

TEACHING DEMOCRACY

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Oakland Technical High School

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Cal Humanities & The California History-Social Science Project

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*What were
the
challenges
to African
American
citizenship
after the
Civil War?*



Teaching Democracy is a partnership between the California History-Social Science Project (CHSSP) and Cal Humanities. **Teaching Democracy** seeks to both deepen student understanding of the history of American democracy and promote an engaged and knowledgeable citizenry. Our partnership hopes to invigorate K-16 educators to formulate new ways to help students make connections between ideas upon which the United States was founded and its governance.

Teaching Democracy provides three major curricular resources for teachers and their students: presentations by leading scholars, selected primary sources, and Standards-aligned curriculum for teachers, including this lesson. These materials will be distributed in five online webinars scheduled for 2012 and archived with recorded presentations on the Teaching Democracy website for future classroom use.

About The California History-Social Science Project:

One of nine disciplinary networks that make up the California Subject Matter Projects (CSMP), the California History-Social Science Project (CHSSP) is headquartered at the University of California, Davis, and its six sites are housed in the departments of history and geography at university campuses throughout California. Our K-16 collaborative is dedicated to providing the highest quality history instruction, with a special focus on meeting the needs of English learners, native speakers with low literacy, and students from economically disadvantaged communities. For more information, visit chssp.ucdavis.edu.

About Cal Humanities

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About the Author

Jah-Yee Woo is currently a 9th grade English and California History teacher in the Oakland Unified School District. In addition to teaching middle school history, she has coached teacher teams in lesson study and curriculum development. In 2011, she co-authored the History Blueprint Civil War Unit with a team of 8th grade teachers statewide.



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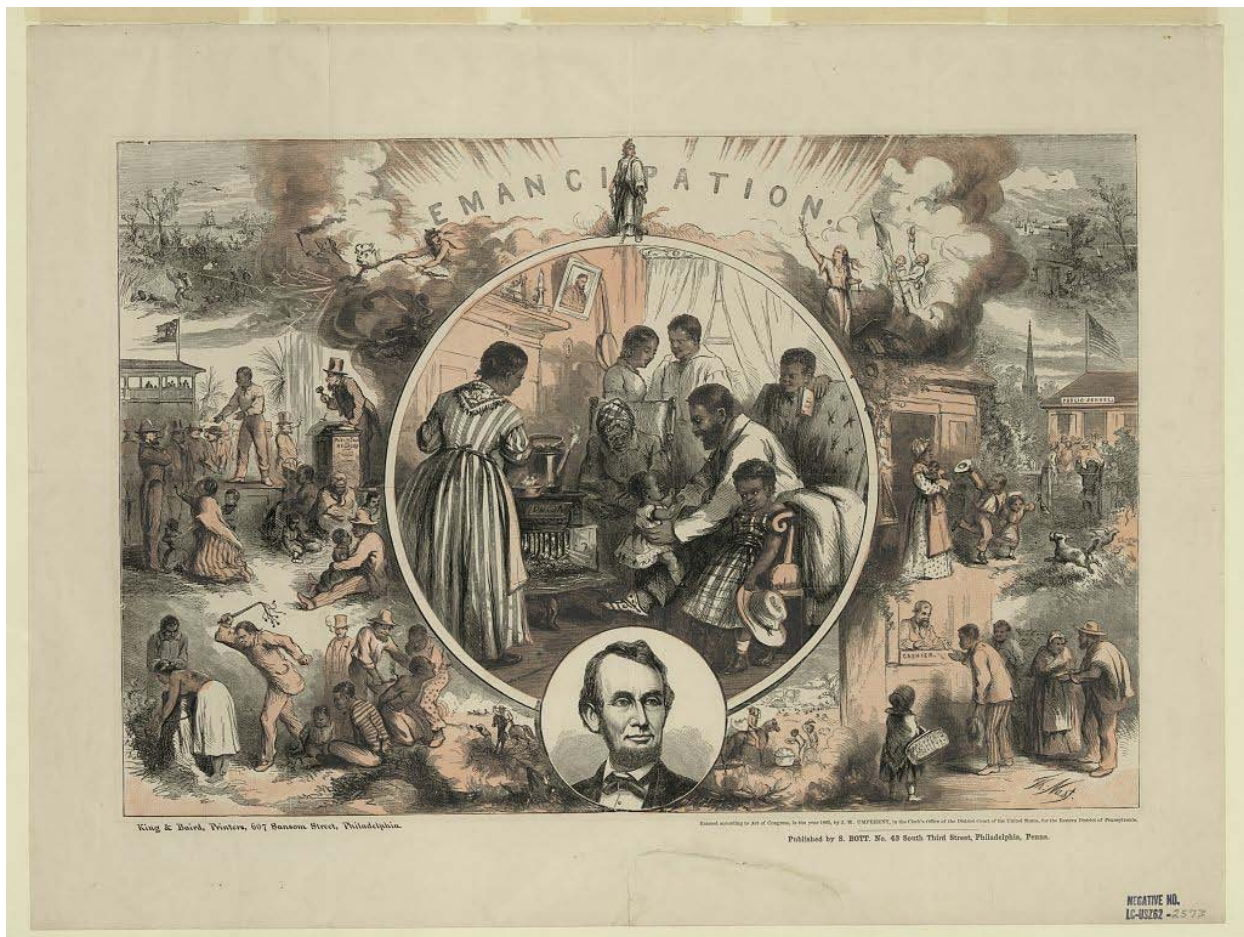
California Content Standards

