

ANNUAL SYMPOSIUM *and* TEACHER'S WORKSHOP



10.24.18

Keynote Speaker

HONORABLE JUDGE
W. KEITH WATKINS

Chief District Judge
Middle District of Alabama

This one-day workshop will focus on teaching tools to meet current needs in social studies instruction through civics. Teachers will learn to strengthen their students' civic literacy skills through primary source analysis and cultivating disciplinary thinking skills. Primary source material will focus on Supreme Court cases that originated in Alabama which is the topic of an upcoming traveling exhibit hosted by Vulcan Park and Museum – *Alabama Justice: the Cases and Faces that Changed a Nation*.



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ANNUAL SYMPOSIUM *and* TEACHER'S WORKSHOP

SCHEDULE

- 9:00 am** Brief welcome by Vulcan Staff and overview by Dr. Steven Brown
- 9:45 am** Session 1, presented by Dr. Jeremiah Clabough
- 10:45 am** 15 minute recess
- 11:00 am** Session 2, presented by Dr. Jeremiah Clabough
- 12:00 pm** Lunch and Keynote Speaker, *Honorable Judge W. Keith Watkins, Chief Federal District Judge, Middle District, AL*
- 1:00 pm** Birmingham Bar Foundation presentation
- 1:30 pm** Session Wrap-up, presented by Dr. Jeremiah Clabough
- 2:00 pm** Teacher Work Session

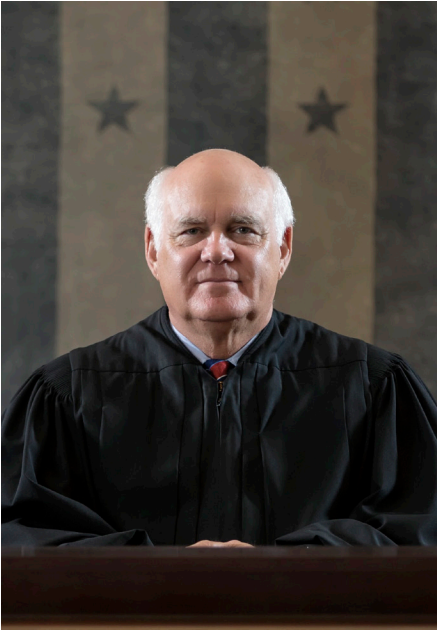
DON'T FORGET: Check-In is Required to Receive Your CEU Credits.

Additional resources provided by National Issues Forums Institute.

SPEAKERS

KEYNOTE

JUDGE W. KEITH WATKINS



Honorable Chief District Judge W. Keith Watkins was appointed by President George W. Bush to a vacancy in the Middle District of Alabama on December 27, 2005, and was elevated to Chief District Judge on May 18, 2011. A native of Troy, Alabama, Judge Watkins practiced law in Tuscaloosa for two years and in Troy for 28 years, with a broad general practice. He is a graduate of Auburn University and The University of Alabama School of Law. Among other positions in the Bar, Judge Watkins is a Fellow in the Alabama Law Foundation and served as the Bar Commissioner for the Twelfth Judicial Circuit and as a member of the Alabama State Bar Task Force for Alternative Dispute Resolution. He served as the mediator in over

200 civil cases in state and federal courts in Alabama and Georgia prior to taking the bench. Judge Watkins and his wife have two grown children and four grandchildren.

OVERVIEW

DR. STEVEN P. BROWN

Steven P. Brown is a Professor of Political Science at Auburn University. He received his PhD in Government from the University of Virginia, and has taught American Constitutional Law at Auburn since 1998. In 2006, he was named the National Faculty of the Year by the National Society of Collegiate Scholars. His scholarly publications focus on church and state issues and American legal history. In 2005, his book *Trumping Religion: The New Christian Right, The Free Speech Clause, and the Courts* received the Franklyn S. Haiman Award for Distinguished Scholarship in Freedom of Expression. *John McKinley and the Antebellum Supreme Court: Circuit Riding in the Old Southwest (2012)* has been

cited as a model for researching the lives of antebellum U.S. Supreme Court justices. In 2017, he received the U.S. Supreme Court Historical Society's Hughes-Gossett Senior Prize for his article on the Girard Will.



SESSION ONE

ACTIVITY ONE

- This activity uses the following civic standard from the C3 Framework.
- **D2 Civ 3.3-5:** Examine the origins of rules, laws, and key U.S. constitutional provisions.
- The purpose of this activity is to help students grasp basic rights and liberties that democratic citizens have in the United States.
- One of the best ways to teach about different systems of government is to explore a citizen's rights, liberties, and freedoms in a country.

