

BECOMING EQUAL UNDER THE LAW



(888) 242-0563
www.izzit.org

Video Page



Becoming Equal Under the Law **Teacher's Guide**

Contents

| | |
|---|----|
| Suggested Lesson Plan | 2 |
| Preview Questions | 3 |
| Key Terms and Definitions | 4 |
| Viewing Guide | 7 |
| Viewing Guide Answer Key | 9 |
| Discussion Questions | 10 |
| Who chooses? Who benefits? Who pays? What's fair? | 13 |
| Quiz | 14 |
| Quiz Answer Key | 16 |
| Enrichment and Integration Activities | 17 |
| Dred Scott Lesson Plan | 21 |
| 3/5 Compromise Lesson Plan | 23 |
| Women's Suffrage | 25 |

Becoming Equal Under the Law

Suggested Lesson Plan

These materials may be used in a variety of ways. For maximum benefit, we suggest the following lesson plan:

- As a class, discuss the Preview Questions and Key Terms.
- Distribute copies of the Viewing Guide for students to use as a note-taking tool during the video.
- Play the video, pausing if needed to facilitate understanding and note-taking.
- Review and discuss answers to the Viewing Guide using Answer Key as a guide.
- Use Discussion Questions to spark class discussion, or assign these questions as homework.
- As a class or in small groups, complete the Who Chooses Activity.
- Replay the video as preparation for the Quiz.
- Administer and grade the Quiz using Answer Key as a guide.
- Optional: Assign one or more Enrichment Activities as homework.

Becoming Equal Under the Law

Preview Questions

(These are meant to be read aloud by the teacher.)

1. What does it mean to be equal under the law in the United States of America?
2. Why has equality been a process rather than a singular event?
3. Why is there still a debate about equality in the United States today? Can you think of instances where not everyone is equal under the law?
4. What is the difference between "equality of opportunity" and "equality of outcome?"
5. How can you make sure all people are treated equally?

Becoming Equal Under the Law

Key Terms and Definitions

13th Amendment: Abolished Slavery

14th Amendment: Made former slaves citizens and ensured equal protection and rights

15th Amendment: Allowed African-American men the right to vote.

19th Amendment: Allowed women the right to vote.

3/5 Compromise: Outlined the process for states to count slaves as part of the population in order to determine representation and taxation for the federal government.

Abridge: To curtail or block a right or privilege

Bill of Rights: The first ten amendments to the US Constitution, ratified in 1791 and guaranteeing such rights as the freedoms of speech, assembly, and worship.

Black Codes: Laws passed in 1865 and 1866 by Southern States in the United States after the American Civil War in order to restrict African-Americans' freedom, and to compel them to work in a labor economy based on low wages or debt.

Brethren: Brothers, also used to describe a group of people working together

Brown v. Board of Education: A landmark decision of the U.S. Supreme Court in which the Court ruled that American state laws establishing racial segregation in public schools are unconstitutional

Civil Rights: The rights to political and social freedom and equality

Complexion: The color of one's skin, especially on the face

Consent: To give agreement to something

Compromise: An agreement reached by each side making concessions to the other side. Neither side gets all of what they want.

Conundrum: An intricate and difficult problem

Declaration of Independence: Announced that the Thirteen Colonies at war with the Kingdom of Great Britain would regard themselves as thirteen independent sovereign states, no longer under British rule.

Dehumanize: To treat someone in a degrading manner or deprive someone of dignity.

Depravity: An impairment of virtue or morals, causing misery and dismay.

Diminish: To make or become less

Discrimination: The unjust treatment of different categories of people, especially on the grounds of age, race, or sex

Dissent: A disagreement within a party of people

Dred Scott Decision: US Supreme Court ruling (7–2) that African Americans were not and could never be citizens of the United States; and that the Missouri Compromise (1820), which had declared free all territories west of Missouri and north of latitude 36°30', was unconstitutional. “Invented” a constitutional right to own slaves.

Emancipate: To set free from something, notably slavery

Emancipation Proclamation: Presidential proclamation and executive order issued by United States President Abraham Lincoln on January 1, 1863. It changed the federal legal status of more than 3.5 million enslaved African Americans in the designated areas of the South from slave to free.

