| *From Subjects to Citizens*  **A Revolution of Words: The 250th Birthday of the Declaration of Independence and Its Impact on the Nation** |
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| **African Americans: The Declaration’s 189th Birthday in 1965** |

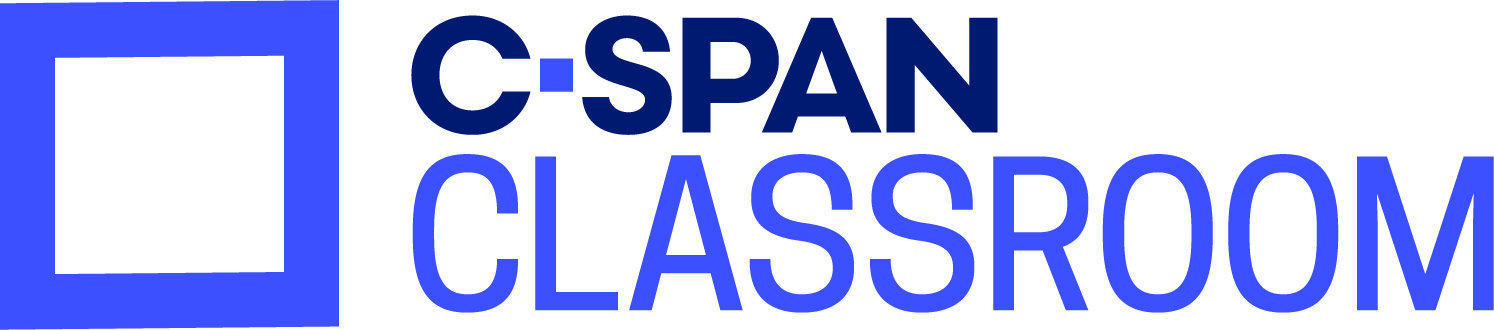
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## **LESSON OVERVIEW**

| **DESCRIPTION** |
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| In this lesson, students will examine the Declaration of Independence in its 189th year. The focus will be on the promises outlined in the Declaration and their connection to African Americans during the Civil Rights Movement. |
| **ESSENTIAL QUESTION** |
| How did the promises of the Declaration of Independence serve as an inspiration to African Americans in its 189th year? |
| **KEY PROMISES** |
| * Equality * Unalienable Rights * Consent of the Governed * Right to Revolution |
| **MATERIALS** |
| * Sample Literacy Test Questions * C-SPAN “Poll Taxes and Literacy Tests in Selma, Alabama” Video (external link) * Primary Source Digital Unwrapping Slides * Promises of the Declaration of Independence Handout * Letters Opposing the Voting Rights Act of 1965 * Letters Supporting the Voting Rights Act of 1965 * Historical Thinking Prompts Slide * C-SPAN “President Johnson’s March 15, 1965 Voting Rights Speech to Congress” Video (external link) |

## **TEACHER CONTENT BACKGROUND INFORMATION**

*[Not intended for student use]*

**1. Key Promises in the Declaration of Independence**

1. **Equality**

The Declaration of Independence states that “all men are created equal”. This concept of equality focuses on equality as opportunity, where “all men” are created equal, although being created equal does not guarantee equal experiences. Enlightenment philosophers supported the concept of [individualism](https://centerforindividualism.org/individualism-founding-fathers-part-1-liberty-limited-government/). Individualism suggests that each person possesses an inherent worth that supports freedom, self-reliance, and individual skills, talents, and interests. Equal opportunity in the context of individualism means that being born equal does not lead to equal results or equal outcomes.

1. **Unalienable Rights**

According to the Declaration, unalienable rights (“natural rights”) are those rights with which people are born (given “by their Creator”). They include the unalienable rights of “life, liberty and the pursuit of happiness”. These rights cannot be taken away by the government, and the government is also obligated to protect unalienable rights. These rights are associated with 17th to early 19th century European Enlightenment philosophers who supported unalienable rights as the means to challenge traditional authority that existed under monarchies.

1. **Consent of the Governed**

Consent of the governed includes that “governments are instituted among men, deriving their just powers from the consent of the governed,” as written in the Declaration. This promise focuses on self-government. The people rule themselves through governments that they establish. Because the people establish those governments and are not ruled by a government imposed on them (such as a monarchy), the people give their consent to how they are governed. Thus, self-rule is experienced when the people establish their own government to which the people give their consent.