STEPS

1. Students start by reading Amendment One from the Bill of Rights and the introduction to the Declaration of Independence.

AMENDMENT ONE - BILL OF RIGHTS

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.

THE DECLARATION OF INDEPENDENCE

When in the course of human events it becomes necessary for one people to dissolve the political bands which have connected them with another and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation. We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

— That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, —

That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shown that mankind are more disposed to suffer, while evils are sufferable than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. — Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

STEPS CONTINUED

2. After students read these two items, they answer the following questions.
 - *What rights do citizens have from amendment one of the Bill of Rights? What evidence supports your argument?*
 - *What rights do citizens have from the introduction of the Declaration of Independence? What evidence supports your argument?*
 - *From reading these two items, students may think that there would be no violations of people's rights and liberties in U.S. history. How could we explain to them that this was not the case?*

3. This activity helps students grasp the intent of seminal government documents in the U.S. government. It also helps them understand why some people have claimed that the U.S. has been a democracy in theory but not in reality for some of her citizens throughout our country's history.

ACTIVITY TWO

- This activity uses the following history standard from the C3 Framework (**see below**).
- **D2. History 1.6-8:** Analyze connections among events and developments in broader historical contexts.
- Laws are not made in a vacuum. The same is true for court rulings as well.
- This activity is designed to help students contextualize a historical era by exploring social, cultural, political, economic, and regional values, biases, and beliefs from the time period by answering the following questions.

QUESTIONS

1. *What are other court rulings that connect to a topic being explored? How does the court ruling show certain values and biases from the historical era?*
2. *What items does this court ruling connect to from an historical era? Why is this topic considered controversial?*
3. *What are the underlining issues causing this court case to resonate with people from the time period?*
4. *Are there items illegal in the time period being studied that are not illegal today? If so, what would account for these changes to the U.S. law?*
 - Participants will create a couple of questions to contextualize a time period and share.

ACTIVITY THREE

- We are going to use the city/state context questions to examine the Scottsboro case.
- To answer question one, we could have students research on the Emmett Till case. One item that is noticeable right away is the fact that both cases had an all white jury. Why would this be important in the South during the 1930s and 1950s? How does the speedy verdict of the Scottsboro case and retrials capture life in the South for African Americans during the 1930s?
- To answer question two, we might focus on why there are so many follow-up trials from the initial Scottsboro Trial. Another item to focus on would be how this trial connects to Southern culture of the time. This case captures certain norms of the era.
- To answer question three, we might focus on why the trial is reopened so many times along with why some feel that the defendants are not getting a fair trial.
- To answer question four, we might focus on the make-up of juries during the time period. In the case of the Scottsboro case and the Emmett Till case both juries were all white. How could this impact these two court cases, and why do these two court cases capture the cultural, social, and political realities of life in the South during the 1930s and 1950s respectively? How does the Scottsboro case lead to the violation of the nine African Americans charged in this case?
- This activity allows students to contextualize life during a time period. Students can grasp how social, cultural, and political values influence court decisions and the enforcement of certain laws during a time period.

ACTIVITY FOUR

- For this activity, we are going to use two civic standards from the C3 Framework.
- **D2 Civics 7.6-8:** Apply civic virtues and democratic principles in school and community settings.
- **D2 Civics 9.6-8:** Compare deliberative processes used by a wide variety of groups in various settings.
- The purpose of this activity is to compare whether court rulings reflect or are in opposition to the laws in the U.S. Constitution by having students complete the following graphic organizer.
- Students use the Bill of Rights to answer the following question after researching the Scottsboro case. The teacher may access the Bill of Rights Institute, <https://billofrightsinstitute.org/founding-documents/bill-of-rights/>, to help students answer the two questions in the graphic organizer below.

QUESTION

How does the Scottsboro case discussed stand in opposition to the democratic principles enumerated in the U.S. Constitution? What evidence from the Bill of Rights supports your arguments?

STUDENT RESPONSE

What amendment from the Bill of Rights proves the violation of nine African Americans' rights? Why do you think this?