Epitome: The perfect example of something

Euphemisms: Expressions that are substituted for more offensive or unpleasant ones.

Executive Order: A rule or order issued by the president which has much the same power as a law except it can be overturned by congressional order.

Facet: one particular feature or part of something that is complex.

Framers: The men who helped shape the Constitution of the United States of America

Inalienable: Unable to be taken or given away

Incompatible: Two things so different or at odds with each other that they cannot exist together.

Inimical: Obstructing, hostile towards

Jurisprudence: A legal system

Lynched: To kill someone by hanging, often by a mob, often without a trial

Nullified: To make legally of no use, canceled out

Obergefell v. Hodges: Landmark civil rights case in which the Supreme Court ruled that the fundamental right to marry is guaranteed to same-sex couples by both the Due Process Clause and the Equal Protection Clause of the 14th Amendment to the United States Constitution

One Drop Rule: Cultural rule by which someone having even a very small percentage of African ancestry was classified as “black.”

Pall: A dark cloud or covering of darkness.

Persevered: Continued with a course of action, even in changing circumstances.

Plessy v. Ferguson: Supreme Court decision which established segregation and the concept of ‘separate but equal’ as legal.

Qualms: Misgivings or uneasy second thoughts about one’s own actions.

Rectify: To correct a past wrong or error.

Secede: To withdraw from a union or alliance

Segregation: To separate groups based on a characteristic, often race

Semblance: The outward appearance of something when the reality is different

Sovereignty: The authority of a state to govern itself.

Stigma: A mark of shame

Subordination: To rank one thing or group below another

Suffragist: Someone advocating for the extension of voting privileges to a larger group of people, especially for women.

Thomas Jefferson: Founding Father, author of the Declaration of Independence and conflicted thinker regarding the ideas of equality and slavery.

Thurgood Marshall: First African-American Supreme Court Justice

Unanimous: When everyone agrees

United States Constitution: The supreme law of the United States of America

Unrepentant: Feeling no regret or shame for one's wrongdoings

Vestiges: The final remains of something

Name: _____

Date: _____

Becoming Equal Under the Law **Viewing Guide**

1. All man are created _____. Endowed by their Creator with certain unalienable _____. To secure these rights, Governments are instituted among Men, deriving their just powers from the _____ of the governed.
2. Of the 55 delegates at the Constitutional Convention in Philadelphia, almost _____ of them owned slaves at some point in their lives.
3. Jefferson calls it (slavery) a _____.
4. They (the Founders) don't foresee the _____. They don't foresee the _____.
5. By the time of the Constitutional Convention _____ had abolished slavery.
6. _____ hold the White House for 50 of the first 72 years of the Republic.
7. _____ territory is free soil. No _____.
8. The Supreme Court _____ a constitutional right to own slaves.
9. _____ states secede from the Union.
10. The Civil War will settle two constitutional questions: _____ and _____.
11. The _____ abolishes slavery forever and is quickly followed by the _____ & _____ to guarantee equal rights to all Americans and the right of black men to vote.

12. No _____ shall deny to any person in its jurisdiction the equal protection of the laws.
13. Southern state legislatures nullified the rights of freedmen with a sweeping set of laws known as _____.
14. If you had _____ of African blood in you, you were mixed race.
15. One Justice dissented: _____.
16. War makes Americans think differently about _____ and _____.
17. Equality under the law does mean that no group can be treated _____.

Becoming Equal Under the Law

Viewing Guide Answer Key

1. Equal, Rights, Consent
2. Half
3. Moral Depravity
4. Cotton Gin, Cotton Kingdom
5. Massachusetts
6. Southerners
7. Wisconsin, slavery
8. Invented
9. Eleven
10. Secession, Slavery
11. 13th Amendment, 14th Amendment, 15th Amendment
12. State
13. Black Codes
14. One Drop
15. John Marshall Harlan
16. Liberty and Equality
17. Differently

Becoming Equal Under the Law

Discussion Questions

(These can be used for discussion after the film. Or use them as essay questions and have students respond in writing.)