- ✓ 8.11 Students analyze the character and lasting consequences of Reconstruction.

Common Core State Standards

- ✓ RI.8.1. Cite the textual evidence that most strongly supports an analysis of what the text says explicitly as well as inferences drawn from the text.
- ✓ RI.8.2. Determine a central idea of a text and analyze its development over the course of the text, including its relationship to supporting ideas; provide an objective summary of the text.RH.6-8.1. Cite specific textual evidence to support analysis of primary and secondary sources.
- ✓ RI.8.5. Analyze in detail the structure of a specific paragraph in a text, including the role of particular sentences in developing and refining a key concept.
- ✓ RH.6-8.2. Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge or opinions
- ✓ W.8.2. Write informative/explanatory texts to examine a topic and convey ideas, concepts, and information through the selection, organization, and analysis of relevant content.

What were the challenges to African American citizenship after the Civil War?



Thomas Nast, "Emancipation," published by S. Bott in 1865. Courtesy of the Library of Congress, Prints and Photographs Division, Washington, D.C.

<http://www.loc.gov/pictures/item/2004665360/>

This 8th grade lesson is about citizenship from the perspective of African Americans after the Civil War. The purpose of this lesson is for students to consider the challenges that African Americans faced in achieving full citizenship rights, and actions they took to address this inequality. Students will closely examine the Fourteenth Amendment and a report from an African-American state convention committee in order to answer the lesson focus question, *What were the challenges to African American citizenship after the Civil War?*



Procedures

Step 1: Accessing Prior Concept Knowledge (Class Time: 10 minutes)

Pose the following question, “What rights do people have in the United States?” Have students think-pair-share, and record their responses on the board. Ask students which of these rights are guaranteed by the Bill of Rights? Notate the responses by numbering the rights according to the amendment that guarantees it. For example, if students say that people in the United States have the right to a fair trial, then write “#6” to refer to the Sixth Amendment. Next, transition students back to the late 1800s, and tell them that today we will begin to consider the rights of citizenship that African Americans had after the Civil War. Ask students which of the rights they listed were also enjoyed by African Americans after the Civil War. Circle or star the rights they identify. Then introduce the focus question, *What were the challenges to African American citizenship after the Civil War?* Tell students that we will begin to answer the focus question by reviewing the Fourteenth Amendment, which defined and outlined the rights of citizenship.