1. **Right to Revolution**

The right to revolution recognizes that there may be times when the government abuses its power. The Founders wrote, “[T]hat 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...” This phrase suggests that when the people have determined that the government is not protecting their unalienable rights, they may change (“alter”) or replace (“abolish”) their government. The Declaration of Independence justified the colonists’ decision to separate from the British king. Since then, Americans have exercised their “right to revolution” by altering the government when the government has failed to live up to its promises through elections, interest groups, social movements, and political parties. Some of these changes have included broadening political power (who has it, what form it takes), defining citizenship, how the people experience self-government, and protecting individual rights.

**2. Connecting the Promises to African Americans**

1. **Equality**

The Declaration of Independence argues that “all men are created equal”. However, many have since found these sentiments contradictory when many of the [Founders owned slaves](https://louis.pressbooks.pub/introamericangov/chapter/the-african-american-struggle-for-equality/) as personal property.

The national government and many state governments enacted, supported, and enforced policies and perspectives that denied African Americans equal rights and protections. This viewpoint was reflected in the United States Supreme Court’s historical decision- making, such as in *Dred Scott v. Sandford* (1856). In that ruling, Chief Justice Roger Taney claimed that African Americans “…were not intended to be included, under the word ‘citizens’ in the Constitution, and can therefore claim none of the rights and privileges which that instrument provides to…citizens of the United States.” This precedent reflected public viewpoints about African Americans at that time, viewpoints that in part led to the Civil War (1861-65). Several decades after the Civil War and the ratification of the Fourteenth Amendment (1868), the United States Supreme Court decided that guarantees of equality nonetheless allowed racial segregation. For example, in *Plessy v. Ferguson* (1896), the United States Supreme Court determined that “separate but equal” did not violate the Fourteenth Amendment’s equal protection clause.

The United States Supreme Court’s interpretation of the equal protection clause was later reinterpreted in *Brown v. Board of Education* (1954), in which the Court suggested that “separate but equal” was inherently unequal. During the Civil Rights Movement, Supreme Court decisions and congressional action with the Civil Rights Act (1964) also supported racial equality.

1. **Unalienable Rights**

In the Declaration of Independence, the colonists argued that they deserved a government that would protect the unalienable rights of “life, liberty and the pursuit of happiness.” Unalienable rights are those rights to which a person is entitled by virtue of being born; the government cannot deny these rights. This phrase, reflecting the “social contract” theory, further reinforces that the government is obligated to guarantee and protect unalienable rights.

Yet, slavery was common during the period that the Declaration of Independence was written, and for almost 100 years after that. The Founders justified slavery based on the viewpoint that African Americans were not people and were not included in the social contract. [Thomas Jefferson worried](https://www.britannica.com/topic/The-Founding-Fathers-and-Slavery-1269536) that emancipation would inevitably degrade the republic. Many signers of the Declaration of Independence owned slaves and their writings suggest that they did not see a contradiction between their choice to own slaves and to espouse unalienable rights in the document.

The Civil War (1861-1865) played an important role in bringing attention to this contradiction. In the aftermath, the Thirteenth and Fourteenth amendments were added to the United States Constitution. The Thirteenth Amendment outlawed slavery, while the Fourteenth Amendment defined citizenship. These two amendments reflected efforts by the federal government to guarantee the social contract and unalienable rights to African Americans.

1. **Consent of the Governed**

The authors of the Declaration of Independence believed that they, [as white men](https://www.dar.org/archives/signers-declaration-independence), were entitled to “consent of the governed”. Consent of the governed is most often connected to voting, where citizens select public officials who are expected to make laws and other decisions based on public consent. Denying African Americans voting rights meant that African Americans could not select government officials or consent to how they were governed.

The Fifteenth Amendment was ratified in 1870. This amendment outlawed race discrimination in voting. However,in the aftermath of the Civil War, southern states objected to the Fifteenth Amendment. These states erected barriers to African American voting, such as with literacy and good citizenship tests that were nearly impossible to pass, and with other barriers such as closing polling places during the hours that African Americans were allowed to vote. The Voting Rights Act was passed in 1965 to address these barriers, although amendments to the act and modern Supreme Court decisions continue to respond to concerns about voting rights.

The Civil Rights Movement demonstrated an important way that African Americans expressed their lack of consent of the government, due to ongoing discrimination that the government failed to address. First Amendment protections of free speech, free press, petitioning the government, and peaceable assembly were each utilized by African Americans, notably during the Civil Rights Movement.

**3. Extending Voting Rights**

Over time, the U.S. Constitution has been amended to extend voting rights to specific populations and to reduce participation barriers. This began with the 13th, 14th, and 15th Amendments, during the period known as Reconstruction following the Civil War. The 13th and 14th Amendments, ending slavery and defining citizenship, were important steps toward the ratification of the 15th Amendment, which granted the right to vote to African American males. While the passage of the 15th Amendment in 1870 initially increased participation in elections and elevated African American men to political office, other limitations were put in place that impeded African American men from exercising their new rights, in the south and across the country.