1. Do you agree that "all men are created equal" is one of the most important sentences in the English language? Why or why not?
2. Why is it important that our rights are inherent at birth, not given to us by a government?
3. Why was the slavery debate so important to the creation of the Constitution? What did the Framers think would happen if they hadn't compromised on the issue?
4. Do you agree with the assessment that "it would have been disastrous" if the Framers hadn't compromised on slavery? Why or why not?
5. What does "slavery was incompatible with the values the American Revolution claims to stand for" mean?
6. Do you think Thomas Jefferson's views on slavery negatively impact his place in history? Explain.
7. What is meant when slavery is compared to holding a wolf by the ear?
8. Why would the Southern States refuse to cooperate with anything viewed as a threat to slavery?
9. Why was the cotton gin such an important invention as it relates to slavery in the United States?
10. Why is slavery referred to as "America's Original Sin?"
11. Why wasn't the word "slave" used in the Constitution?
12. Explain the 3/5 compromise. What were the Northern states trying to do? What were the Southern states trying to do?
13. Explain the significance of the Dred Scott Supreme Court case. What issues were debated, and what was the Court's ruling?
14. What does "the court was stacked against Scott" mean?

15. Why did the Dred Scott case make the Northern states care about slavery in a way they hadn't before?
16. Why is the Civil War considered the worst constitutional crisis in history?
17. What is the significance of a Watch Night service in the context of this film? Why would people still hold these services?
18. Why was the Emancipation Proclamation so significant? How did it change the purpose of the Civil War? Where did it affect/not affect slavery and why?
19. Why was there a possibility that after the war, slavery would still remain? What did it take to make sure that didn't happen?
20. What is the significance of the 14th Amendment?
21. How are women affected by the 13th, 14th and 15th Amendments? Why?
22. How and why were the Reconstruction Amendments gutted?
23. Why did Black Code laws disarm the newly freed slaves? Was that constitutional? Which specific parts of the Constitution did that violate?
24. Why is Plessy v. Ferguson such an important court case? What does it state? What precedent did it create and what concept did it ignore?
25. How did segregation affect people of color? Did it also affect white people? If so, how?
26. Justice John Marshal Harlan said in the Plessy decision, "Our Constitution is colorblind. All citizens are equal before the law. The humblest is the peer of the most powerful." Do you agree that Justice Harlan got it right? Why or why not?
27. Were all people equal under the law in 1896, when the Plessy case was decided? Why or why not? If no, which group was left out?
28. What impact did WWI have on equality under the law? What did it take to expand equality under the law to include women?
29. What impact did Thurgood Marshall have on equality under the law?
30. What is the significance of Obergefell v. Hodges?

31. What is the difference between "equality" and "equality under the law?" What implications are there that the Declaration says, "all men are CREATED equal" as opposed to saying, for example, that all end up equal?

Becoming Equal Under the Law

Activity:

Who chooses? Who benefits? Who pays? What's fair?

The four questions above can be a useful tool for evaluating any policy or system. Posing the questions is a great way to stimulate critical thinking. As a class, or in small groups, discuss the following:

(For each question, think broadly about all the possible people or groups of people who may be affected, and remember there may be non-monetary costs and benefits.)

1. Who should decide what groups of people are equal? Are there times when certain groups shouldn't be considered equal in America? Explain your answer.
2. Who benefits from equality? Who benefits from inequality? How?
3. What is the cost of equality? Who pays for systems to ensure and protect equality? Are there any losers when it comes to equality? Explain.
4. Should some groups be more equal than others based on skin color, ability, wealth, sexuality, and so forth? If so, how should it be decided which groups are more equal than others? Who should decide (Who chooses?) precisely what is equal?

