of races.

racism

Definition: belief that certain races of people are superior to others; discrimination based on race

Context: Many people believed that the crime was driven by **racism**.

Academic Standards:

Grade Level:

9-12

Subject Area:

Civics

Standard:

Understands the role of diversity in American life and the importance of shared values, political beliefs, and civic beliefs in an increasingly diverse American society.

Benchmark:

Knows examples of conflicts stemming from diversity and understands how some conflicts have been managed and why some of them have not yet been successfully resolved.

Grade Level:

9-12

Subject Area:

Civics

Standard:

Understands the sources, purposes, and functions of law, and the importance of the rule of law for the protection of individual rights and the common good.

Benchmark:

Knows alternative ideas about the purposes and functions of law (e.g., regulating relationships among people and between people and their government; providing order, predictability, security, and established procedures for the management of conflict; regulating social and economic relationships in civil society).

Credit

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Fighting De Facto Racism

1. Explain the differences between de facto and de jure racism. Provide examples of both:

2. Compose an essay on what you believe to be the best strategy to fighting de facto racism in the 21st century. In your essay, address some or all of the following questions: Can de facto racism be overcome? Should laws be made to control de facto racism? Why or why not? Should more emphasis be placed on educating people about bias and racism? Should parents become more involved in teaching their children tolerance? What other ways can you fight de facto racism in a society? Provide examples when possible.