Former Confederate states worked in some way to suppress or eliminate voter registration and participation among African Americans. The attempts to segregate and disenfranchise the African American population through legislation came to be known as Jim Crow laws. Poll taxes, literacy tests, vouchers of “good character” (persons already registered had to vouch for applicants that they met residency qualifications), disqualification for “crimes of moral turpitude,” and violence were commonly used ways to discourage voter participation. For example, by looking at [voter registration data](https://sk.sagepub.com/book/edvol/the-african-american-electorate/chpt/rare-african-american-registration-voting-data-episodic) for Mississippi in 1964, one can see how effective these voter suppression methods had become. In the South, African American voter registration was about one-third, while in Mississippi, it was 5.2%. In Holmes County, all but .2% (one-fifth of one percent) of African-Americans were disqualified from voting, while 100% of whites were registered in that same county. In three Mississippi counties, not a single African American voted.

Through constitutional amendments, federal laws, and U.S. Supreme Court decisions, some of which are included in the table below, things began to change.

| **Event** | **Date** | **Description** |
| --- | --- | --- |
| ***Guinn v. United States*, 238 U.S. 347** | 1915 | U.S. Supreme Court held that voter registration requirements that included “grandfather clauses” violated the 15th Amendment. Grandfather clauses extended voter registration to those descended from men with the right to vote before the 15th Amendment was ratified in 1870. |
| ***Smith v. Allwright*, 321 U.S. 649** | 1944 | U.S. Supreme Court held that Texas white primaries violated the 15th Amendment. The Texas Democratic party prohibited African Americans from voting in their primaries; as few, if any, Republicans ran for office, the winner of the Democratic primary won the general election by default. |
| **Civil Rights Act of 1957** | 1957 | Created the Civil Rights Division within the U.S. Department of Justice and the Commission on Civil Rights. The Attorney General was granted authority to intervene for those whose 15th Amendment rights had been violated. |
| **Civil Rights Act of 1960** | 1960 | Allowed federal courts to appoint voting referees to conduct voter registration. |
| ***Gomillion v. Lightfoot, 364 U.S. 339*** | 1960 | U.S. Supreme Court held that the state legislature’s gerrymandered boundaries of Tuskegee, Alabama, violated the 15th Amendment. |
| **24th Amendment** | 1964 | Text: *The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay poll tax or other tax.* |
| **Civil Rights Act of 1964** | 1964 | Contained several minority voting-related provisions. |
| **Voting Rights Act of 1965** | 1965 | Outlawed discriminatory voting practices directed against African Americans.  Prohibited states from imposing any "voting qualification or prerequisite to voting, or standard, practice, or procedure ... to deny or abridge the right of any citizen of the United States to vote on account of race or color."  Outlawed the use of literacy tests as a condition of voter registration.  Established federal oversight of election administration. |

Sources:

Brown v. Board of Education (1954), <https://supreme.justia.com/cases/federal/us/347/483/>

Civil Rights Act (1964), [https://www.archives.gov/milestone-documents/civil-rights-ac](https://www.archives.gov/milestone-documents/civil-rights-act)t

Dred Scott v. Sandford (1856), <https://supreme.justia.com/cases/federal/us/60/393/>

First Amendment (1791), <https://www.law.cornell.edu/constitution/first_amendment>

Fifteenth Amendment (1870), <https://www.archives.gov/milestone-documents/15th-amendment>

Fourteenth Amendment (1868), <https://www.archives.gov/milestone-documents/14th-amendment>

Plessy v. Ferguson (1896), <https://supreme.justia.com/cases/federal/us/163/537/>

Thirteenth Amendment (1865), <https://www.archives.gov/milestone-documents/13th-amendment>