Name: _____

Date: _____

Becoming Equal Under the Law **Quiz**

1. Slavery is often referred to as America's _____.
 - a. curse
 - b. gift
 - c. original sin
 - d. stepchild

2. Southern states refused to cooperate with anything limiting slavery because _____.
 - a. they disliked Northern States
 - b. they were the ones who owned slaves
 - c. the Northern States wanted to expand slavery
 - d. they wanted to abolish it, not limit it

3. Which of the following settled the debate regarding slaves and representation in the Constitution?
 - a. Missouri Compromise
 - b. 3/5 Compromise
 - c. Dred Scott Decision
 - d. Great Compromise

4. This invention greatly expanded slavery in America.
 - a. Printing Press
 - b. Steel Plow
 - c. Cotton Gin
 - d. Steam Engine

5. Lincoln's _____ freed slaves in rebelling states.
 - a. Emancipation Proclamation
 - b. Gettysburg Address
 - c. Farewell Address
 - d. House Divided Speech

6. Which of the following abolished slavery?
- 13th Amendment
 - 14th Amendment
 - 15th Amendment
 - 19th Amendment
7. Equality under the law _____.
- was achieved under the original Constitution when it was ratified
 - required legal cases and changes to the Constitution
 - will never actually be possible
 - means everyone should be paid the same amount of money
8. The 19th Amendment guaranteed which of the following?
- Equality under the law
 - African-American voting rights
 - Citizenship
 - Women's right to vote
9. Brown v. Board of Education did which of the following?
- Made lynching a federal crime
 - Desegregated schools
 - Established the NAACP
 - Created Affirmative Action
10. Which of the following made gay marriage legal in the United States?
- Dred Scott
 - Plessy v. Ferguson
 - Obergefell v. Hodges
 - Civil Rights Act of 1964

Becoming Equal Under the Law
Quiz Answer Key

1. C
2. B
3. B
4. C
5. A
6. A
7. B
8. D
9. B
10. C

Becoming Equal Under the Law **Enrichment and Integration Activities**

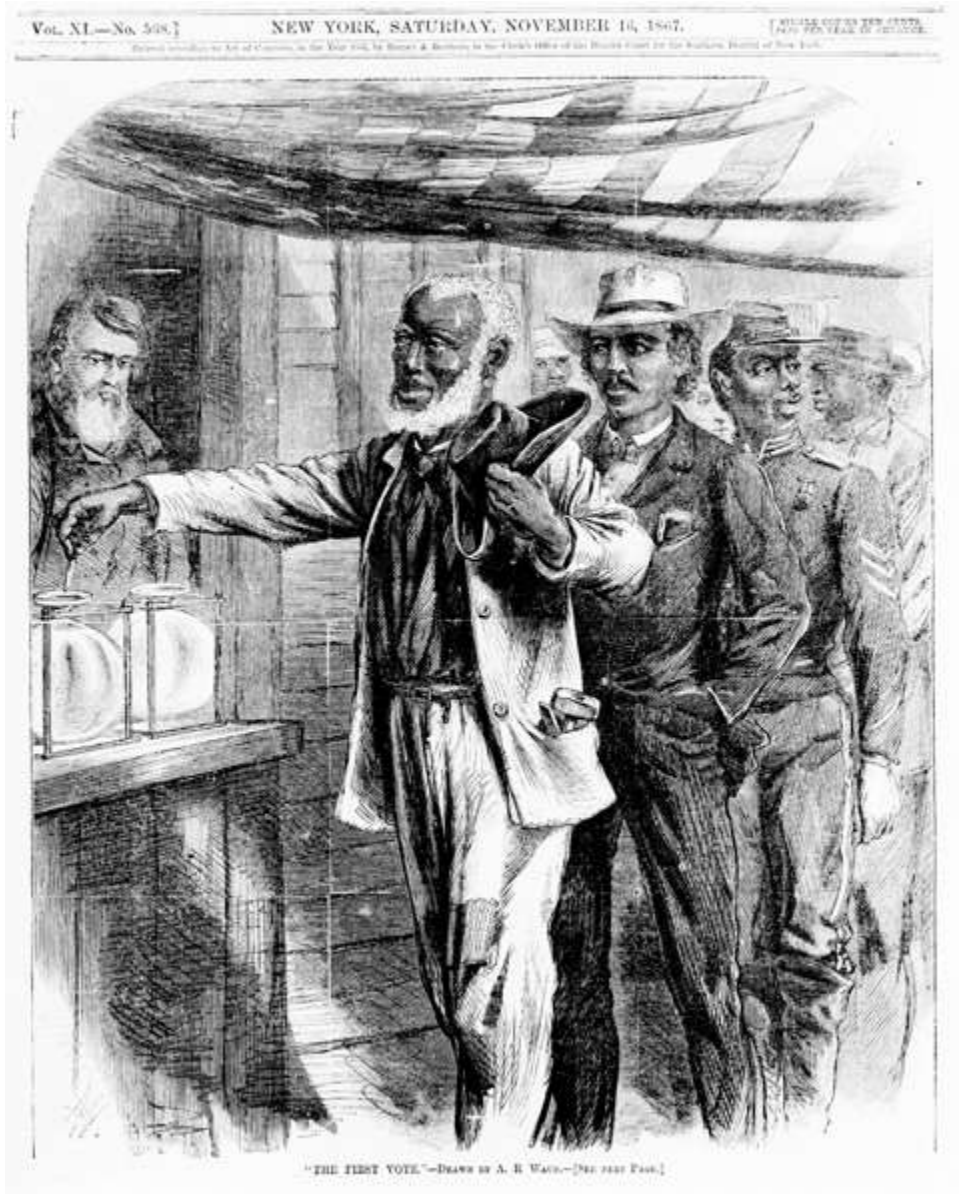
Work individually or with a partner. Analyze the following images and complete the questions to the best of your ability using information from the video and your own knowledge of the time period. Each question should be answered in complete sentences and require no more than 2 -3 sentences.