FINAL STEPS

- After students answer these two questions, there should be a class debriefing.
- In this debriefing, the teacher needs to help students grasp how certain laws and court rulings stand in opposition to the laws enumerated in the U.S. Constitution.
- A follow-up question to help students grasp the time period of the Scottsboro case is the following. Why did those in power consistently rule against the nine African Americans in the Scottsboro case? What would have happened if the juries ruled in favor of the nine African Americans?
- The questions in the graphic organizer and follow-up questions help students grasp the extent of Jim Crow segregation laws in the South. The racism present in the South also found its way into the local and state courts of the South. This can be seen with the Scottsboro case and the Emmett Till case.

SESSION ONE NOTES

SESSION TWO

ACTIVITY ONE

- **D2. Civics 10.6-8:** Explain the relevance of personal interests and perspectives, civic virtues, and democratic principles when people address issues and problems in government and civic society.
- **D2 Civics 10.9-12:** Analyze the impact and the appropriate roles of personal interests and perspectives on the application of civic virtues, democratic principles, constitutional rights, and human rights.
- Much of the energy of the Civil Rights Movement in the African American community throughout U.S. history is focused on gaining the right to vote. Conversely, segregationists put in a lot of effort to deny African Americans the right to vote.
- This can lead to a basic question for students to explore.
- What good is the right to vote?

STEPS

The teacher can have students create a word web to show how the right to vote impacts U.S. citizens and society as a whole.

This basic activity helps students grasp the power of an actively involved democratic citizen and see the relevance of their participation with public issues.

ACTIVITY TWO

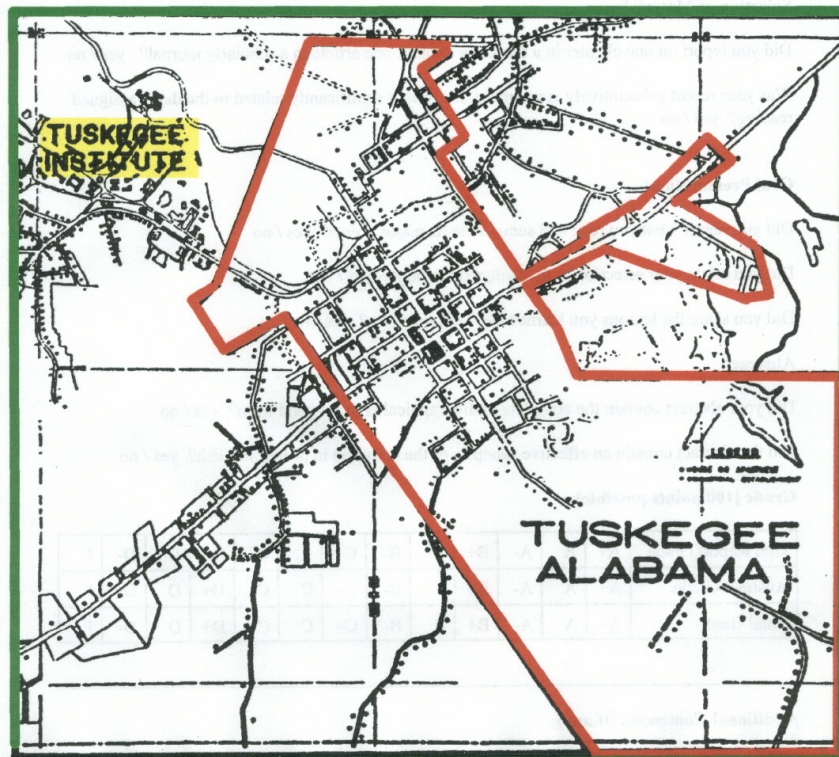
- **D2 Civics 12.9-12:** Analyze how people use and challenge local, state, national, and international laws to address a variety of public issues.
- **D2 Civics 13.9-12:** Evaluate public policies in terms of intended and unintended outcomes and related consequences.
- Again, segregationists used a lot of energy to deny African Americans the right to vote. Some examples of this can be seen in the booklet by the Student Nonviolent Coordinating Committee: *Mississippi: Subversion of the Right to Vote*. This booklet can be accessed at <http://digital.lib.miamioh.edu/cdm/ref/collection/fstxt/id/747>. Additionally, students may examine poll taxes used to prevent African Americans from voting. More information about the poll tax can be found at the following website http://www.americaslibrary.gov/jb/modern/jb_modern_polltax_1.html.
- One unique example that shows steps taken to deny African Americans the right to vote can be seen with the issue of municipal boundaries and race in Tuskegee that culminated in the Gomillion v. Lightfoot Supreme Court case.

