

LESSON TWO - THE NARRATIVE OF RACIAL DIFFERENCE

A THROUGHLINE IN HISTORY

ESSENTIAL QUESTION

How has the false narrative of racial difference perpetuated the systemic racial injustices of enslavement, lynching and racial terror, segregation, and mass incarceration in the United States?

OVERVIEW

The narrative of racial difference - the false belief that black people are inherently inferior - has continued to haunt the United States. This false narrative of racial difference was created to justify slavery and has survived beyond slavery's formal abolition, turning into decades of racial terror and segregation. It continues to perpetuate racial inequality today in public policy, the law, the criminal justice system, education, and in many other aspects of culture and society.

To deepen their understanding of this lesson's essential question, students will engage with multiple source materials including documentary film clips from *True Justice: Bryan Stevenson's Fight for Equality* and excerpts from reports published by EJI. Students will synthesize their learning by choosing one form of a narrative map that will express and explain their understanding of the narrative of racial difference.



Slavery did not end. It evolved.

- BRYAN STEVENSON



LESSON OBJECTIVES

Students will:

- Understand how the narrative of racial difference was used to justify the systems of enslavement, racial terror lynching, and segregation, and how it continues to sustain racial injustice in our present crisis of mass incarceration
- View segments from True Justice to analyze the narrative of racial difference
- Use information and ideas from the Interview Archive, and other source materials, and historical primary source documents to deepen understanding about each of these periods in our nation's history
- Create a narrative map to summarize their understanding of the narrative of racial difference

Note: This lesson focuses on the evolution and consequences of the narrative of racial difference in the United States. For more information about the history itself, the <u>Equal Justice Initiative</u> has published multiple in-depth reports on slavery, racial terror lynching, and mass incarceration.

MATERIALS

Equipment for viewing film clips and interview threads, and copies of all handouts

LENGTH

One to two 50-minute class periods plus homework

TRUE JUSTICE | LESSON TWO | 1



1. OPENING DISCUSSION

Read aloud this Bryan Stevenson quote from *True Justice*:

Slave owners in the American South wanted to feel like they were moral people. They were Christians. And to feel that and still be owning other people, they had to say that black people are different than white people. And that was ratified by the Supreme Court in the Dred Scott decision. The Supreme Court says in 1857, look, black people are an inferior race. They're not like white people. They're three-fifths human, and because of that, they're not citizens. They are not protected by the Constitution. And that decision not only allowed slavery to persist, but it created a racial hierarchy. It introduced formally in the law this idea of white supremacy—this narrative of racial difference.

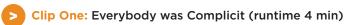
As a class, use the context offered by the quote to brainstorm what they believe to be the meaning of the phrase "Narrative of Racial Difference." Write your class definition up on the board to refer back to during the class period.

2. ANALYZING FILM AS TEXT

Teacher Note: The following film clips chronicle the through-line of how the false narrative of racial difference has influenced enslavement, lynching and racial terror, segregation, and mass incarceration. This content is emotionally difficult and setting the context is critical.

Distribute Handout One: Reckoning With the Narrative of Racial Difference Note Catcher. Ask students to review the Note Catcher before watching the clips so they are familiar with the questions. Invite students to write down their notes while watching, and offer a few minutes after each clip to complete their notes.

Film Clips



In this clip, Bryan Stevenson describes racial terror lynchings and how they were used to terrorize the African American population in order to perpetuate racial inequality and segregation.

Clip Two: The Label 'Slave' is Replaced with the Label 'Criminal' (runtime 4:08)

This clip demonstrates how the criminal justice system became a tool to maintain racial hierarchy and control after slavery was abolished. It draws a historical through-line of the criminalization of African Americans anytime there is progress - from the laws passed during and after Reconstruction, to Civil Rights activists, to the "tough on crime" laws of the early 1970s that continue to sustain mass incarceration today.

3. A HISTORICAL VIEW -CONNECTING PAST TO PRESENT

Handouts Two, Three, and Four delve deeper into how the narrative of racial difference has shaped, and continues to shape American history. These Handouts and the accompanying instructions and discussion prompts may be used as homework.

Handout Two: Racial Terror Lynchings

Using an excerpt from EJI's "Lynching in America" report, students will gain background knowledge on the context and characteristics of racial terror lynchings. While racial terror lynchings preceded the Civil War, the excerpts chosen discuss the characteristics of racial terror lynchings in the period after the Civil War.

Handout Three: The Legacy of Racial Terror Lynching, Excerpt from "Lynching in America"

Using an excerpt from EJI's "Lynching in America" report, students will analyze the connection between racial terror lynching and capital punishment.