Step 2: Close Reading of the Fourteenth Amendment (Class Time: 30 minutes)

Inquire of students, *What are the rights of citizenship according to the Fourteenth Amendment?* Tell students that we are going to look closely at the language of the Fourteenth Amendment to understand the rights the Constitution guarantees to a citizen. Tell students that the timing of Fourteenth Amendment is particularly important as it is ratified three years after the Thirteenth Amendment prohibited slavery. The Fourteenth Amendment was specifically adopted to guarantee full rights of citizenship to the newly freed slaves. Distribute **Student Handout 1: Fourteenth Amendment (1868)**. This sentence deconstruction activity supports students with interpreting how the words and phrases of the Fourteenth Amendment define citizenship in the United States. The shaded boxes direct students to identify who is a citizen and the rights of citizenship. Once students have completed the shaded boxes, they should answer the questions in the last column. Since this is a review of the Fourteenth Amendment, check for student understanding of the following concepts before moving onto the next step:

- Students should understand that in the area of citizenship, the federal government is supreme over states’ rights, as shown by their responses in the last column.
- Students should understand that the Fourteenth Amendment guarantees the rights to life, liberty, property, due process, and equal protection of the law as shown by their responses to the second half of question #1 at the bottom of the handout.
- Students’ understanding of the rights to life, liberty, property, due process and equal protection of the law should reinforce teacher’s prior lessons on History Content Standard 8.1 as shown by their responses to question #1.
- Students should understand that the Fourteenth Amendment purposefully protected African Americans after the Civil War as shown by their responses to question #2.

Step 3: Analyzing Important Arguments of a Primary Source (Class Time: 30 minutes)

Ask students to consider what actions citizens can take if any of the rights guaranteed by the Fourteenth Amendment have been violated. Have students think, pair, then share-out, listing their responses on the



board. Transition them to 1883, fifteen years after the Fourteenth Amendment was ratified. Reconstruction has ended, and the former Confederate states have rejoined the Union. While African Americans had basic and citizenship rights protected by the Constitution in theory, in practice, discrimination and racism prevented them from exercising their rights. Tell students that we will investigate the challenges African Americans faced in terms of their citizenship and how they responded to them. Introduce their primary source reading, “Report of the Committee on Grievances at the State Convention of Colored Men of Texas, 1883.” Provide background by sharing with students that in 1883, a national convention for African Americans was scheduled to be held in Louisville, Kentucky. Conventions were a political process for African Americans to come together to “deal with the problem of growing segregation and the raising of new class barriers.” To prepare for this national convention, African Americans in different states held state conventions to elect delegates - people to represent their state at the national convention - and to write recommendations. The primary source we will examine is the report written by the Committee on Grievances of the Texas State Convention.

Distribute **Student Handout 2: 1883 Texas State Convention Report**. Preview the handout and have students notice that it begins as a letter to the chairman. Have students predict why the Committee wrote a letter to the chairman since they know that there will be a national convention of African-American men. Tell students that we will look for the arguments made by the Committee in this report. Guide students through reading aloud the excerpt, paying close attention to the bolded sections which they will paraphrase. By summarizing the bolded sections in their own words, students will piece together the Committee’s argument. Have students synthesize the six sections into one claim. A sentence frame has been provided as a scaffold.

Step 4: Analyzing the Evidence in Support of a Claim in a Primary Source (Class Time: 60 minutes)

Tell students that the report provides four cases as evidence to support the authors’ claim that African-Americans’ citizenship rights are being violated. Distribute **Student Handout 3: Violations of African American Citizenship** and **Student Handout 4: Report Findings and Recommendations** to students. Model the reading and analysis of the first case on schools by asking the following guiding questions and having students write these guiding questions by the corresponding column in the chart and highlight the text that relates to the guiding questions:

- What is the problem that the Committee identifies in the first sentence or section?
Schools are not equal for black children. From the reading: “The Constitution, and laws made in pursuance thereof, make provision for the education of the youth of the State, without regard to race or previous condition... What we complain of is, that notwithstanding the Constitution, laws, courts, and the Board of Education have decided that provision for each race must be equal and impartial, many cities make shameful discrimination because the colored people do not own as much property on which to pay taxes as the white people do, in proportion to the number of children in each race.”
- What details does the Committee provide to explain this problem?
“They utterly refuse to give colored schools the same provision as to character of buildings, furniture, number and grade of teachers as required by law...The result of this discrimination is, that the white schools of such cities show good fruit, while the colored show poor fruit or none at all.”