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## **ACTIVITY SEQUENCE**

| **HOOK** | 1. Provide students with the [Sample Literacy Test Questions](https://docs.google.com/document/d/10ClLS9gyYwyzg2lTpA6UbWzGyr8JxzYzteyIMvQJmow/edit?usp=sharing). 2. Have students attempt to answer the questions on their own. 3. Review the answers to the questions and allow students to grade their own work. Engage the whole class in a discussion about how they would feel if missing some of these questions resulted in them not being able to vote in U.S. elections.   **Teacher Note:** While the sample above pulls the first 5 questions from the literacy test, you could expand or choose different questions from the 68 provided. You could also point out to students that some answers may be open to subjective grading.   1. Inform students that they are going to learn a little more about these historical barriers to voting by taking a short virtual trip using the [Poll Taxes and Literacy Tests in Selma, AL Video](https://www.c-span.org/classroom/document/?24041) from C-SPAN. 2. Have a quick discussion about some of the things they saw throughout the video. |
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| **FEATURED PRIMARY SOURCE UNWRAPPING** | 1. Explain to students that it is time to ‘unwrap’ this month’s primary source document.   **Teacher Note:** As the theme of these lesson plans is America’s birthday, each month, you and your students will digitally unwrap a new primary source. This is an opportunity to drum up excitement as we lead up to the 250th celebration and draw our focus to a time when individuals were fighting for those promises outlined. Because February is Black History Month, the focus for this month will be on African Americans.   1. Use the [Primary Source Digital Unwrapping Slides](https://docs.google.com/presentation/d/1vFcvVejKnVe09Yh1LBoHgELHP4c6SqFcotLjn4H0EPw/edit?usp=sharing) and reveal the primary source inside. 2. Examine the document together and ask students if anyone can identify it.   **Teacher Note:** This month’s primary source document is the Voting Rights Act of 1965. Use the link provided in the Speaker Notes of the slide to go directly to the source on the National Archives website, where you can find examination tools like a magnifier and a typed transcription.   1. Together as a whole class, analyze the document by answering the following questions:    1. What type of document is it?    2. When is the document from?    3. What is the document’s central idea?   **Teacher Note:** See the Teacher Background Information section above and the Speaker Notes of the slides to help guide class discussion. |
| **LESSON ACTIVITY** | 1. Project or provide students with the [Promises of the Declaration Handout](https://drive.google.com/file/d/1VkSeSCa-9Pw1i3Mp5FC5DFMEhAr34fNP/view?usp=drive_link). 2. Ask students to connect the central idea of the Voting Rights Act of 1965 to the promises of the Declaration. Which promise(s) was this legislation inspired by and/or attempting to fulfill? Why had that promise not been achieved yet for African Americans? 3. Explain to students that throughout history, as “We the People” work to stay true to those promises, not everyone agrees on how that should look. 4. Assign half of the students one reading, and the other half of the students the second reading.    1. [Letters Opposing the Voting Rights Act of 1965](https://docs.google.com/document/d/1owU7P-SxCsAzoyug9NQ0EdVKEHzNNu0W981GMOfs8-g/edit?usp=sharing)    2. [Letters Supporting the Voting Rights Act of 1965](https://docs.google.com/document/d/1y6jacMii5woivsBVH-Rr7RRNve_RlDmFvCl_ghuCqe8/edit?usp=sharing) 5. Provide students time to read their assigned sources and answer the corresponding questions. 6. Bring the class back together to discuss the two perspectives. 7. Using the [Historical Thinking Prompts Slide](https://docs.google.com/presentation/d/1MHwlP2oNydPZTcLcLEHtMCrgFFb5Ae4rEPfTQZOyiRY/edit?usp=sharing), lead students through a discussion. |
| **CONCLUSION** | 1. Bring students back together and have them watch an excerpt from C-SPAN of [President Johnson's speech to Congress](https://www.c-span.org/classroom/document/?24042) about the Voting Rights Act to understand why, despite the varying viewpoints, the legislation passed. 2. Have students identify one line/quote from President Lyndon B. Johnson they feel best captures the impact of the Declaration’s promises 189 years after its creation. If they need extra assistance, the text of the speech is included in the C-SPAN resource. |

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## **ADDITIONAL RESOURCES AND SAMPLE ANSWERS**

| **SAMPLE ANSWERS** |
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| * [Sample Literacy Test Questions](https://jimcrowmuseum.ferris.edu/pdfs-docs/origins/al_literacy.pdf) (answers at end of document) * [Letters Opposing the Voting Rights Act of 1965 Questions](https://docs.google.com/document/d/1x9zL99rf3R1mJLgdjGb3JSRpNWVsfEEOMGMXMI9Kc7c/edit?usp=sharing) * [Letters Supporting the Voting Rights Act of 1965 Questions](https://docs.google.com/document/d/1LAwUMI8Xdefd9vSgZ3qJIJe9l9j2pIxshh5Pf9vmXDk/edit?usp=drive_link) |

| **ADDITIONAL RESOURCES** |
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| [C-SPAN Classroom Featured Resources for Black History and Civil Rights](https://sites.google.com/view/c-spanclassroom-featured/u-s-and-state-history/u-s-history#h.p_w5tceVNLugcq)  [Lou Frey Institute Educator Resources](http://floridacitizen.org)  [National Archives Document Analysis Educator Resources](https://www.archives.gov/education/lessons/worksheets) |

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