ACTIVITY TWO CONTINUED

- In Tuskegee, the African American population was larger than the white population in 1957. To prevent the African American vote from driving public policies, local whites lobbied the Alabama legislature to redefine the boundaries of Tuskegee. This resulted in the overwhelming majority of African Americans' votes not counting in Tuskegee.
- Charles Gomillion, a professor at Tuskegee, protested what he saw as a discriminatory action. While Gomillion's case was dismissed at U.S. District Court for the Middle District of Alabama, Gomillion and his attorneys appealed this ruling, and the case was ultimately reviewed by the U.S. Supreme Court.
- After reading excerpts about this issue from Transforming Tuskegee:
"Racial Redistricting and Gomillion v. Lightfoot" from Steven Brown's book, students assume the role of Professor Gomillion and write to the Supreme Court using evidence to support why the Local Law 140 has to be challenged for the racial prejudices inherent within this law that redistricted Tuskegee to exclude most African Americans from voting.

APPENDIX TO OPINION OF THE COURT.

CHART SHOWING TUSKEGEE, ALABAMA, BEFORE AND AFTER ACT 140



(The entire area of the square comprised the City prior to Act 140. The irregular black-bordered figure within the square represents the post-enactment city.)

ACTIVITY TWO CONTINUED

- Below is an excerpt from Brown’s book explaining what would become Local Law 140.

“In the mid-1950s, Macon County’s population stood at just over 30,000, with more than 27,000 African Americans. White voters, however, outnumbered black voters by a 2-1 margin. Notwithstanding the dilatory tactics of the local registrars, the number of black voters in Tuskegee and Macon County had increased such that, if they voted as a bloc, they would finally have a consequential impact on local elections and policies. To obviate the possibility of large scale black voting (and the assumed consequence of black dominance in local politics), State Senator Sam Engelhardt of Macon County spearheaded two bills through the state legislature during the summer of 1957. The first would alter the boundaries of Tuskegee, effectively gerrymandering black voters out of the city and into the county. The second, apparently introduced as a safety measure given the questionable constitutionality of the first, would dissolve Macon County, thus dissipating black political influence into six surrounding counties.”¹
- Students benefit from this writing activity for several reasons. First, they are using evidence to support their arguments. Second, their arguments are framed in a manner to capture the perspective, values, biases, and beliefs of a historical figure. Third, this activity gives students experience in confronting and attempting to address social injustices in U.S. democracy. After all, the vitality of a democracy is dependent on the active engagement of her citizens.

¹ Brown, Steven P. *Alabama Justice: The Cases and Faces that Changed a Nation*. Unpublished Manuscript. Used with permission.

ACTIVITY THREE

- **D2.Geography.4.3-5:** Explain how culture influences the way people modify and adapt to their environments.
- **D2.Geography.4.6-8:** Explain how cultural patterns and economic decisions influence environments and the daily lives of people in both nearby and distant places.
- Jim Crow segregation laws literally changed the Southern landscape. African Americans could not always use facilities in a location because segregation laws limited public spaces that they could occupy. To address this issue, Victor Hugo Green, a former U.S. Post Office worker, created the *Green Books*.
- *Green Books* are guides created from the 1930s to 1960s to enable African Americans to know hotels, restaurants, and gas stations where they could stop while on long distance trips.
- Several pdfs of *Green Books* are available through a simple Google search- http://www.autolife.umd.umich.edu/Race/R_Casestudy/87_135_1736_GreenBk.pdf and http://edan.si.edu/transcription/pdf_files/7955.pdf.
- The teacher can start with a simple introductory activity with one of the *Green Books*.

Below is a brief excerpt from the 1949 *Green Book*. After students read this brief excerpt, they answer the following questions.

With the introduction of this travel guide in 1936, it has been our idea to give the Negro traveler information that will keep him from running into difficulties, embarrassments and to make his trips more enjoyable.

The Jewish press has long published information about places that are restricted and there are numerous publications that give the gentile whites all kinds of information. But during these long years of discrimination, before 1936 other guides have been published for the Negro, some are still published, but the majority have gone out of business for various reasons.

1. What is the purpose of the Green Books according to the author?
2. If you read between the lines, why are Green Books needed for African Americans with travel in 1949?
 - By reading this brief excerpt and answering and discussing the two questions above, students gain an understanding for how Jim Crow segregation laws and de facto segregation laws impacted the U.S. landscape. This also sets students up for an activity to explore *Katzenbach v. McClung*.