- What recommendation does the Committee make?
“...we deem it proper and just, in recognition of our rights, to assist in supervising and control-ling, to have some colored man or men appointed on school boards in cities where there is a large number of colored pupils and patrons — especially where suitable men can be found...”
- Let’s put the problem and recommendation in our own words by identifying the “Who?” and “What?” of text we’ve highlighted.
The Constitution provides education to all young people no matter their race. But, some cities are discriminating against African Americans because they do not pay the same amount of property tax as white people. Tell students that many African Americans could not afford property or if they could, were prevented from owning property due to discriminatory housing policies. So, African American students attend poorly funded schools where the buildings, furniture, and teachers are not equal to white schools. As a result, the African Americans students do not “bear fruit” or progress as much as their white counterparts. The Committee recommends that a man of color is appointed to school boards where there is a large population of African Americans to help make sure schools are equal.
- What does this problem have to do with citizenship and the Fourteenth Amendment?
The inequality in education for African American and white students has to do with the right of equal protection of the law; in fact, one group is being privileged, while others are being hurt. *Students may be informed that the issue of separate but equal facilities will be resolved with Plessy v. Ferguson (1896); the Supreme Court permitted segregated facilities, but this would be overturned with the Brown v. Board of Education in 1954.*
- Let’s record our discussion in the chart.

Then, in small groups, have students read and provide for each case: 1) a summary of the evidence; 2) the committee’s recommendations; and 3) an analysis of its importance to citizenship. Finally, students will need to identify the rights guaranteed by the Fourteenth Amendment that are violated by each case. The graphic organizer guides students in recording this information, and the question at the end checks for student understanding of the evidence provided by the Committee to support their claim.

Step 5: Checking for Understanding (Class Time: 15 minutes)

After students have analyzed the text excerpts from the primary source, lead students in a class discussion of the lesson focus question, using **Student Handouts 1, 2, and 3**, to reinforce their understanding of text and ideas they have read and written about.

Step 6: Assessing Student Understanding of the Focus Question (Class Time: 30 minutes)

Distribute **Student Handout 5: Writing Prompt**. Students will now synthesize their understanding of the lesson focus question in response to the following writing prompt: “To what extent was citizenship equal for African Americans after the Civil War?” Allow students class time to complete. Their written response to the writing prompt will demonstrate their learning.

Student Handout 1: Fourteenth Amendment (1868)

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 persons of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

Instructions: Break down the text of the Fourteenth Amendment above by completing the shaded boxes of the sentence deconstruction chart below.

Prep/ Time Marker	Subject – Who?	Action	Who or what is getting the action	Questions/ Conclusions
	All persons	are	citizens of the United States and of the State wherein they reside.	<i>Who are citizens?</i>
	No State			<i>Can States create citizenship laws?</i>
Nor	Any state	shall deprive	any persons of	<i>What can a State not deprive a person of?</i>
		nor deny	to any person within its jurisdiction	<i>What else can a State not deny a person?</i>

1. According to the Fourteenth Amendment, what rights does the Constitution guarantee to citizens? What does having these rights mean?
2. Explain why the Fourteenth Amendment was important to African Americans.


Student Handout 1K: Fourteenth Amendment (1868)

Prep/ Time Marker	Subject – Who?	Action	Who or what is getting the action	Questions/ Conclusions
	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.	<i>Who are citizens?</i> Anyone born or naturalized in the United States
	No State	shall make or enforce	any law which shall abridge the privileges or immunities of citizens of the United States.	<i>Can States create citizenship laws?</i> A State cannot make any law which takes away the privileges or immunities of a U.S. citizen.
Nor	Any state	shall deprive	any persons of life, liberty, or property, without due process of law	<i>What can a State not deprive a person of?</i> A State cannot take away a person's life, liberty, or property, without due process of law.
		nor deny	to any person within its jurisdiction the equal protection of the laws.	<i>What else can a State not deny a person?</i> A State cannot deny a person equal protection of the laws.

1. According to the Fourteenth Amendment, what rights does the Constitution guarantee to citizens? What does having these rights mean? **A citizen has the right to life, liberty, property, due process or law and equal protection of the laws and no state can take these rights away from them. Response may vary and can include that these rights are ones that are guaranteed by the Bill of Rights and must also apply to African Americans.**
2. Explain why the Fourteenth Amendment was important for African Americans.