- 1) The cartoon was drawn in 1871 by Thomas Nast for Harper's Weekly, a Northern magazine. In this cartoon, we see Columbia, the feminine symbol of the United States, protecting a Chinese man against a gang of Irish and German thugs. At the bottom, it says "Hands off, Gentlemen! America means fair play for all men." Source Stanford History Education Group.

- a. Briefly describe ONE event or idea that Nast was responding to in this cartoon.

- b. Briefly describe ONE way in which the African-American experience was similar to the one depicted by the Chinese man in the image.
- c. Briefly describe ONE event which would help lead to equality.



- 2) Thomas Nast image depicting an elderly African-American man voting while a well-to-do African-American and African-American Union soldier wait behind him with the caption “The First Vote” beneath the image from Harpers Weekly.
 - a. Briefly describe ONE historical event which would have allowed for the above image to occur.
 - b. Briefly describe ONE strategy of opposition implemented in response to actions in the image.

- c. Briefly describe ONE historical event in the 20th century which compares to the events in the image

3) Class Activity:

Divide the classroom with one wall being AGREE, and the opposite wall being DISAGREE, while the space in the middle is UNSURE. Choose several of the following statements, read them aloud to the class, and have students move to the side of the room which corresponds to their opinion. Call on various students to have them discuss why they feel the way they do.

Statements:

- **Boys get punished more than girls.**
- **Girls are naturally less aggressive than boys.**
- **Girls and boys are always treated equally in this school.**
- **Blue is for boys, pink is for girls.**
- **Rich people have more rights than poor people.**
- **It's impossible to achieve equality, so we shouldn't even bother trying.**
- **Men and women are fundamentally different, so they can't be equal.**
- **Being male or female makes no difference to whether you do well at work.**
- **Women have unfair standards of beauty compared to men.**
- **Doing something 'like a girl' should not be used as an insult.**
- **Little girls should not be called princesses.**

4) Family Tree Exercise

Handle with sensitivity! Have options for students who may be in unconventional family situations. (A fictional family could be used, for example.)

Have students research and create their own family trees by talking with parents, grandparents, other extended family or an online source to find out about their own history and

see how diverse their own heritage is. Have students present or discuss their histories and brainstorm if certain family members from the past would have been in similar situations to people seen in the video. Does this personal experience with equality make the topic more relevant to you today? What would your ancestors say about equality in America today?