ACTIVITY FOUR

- The teacher starts by posing an open-ended question to help students understand the tactics employed by civil rights activists at the beginning of the 1960s.
- **Question:** What actions did civil rights activists take in the early 1960s to protest unjust segregation laws?
- The teacher may want to provide students with some websites to help their research. The following are a couple of recommended websites:
 1. <https://kinginstitute.stanford.edu/encyclopedia/freedom-rides>
 2. <http://northcarolinahistory.org/encyclopedia/greensboro-sit-in/>
 3. <https://www.nps.gov/nr/travel/civilrights/al4.htm>
- Students need to use evidence from these websites to support their arguments as they answer the question above.
- By exploring the websites above and answering the question, students can see the major tactic employed by civil rights activists at the beginning of the 1960s was to engage in non-violent protests within a public space.
- With the passage of the Civil Rights Voting Act, the U.S. took great strides to remove Jim Crow and de facto segregation laws. There were challenges to this Civil Rights Voting Act. One of the most notable cases that reached the Supreme Court was Katzenbach v. McClung.
- Students start by reading excerpts below from Brown's book about the issues that led to Katzenbach v. McClung and then answer a couple of questions to demonstrate their understanding of the two paragraphs.

“After President Lyndon Johnson signed the bill (1964 Civil Rights Voting Act) into law on July 2, 1964, there were some demonstrations in the South, but civil rights leaders were unexpectedly surprised at the overall level of voluntary compliance. Several business organizations, however, maintained that Congress exceeded its authority in passing the law. As the Civil Rights Act was rooted in the Commerce Clause, they believed that a constitutional challenge to its sweeping regulations could succeed if they could demonstrate that there was no substantial link between a business and interstate commerce. With that argument in mind, members of the Birmingham Restaurant Association approached Ollie McClung, Sr.

ACTIVITY FOUR CONTINUED

McClung was convinced that if he seated and served black customers inside, white customers would refuse to patronize the restaurant. The result, he feared, was that Ollie's Barbecue would have to close; he would lose his business and his employees would lose their jobs. As Congress debated the Civil Rights Act, he met with his thirty-six employees, twenty-six of whom were African American to discuss how Ollie's Barbecue should proceed if the law passed. His employees received no set wages but rather a percentage of all profits, and when McClung told them he thought the restaurant should maintain its practice of segregation to avoid a possible closure, his employees unanimously agreed. The day after President Johnson signed the Civil Rights Act into law, Ollie's Barbecue deliberately violated it by turning away black customers seeking service inside. Shortly thereafter, McClung met with attorneys with the Birmingham Restaurant Association and, again with the approval of his employees, agreed to challenge the legislation. On July 31, 1964, McClung filed suit in U.S. District Court in Birmingham seeking an injunction to stop the Department of Justice from enforcing the Civil Rights Act.”¹

QUESTIONS

1. From the passages you read, why do you think the Civil Rights Voting Act is considered a seminal bill?
2. How did McClung's actions show how the context of a time period can influence people's actions?
 - After students read these passages and answer and discuss these two questions, students assume the role of an African American customer, and write a letter to the mayor to bring awareness to the issue of Ollie's Barbecue not serving African Americans. The letter should be a half page and draw on evidence to support your arguments.
 - This activity allows students to explore how laws can impact on them on an individual level. Additionally, students can grasp how people can work on an issue to impact changes to unjust laws.

¹ Brown, Steven P. *Alabama Justice: The Cases and Faces that Changed a Nation*. Unpublished Manuscript. Used with permission.

SESSION TWO NOTES

FROM VULCAN...

The mission of Vulcan Park and Museum is to preserve and promote Vulcan as the symbol for the Birmingham region, to advance knowledge and understanding of Birmingham's history and culture, and to encourage exploration of the region.

In order to support this mission, Vulcan Park and Museum offers several educational events and programming opportunities throughout the year including:

- **LINN-HENLEY GALLERY ROTATING EXHIBITIONS**
- **BIRMINGHAM REVEALED CULTURAL SERIES**
- **SPRING WALKING TOUR SERIES**
- **FIELD TRIPS & BIRMINGHAM HISTORY ON THE ROAD
(BOTH WITH GRANT ASSISTANCE OPPORTUNITIES)**

Details for these educational opportunities and more can be found on our website: [visitvulcan.com/education](https://www.visitvulcan.com/education).

Thank you for joining us today and we hope you'll visit us again soon.



PARK & MUSEUM

FIRE THE IMAGINATION. FORGE THE FUTURE.



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