Student responses may vary. Possible: The Fourteenth Amendment was important to African Americans because it ensured that there was no misunderstanding on the part of states that African Americans were not only free after the Civil War, but they were also citizens of the United States and thus, had full rights of citizenship—in addition to their basic rights guaranteed by the Constitution, including the Bill of Rights.



Student Handout 2: 1883 Texas State Convention Report (Page 1 of 2)

Mr. Chairman and Gentlemen*

We, your Committee on Grievances, beg leave to make the following report: **We find that the denial to the colored people of the free exercise of many of the rights of citizenship, is due to the fact of there being such great prejudice against them as a race...**

The sudden change from a status wherein we were slaves to one in which we were made freemen; and then, further, to that in which we became citizens equal before the law, was so unexpected and contrary, both to the training and teaching of our former owners, that they have never fully accepted said changes, though they have affected to accept them, because their acceptance was made the only condition upon which they could regain their former position in the Union.

We submit, that it is contrary to the natural order of things for them to have surrendered their belief in the matter simply because they were physically overpowered. **And, not only is the belief in the Negro's inferiority and creation for servants, deeply rooted in the minds of its advocates, but it has culminated in what seems to be a bitter hatred and fixed prejudice...**

The reason given by our debasers, when attempting to justify themselves in regarding us socially so grossly inferior is, that is always has been their policy to do so, and hence it was will always be...

Your committee arrived at this conclusion: **that if our former owners deny our social equality, they cannot be expected to be swift in respecting our social equality or equality before the law;** for it is the social regard one has for another as a member of society, which impels him to protect and accord unto such a one his legal rights. Hence, if there be a class who socially regard us less favorably than they do other races...such a class certainly are indifferent as to whether we obtain our legal rights or not.

Accordingly, social disregard may well imply absolute indifferences as to another's legal rights, but never that mutual regard which is supposed to possess citizens of a common country. It is a true rule that the degree to which any right is enjoyed as a citizen, is measured by the willingness of the whole body of citizens to protect such a right; if there is a lack of regard there is, therefore, lack of the will to protect. We find, therefore, that this social disregard is the sole cause of all the infringements upon our rights as a race, as we shall specify:

* Thomas R. Frazier, ed. "The Areas of Racial Discrimination," in *Afro-American History* (Chicago: The Dorsey Press, 1988), 165-170.



Student Handout 2: 1883 Texas State Convention Report (Page 2 of 2)

What are the authors' important arguments in this report? Each paragraph has a bolded section. Paraphrase these bolded sections.

1.

2.

3.

4.

5.

6.

Summarize the authors' claim:

African Americans are being denied _____

because of _____

_____.



Student Handout 2K: 1883 Texas State Convention Report

What are the authors' important arguments in this report? Each paragraph has a bolded section. Paraphrase these bolded sections.

1. African Americans are being denied citizenship because of racial prejudice.
2. Former slave owners never accepted the change in status of African Americans from slaves to equal citizens.
3. Former slave owners not only believe in the inferiority of African Americans but also hold this prejudice.
4. People defend their prejudice as a historical practice that will remain so forever.
5. Since former slave owners do not see African Americans as equals, then they will not respect African Americans' equality before the law.
6. It is a rule that the citizens enjoy their rights only by how much everyone is willing to protect these rights.

Summarize the authors' claim:

African Americans are being denied citizenship by their former masters **because of** their prejudice and belief in the inferiority of their former slaves. Their prejudice is connected to their unwillingness to protect the right to equal protection of the law for all.



Student Handout 3: Violations of African American Citizenship (Page 1 of 3)

Instructions: Copy the summary claim from Student Handout #2 in the chart below. Student Handout #4 has four excerpts from the 1883 Texas State Convention Report. Read and analyze each excerpt for the evidence the Committee provides to support their claim, the recommendation the Committee makes, and its importance to the citizenship. In the last column, circle the right(s) that is/are being violated. Record your responses in the chart below.