Dred Scott Lesson Plan

Name: _____

Date: _____

Instructor: _____

| | |
|--|---|
| Time to complete: Materials/ Technology/ Resources: | 50 mins plus at home writing assignment * The <i>Becoming Equal Under the Law</i> video (can be streamed from izzit.org with no login required.) * Presentation Method (smartboard, projector, etc.) * Viewing Guide * Internet browser * Dred Scott Decision * Select editorials from Secession Era Editorials website (https://scholarexchange.furman.edu/secession-editorials/all/) |
|--|---|

| | |
|-------------------|--|
| Standards: | Use our free and easy-to-use Standards Alignment tool to align this lesson with the standards in your school district. |
|-------------------|--|

| | |
|-------------------------------|---|
| Learning Objective(s): | <i>To have students become familiar with the Dred Scott decision and its impact in both Northern and Southern states as well as its long term impact on the Constitution and equality. To have students evaluate historical editorials from a variety of newspapers – primary historical documents.</i> |
|-------------------------------|---|

| | |
|----------------|----------------------------------|
| Topics: | Supreme Court, Slavery, Equality |
|----------------|----------------------------------|

| | |
|--|--|
| Absorb: (33:24 minutes) | <u>Watch:</u> <i>Becoming Equal Under the Law</i> video streamed from izzit.org with no login required. |
|--|--|

| | |
|--|--|
| <p>Overall guiding question(s):</p> | <p>What was the legal reasoning behind the Dred Scott decision? How did America respond to the decision? How was the decision used by Northern and Southern states?</p> |
| <p>Lesson Procedures: (30-50 minutes)</p> | <p>1. Watch video: <i>Becoming Equal Under the Law</i></p> <p>2. PROCEDURES:</p> <p>Explain to students that the Dred Scott decision was discussed across the entire country. It was THE decision of its day.</p> <p>Group students in groups of 4-5. Choose multiple editorials on the Dred Scott decision and pass out packets of these primary resources to the students, making sure students have a diverse selection of both Northern and Southern editorials. Have students discuss different opinions expressed in these editorials and why the difference of opinion existed.</p> <p>Have student groups create a chart of anti- and pro-slavery voices, correctly identifying both source and message. Have students write their own editorial in response to the Dred Scott decision to be turned in on a later date.</p> |
| <p>Summary & Assessment: (15 minutes)</p> | <p>Assessment can be on content and or each student's contribution to discussion.</p> <p>Bring students back together to have the groups discuss their charts.</p> |
| <p>Reflection: (5 minutes)</p> | <p>Consider the impact of the Dred Scot decision on immediate history? What occurred just shortly after the decision? What changes had to be made to the Constitution because of this decision? Were they successful? Why/Why not?</p> |

3/5 Compromise Lesson Plan

Name: _____

Date: _____

Instructor: _____

| | |
|--|---|
| Time to complete: Materials/ Technology/ Resources: | Will vary, depending on the desired duration * The <i>Becoming Equal Under the Law</i> video (can be streamed from izzit.org with no login required.) * Presentation Method (smartboard, projector, etc.) * Viewing Guide * Discussion Questions – one set for teacher only |
|--|---|

| | |
|-------------------|---|
| Standards: | Use our free and easy-to-use Standard Alignment tool to align this lesson with the standards in your school district. |
|-------------------|---|

| | |
|-------------------------------|---|
| Learning Objective(s): | <i>Students will explore the Constitution and the 3/5 Compromise. Students will understand the debates surrounding the 3/5 Compromise and slavery at large during the drafting of the Constitution.</i> |
|-------------------------------|---|

| | |
|----------------|--|
| Topics: | Constitution, Equality, 3/5 Compromise |
|----------------|--|

| | |
|-------------------------------|--|
| Absorb: (33:24minutes) | <u>Watch:</u> <i>Becoming Equal Under the Law</i> video streamed from izzit.org with no login required. |
|-------------------------------|--|

| | |
|-------------------------------------|---|
| Overall guiding question(s): | Why did they compromise and allow only 3/5 of slaves to be counted for representation? Who supported the compromise? Who was against it? Why? What would have happened without the compromise? |
|-------------------------------------|---|