Summary Claim (from Student Handout 2)				
Evidence	Explanation of Evidence	Recommendation	Analysis	14 th Amendment
1) Free Schools				<ul style="list-style-type: none"> • Life • Liberty • Property • Due Process • Equal Protection Before the Law
2) Treatment of Convicts				<ul style="list-style-type: none"> • Life • Liberty • Property • Due Process • Equal Protection Before the Law
3) Railways, Inns, and Taverns				<ul style="list-style-type: none"> • Life • Liberty • Property • Due Process • Equal Protection Before the Law



Student Handout 3: Violations of African American Citizenship (Page 2 of 3)

Summary Claim (from Student Handout 2)				
Evidence	Explanation of Evidence	Recommendation	Analysis	14 th Amendment
4) Juries				<ul style="list-style-type: none"> • Life • Liberty • Property • Due Process • Equal Protection Before the Law
Conclusion/Recommendation				



Student Handout 3: Violations of African American Citizenship (Page 3 of 3)

1. According to the Committee, how were African Americans' Fourteenth Amendment rights violated in Texas? What evidence did they provide? How did the Committee respond to these challenges? Explain three cases using the information you recorded on the chart above. (Note: The key below discusses all four cases)

According to the Committee, African Americans' Fourteenth Amendment rights were violated in Texas in many ways. First, African Americans' rights to _____ were violated because

_____.

In response, the Committee recommended that _____

_____.

Secondly, African Americans' rights to _____ were violated because

_____.

In response, the Committee recommended that _____

_____.

Thirdly, African Americans' rights to _____ were violated because

_____.

In response, the Committee recommended that _____

_____.



Student Handout 3K: Violations of African American Citizenship (Page 1 of 2)

Claim (from Student Handout 2)				
African Americans are being denied citizenship by their former masters because of their prejudice and belief in the inferiority of their former slaves. Their prejudice is connected to their unwillingness to protect the right to equal protection of the law for all.				
Evidence	Explanation of Evidence	Recommendation	Analysis	14 th Amendment
1. Free Schools	Laws, courts, and the Board of Education do not provide equally for African American and white schools in terms of buildings, furniture, number and quality of teachers.	Appoint a man or men of color to school boards where there is a large population of African Americans to help make sure schools are equal.	This discrimination leads to better schools for white children and thus, they will advance at a faster rate than African American children.	Equal protection
2. Treatment of Convicts	Convicts that are not in prisons but on prison farms have no one to take care of them. They are beaten by guards and treated inhumanely. When they try to escape these horrible conditions, they are shot to death by the guards.	Appoint an African American inspector to investigate the treatment of convicts in the farms. Appoint an African American commissioner of penitentiaries.	This treatment is inhuman and cruel.	Equal protection
3. Railways, Inns, and Taverns	African Americans who buy first class tickets on the railroad do not get "first class" accommodations. They do not get what they pay for.	If African Americans' rights to equal treatment on the railroads are violated, they need to take the case to court.	The Constitution says that there is to be equal rights.	Life Liberty Equal protection
4. Juries	Sheriffs and jury commissioners only appoint white jurors.	It is the judges' duty to instruct the sheriffs and commissioners to make sure that everyone gets a fair and impartial trial.	If a white juror sits in a case of an African American and he already sees this person as less than himself, the African American person will not get a fair and impartial trial.	Liberty Equal protection
Conclusion/Recommendation				
Create an organization called "The Colored People's Progressive Union" that will protect the rights of African Americans in Texas and helping with taking legal action.				



1. According to the Committee, how were African Americans' Fourteenth Amendment rights violated in Texas? What evidence did they provide? How did the Committee respond to these challenges? Explain three cases from the information you recorded on the chart above. (Note: The key below discusses all four cases)

According to the Committee, African Americans' Fourteenth Amendment rights were violated in many ways in Texas. First, African Americans students did not receive the same quality of education as white students, so they were not treated equally before the law. There was a difference in buildings that students went to school in and the quality of furniture and teachers they had. The Committee proposed that an African American man of color be appointed to school boards in districts where there are large populations of African American students so that they could make sure that there wasn't educational discrimination. Secondly, African American convicts did not receive equal treatment on convict farm; in fact, they were treated inhumanely and sometimes beaten or killed. The Committee made two proposals. One was to appoint an African American investigator to look into the treatment of African American convicts on the prison farms, and second was to appoint an African American commissioner of prisons. Thirdly, African Americans did not receive the same treatment when traveling on the railroads because their accommodations were not equal to or the same as whites who were traveling in the same class. The Committee recommended that African Americans take this unequal treatment to court. It is important to notice that the Committee is not asking for integrated accommodations but equal quality of accommodations on the trains. Lastly, African Americans faced unequal protection in court because sheriffs would appoint only whites as jurors. The Committee argued that if whites are already prejudiced to see African Americans as a lower class than themselves, then African Americans would not receive a fair and impartial jury as is their constitutional right. The Committee proposed that the judges who sit in these cases make sure that the proceedings are fair and impartial. Based on this report, African Americans in Texas faced many challenges to equal citizenship after Reconstruction ended, and proposed that an organization be created to help in fighting these challenges.



Student Handout 4: Report Findings and Recommendations

FREE SCHOOLS

The Constitution, and laws made in pursuance thereof, make provision for the education of the youth of the State, without regard to race or previous condition. Further, they make provision that cities may assume the control of school affairs within their limits, on condition that they make a special taxation upon their property in order to lengthen the school term to ten months.

What we complain of is, that notwithstanding the Constitution, laws, courts, and the Board of Education have decided that provision for each race must be equal and impartial, **many cities make shameful discrimination because the colored people do not own as much property on which to pay taxes as the white people do, in proportion to the number of children in each race. They utterly refuse to give colored schools the same provision as to character of buildings, furniture, number and grade of teachers as required by law.**

The result of this discrimination is, that the white schools of such cities show good fruit, while the colored show poor fruit or none at all. We here say that this charge of discrimination is not made against all cities, but against only such as really discriminate...

We are glad to say, however, that many school boards, exclusively white, do their full duty towards colored schools. Still **we deem it proper and just, in recognition of our rights, to assist in supervising and controlling, to have some colored man or men appointed on school boards in cities where there is a large number of colored pupils and patrons — especially where suitable men can be found...**

TREATMENT OF CONVICTS

Another sore grievance that calls for the consideration of this Convention **is the treatment of convicts, a large proportion of whom are colored. It is inhuman and cruel in the extreme.** We do not refer to those that are kept within the walls. They are under the immediate care and supervision of the management, and we believe considerably treated. **But most of the convicts are scattered over the State on farms, having no one to administer to their physical, moral or spiritual needs but a host of inhuman, brutal convict guards.**

When a fresh convict is carried to the farms, he is taken down by the other convicts and beaten, at the command of the guard, and that, too, with a large piece of cowhide. The guard takes this method of taming the newcomer. Of course this lays him up, but in a few days he is hauled out of his sick quarters and put to work, whether he is physically able to do it or not.

The law provides that a convict physically unable to work shall not be required to do so, such inability to be ascertained by the examination of the penitentiary physician. But, **convicts on farms, who are mostly**



colored, have no physician to determine such inability, and even when sick and dying have none, unless the hiring planter, who has no particular interest in saving his life, sees fit to employ one. In many cases sick convicts are made to toil until they drop dead in their tracks. Many again, driven to desperation by inhuman treatment, seek to relieve themselves by attempting to escape when the chances are against them, thus inducing the guards to shoot them, which they are ready to do on the slightest pretext. Others are maltreated by being placed in the pillory or stocks until they are dead or nearly so.

When convicts are brutally murdered, nothing is done with their slayers unless the indignant citizens are prompt in insisting upon their punishment. In nine cases out of ten, parties sent to investigate these occurrences report the killing justifiable, because guards and their friends find it convenient to make it appear so.

...Believing that most of the evils can be remedied by the appointment of a colored inspector who is a humane man, having power to investigate the affairs of convict camps and the management of convict labor on private farms, therefore, we recommend to the Governor and Board such an appointment at the earliest possible moment. We recommend also, that as most of the State convicts are colored, that there be appointed at least one colored commissioner of penitentiaries. Though our men and youths are sent to the penitentiary to be reformed, in most cases they are made worse by the inhumanities and immoral habits of their guards, who, in many cases, are worse morally than the convicts themselves...