| | |
|--|---|
| | <p>Was the compromise meant to benefit the Northern states or the Southern states?</p> |
| <p>Lesson Procedures: (31+ minutes)</p> | <ol style="list-style-type: none"> 1. Watch video: <i>Becoming Equal Under the Law</i> 2. Begin by discussing how some viewed the compromises in the Constitution as a masterwork solution while others viewed it as a severe compromise of morality when it came to slavery. 3. Have students research the 3/5 Compromise and understand both sides of the debate. 4. Break the class up into groups representing each state that participated in the Convention. (Remember that Rhode Island sent no delegates.) Each group, based on their state, needs to decide if they will vote for or against the compromise and prepare a short class presentation detailing their arguments. Note: Students can vote differently than actual history, but they must have solid historical reasoning for this decision and how such a decision would impact overall ratification. |
| <p>Summary & Assessment: (15 minutes)</p> | <p>Assessment is based on student presentation and arguments made for or against the 3/5 Compromise.</p> <p>Have students present their justification and votes and see if the compromise passes in your classroom.</p> |
| <p>Reflection: (5 minutes)</p> | <p>Many believed without this compromise there would have been no Constitution and no United States of America. How would that have impacted history?</p> |

BECOMING EQUAL UNDER THE LAW LESSON PLAN – WOMEN’S SUFFRAGE

Women’s Suffrage

Name: _____

Date: _____

Instructor: _____

| | |
|--|--|
| Time to complete: Materials/ Technology/ Resources: | Varies depending on depth of discussion * The <i>Becoming Equal Under the Law</i> video (can be streamed from izzit.org with no login required.) * Presentation Method (smartboard, projector, etc.) * Viewing Guide * Colored Paper |
|--|--|

| | |
|-------------------|---|
| Standards: | Use our free and easy-to-use Standard Alignment tool to align this lesson with the standards in your school district. |
|-------------------|---|

| | |
|-------------------------------|---|
| Learning Objective(s): | <i>Students will review and discuss the women’s suffrage movement in the United States. Students will understand the importance of the 19th Amendment in American history. Students will be able to describe how granting women the right to vote moved the country one step closer to equality under the law for all.</i> |
|-------------------------------|---|

| | |
|----------------|--|
| Topics: | Equality, Discrimination, Women’s Suffrage |
|----------------|--|

| | |
|--------------------------------|--|
| Absorb: (33:24 minutes) | <u>Watch:</u> <i>Becoming Equal Under the Law</i> video streamed from izzit.org with no login required. |
|--------------------------------|--|

| | |
|-------------------------------------|--|
| Overall guiding question(s): | Why is the 19th Amendment important? How did the 19th bring about greater equality under the law? |
|-------------------------------------|--|

**Lesson
Procedures:
(45 - 90
minutes)**

1. Watch video: ***Becoming Equal Under the Law***
2. PROCEDURES:
 - a. As students enter the classroom, hand them one strip of colored paper. Strips can be evenly or unevenly distributed, and teachers may use as many colors as they desire but need to use at least two.
 - b. ACTIVITY: Watch the ***Becoming Equal Under the Law*** video
 - c. Open discussion by asking the class a question to vote on. Example: Should we have homework? Can there be extra credit on the next exam? But then only allow those students with a particular colored strip to vote on the question. Ask the class if this is fair...that only one group gets to decide for everyone to illustrate how America was for women before the 19th Amendment.
 - d. Have students research women's suffrage and work on an artistic representation of the 19th Amendment and women's equality. Students can make a collage, a movie poster, write a poem or a song as examples. Ensure students make use of at least four of the following terms in their creations: Seneca Falls, Susan B. Anthony, Suffrage, Elizabeth Cady Stanton, Lucy Stone, Carrie Chapman Catt, 19th Amendment, NAWSA.
 - e. Students can make a short presentation and artistic work can be hung on the walls of the classroom to show off student accomplishment.

**Summary &
Assessment:
(15 minutes)**

Assessment can be on content generated in the artistic creation and on information presented during classroom presentation.

**Reflection:
(5 minutes)**

Are women treated equally under the law today? Explain your answer.

Thanks for choosing izzit.org materials! We'd love to hear from you! If you have any comments, questions, or feedback, please email Ask@izzit.org or call us at the number below. We can't serve you well if we don't know what you need!



**Check out more free educational resources
at izzit.org, including:**

- Current Events Lessons
- Teachable Moments videos
- Learning Modules
- Online Quizzes
- So much more!