RAILWAYS, INNS AND TAVERNS

The criticism and censures of many, that colored persons in demanding admission to first class cars are forcing social intercourse, are unjust and unwarranted. **For those who censure know that if the companies were to furnish accommodations for colored passengers holding first class tickets, equal to the accommodations furnished white passengers holding the same, though such accommodations be in separate cars, no complaint will be made. But selling two classes of passengers the same kind of tickets, at the same time and price, certainly self to them the same accommodations and privileges.** The colored people, like any other class of citizens, will contend for the right in this matter as long as our Constitution reads, "all men when they form a social compact have equal rights," and even longer.

We would also state that we do not contend for the privilege of riding in the car with whites, but **for the right of riding in cars equally as good, and for the mutual right of riding in their car if they have a separate one,** whenever they are permitted to ride in ours if we have a separate one. We believe the State laws to be adequate to protect us in every right, and that there is no necessity of appealing to a law of Congress unless the laws and government of our own State refuse to recognize and protect these rights...



We recommend our people to invoke the aid of the courts when their rights with reference to railroads are violated, and ask that they assert our rights thereon by such damages as are sufficient to assert them.

JURIES

The prevailing practice among sheriffs and jury commissioners of summoning jurors exclusively white or nearly so, is in direct violation of the laws of this State, for no person is disqualified as a juror on account of his color. If the sheriff and commissioners exclude any one by practice on account of color, it is such an exclusion as is not contemplated by law, for the parties summoning cannot excuse themselves by saying they knew of none who could read and write, for that is a qualification they are to assume and let the court test jurors' qualifications after they are summoned. **A juror who sits in judgment on a case involving the rights of a man whom he regards with less consideration than he does members of his own class, is in law an incompetent juror, and should by law be excluded on evidence of such lack of regard.**

We deem it to be the duty of all judges to, at all times, specially instruct sheriffs and commissioners with reference to correcting these abuses, so as to secure to every individual, white or black, a fair and impartial trial by a jury composed of men acknowledging them-selves to be his peers.

CONCLUSION

In furtherance of a desire to effectually and legitimately prescribe a remedy for the evils and wrongs complained of, **we recommend the formation of an organization to be known and called "The Colored People's Progressive Union."** It shall have for its object the protection of the rights of the colored people of Texas, by giving aid and direction in the prosecution of suits in the support of every right guaranteed to colored people as citizens. We recommend that our delegates to the National Convention be instructed to urge upon said Convention the necessity of organizing a national convention of the same name and for the same object, under which, if organized, this State Association shall act as a branch.

All of which is respectfully submitted.

- MACK HENSON, Chairman
- A. R. NORRIS,
- J. N. JOHNSON,
- J. Q. A. POTTS.

Thomas R. Frazier, ed. "The Areas of Racial Discrimination," in *Afro-American History* (Chicago: The Dorsey Press, 1988), 165-170.

Student Handout 5: Writing Prompt

Background: After the Civil War, African Americans faced many challenges to their citizenship as guaranteed by the Fourteenth Amendment.

Question: To what extent was citizenship equal for African Americans after the Civil War?

Expectations:

- ✓ Write a thorough paragraph that includes a claim (your answer to the question), supporting evidence, explanation, and concluding sentence.
 - ✓ Include the federal government's role in contrast to the state and municipal government's role in guaranteeing equal rights
 - ✓ Include evidence from the Fourteenth Amendment and 1883 Texas State Convention Report
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Student Handout 5K: Writing Prompt

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Although the federal government guaranteed citizenship to African Americans, equal rights proved to be elusive to many on state and local levels as demonstrated by the 1883 Texas State Convention Report. According to the Fourteenth Amendment, African Americans were guaranteed the right to life, liberty, property, due process, and equal protection before the law. However, almost twenty years after the Fourteenth Amendment was added to the Constitution, African Americans were still fighting for their rights to be equally protected by the law. According to the 1883 Texas State Convention Report, the authors, who were on a Committee of Grievances, argued that their former slave masters did not see them as equals, and because of their prejudice, could not provide African American equal protection before the law. To support their argument, the Committee gave several important examples of inequality, including inhumane treatment of convicts on prison farms where prisoners were beaten and forced to work. Another compelling example talked about schools and how the buildings, furniture, and instruction of African American children were of a lesser quality than their white counterparts, and as a result, African American students were being discriminated against. These primary sources show that the federal, state, and local governments had a lot of work ahead of them to ensure equal citizenship for African Americans.