Handout Four: Analyzing Images to Understand Complicity

Students will analyze the images below (reproduced in Handout Four) and linked in the Photo Archive to reflect on the role of complicity in perpetuating the narrative of racial difference.



PHOTO 1
Tenant farmers picking cotton,
Savannah, Georgia, 1880s (Courtesy
Library of Congress)



PHOTO 2 Terror lynching of Henry Smith in Paris, Texas, 1893 (Courtesy Library of Congress)



PHOTO 3
Wagons used to transport and house African
Americans convicted of crimes and compelled
to work in road gangs, lumber camps, and
farms, Pitt County, North Carolina,
1910 (Courtesy Library of Congress)



PHOTO 4 NAACP youth and student members marching with signs protesting Texas segregation laws, Houston, Texas, 1947 (Courtesy Library of Congress)



PHOTO 5
A group of people, one holding a Confederate flag, surrounding speakers and
National Guard, protesting the admission of the "Little Rock Nine" to Central High School, Little Rock, Arkansas, 1959
(Courtesy Library of Congress)



PHOTO 6
African American demonstrators outside the White House, with signs "We demand the right to vote, everywhere" and signs protesting police brutality against civil rights demonstrators in Selma, Alabama. March 12, 1965 (Courtesy Library of Congress)

5. BUILDING A NARRATIVE MAP

Bryan Stevenson and the Equal Justice Initiative believe that throughout history, false narratives have helped to create and sustain injustice, and that it is necessary to confront and change these narratives in order to create a more just society.

To engage students in the process of building a new narrative, each lesson culminates by having students synthesize their learning and map out this information into a form of their choosing. In Lesson Six students will compile these new narrative maps to complete a final assessment.

Here are some suggested narrative maps:

Storyboard

A sequence of drawings, typically with some directions and dialogue that conveys their understanding of the lesson topic

Graphic Organizer

A way to present related information in both a visual and text format

Sketchnotes

Often referred to as doodling, sketchnoting is defined as creative, individualized note taking that uses a mix of words and pictures together to create a personal story or narrative

For Lesson Two: The Narrative of Racial Difference

Using the narrative map of your choice from Handout Five, organize your learning to reflect your understanding of how the narrative of racial difference has functioned to maintain and perpetuate racial injustice in the United States.



6. CLOSING DISCUSSION QUESTIONS

- How was the narrative of racial difference sustained from slavery to the present era?
- What actions and ideas allowed the narrative to continue to shape American culture across generations?
- How do we change societal narratives, including narratives of racial difference, that perpetuate inequality?

7. EXTENDED LEARNING

Option One: Ida B. Wells

Ida B. Wells, renowned activist and journalist, played a critically important role in exposing thousands of racial terror lynchings to a national audience and mobilizing protests against these crimes. In 1909, Ms. Wells gave a speech to the National Negro Conference, precursor to the National Association for the Advancement of Colored People (NAACP), entitled "Lynching Our National Crime.[1]" in which she said:

The lynching record for a quarter of a century merits the thoughtful study of the American people. It presents three salient facts: First, lynching is color-line murder. Second, crimes against women is the excuse, not the cause. Third, it is a national crime and requires a national remedy. ... Why is mob murder permitted by a Christian nation?

Read the excerpt of her speech included in Handout Six, noting in particular where she refers to the narrative of racial difference. Imagine you were the host of the event where she spoke and write an introduction to this speech that both offers the listeners an explanation of the narrative of racial difference, and insight into how our beliefs about race would change as a result of her recommendations for bringing an end to racial terror lynching.

Option Two: Implicit Bias

In his interview, EJI Deputy Director Randy Susskind says, "Everyone knows that there's implicit bias, that people have deep-seated biases, unconscious biases, and it permeates all areas of life, it permeates how people buy and sell houses, how people get taxi cabs in the city - medical care is affected by that."

There is a great deal of research and resources available to learn about the effects of implicit bias and how to interrupt and challenge when biases surface. Consider having students learn more about implicit bias from these sources:

- <u>Listen to this</u> Equal Justice Initiative talk on implicit bias and education
- Explore <u>Dr. Jennifer Ebherhardt's work</u> and research on implicit bias

Common Core State Standards

Anchor Standards

Reading Literature and/or Information: Integration of Knowledge and Ideas.

RL/RI.X.7. Integrate and evaluate content presented in diverse media and formats, including visually and quantitatively, as well as in words.

RL/RI.X.8. Delineate and evaluate the argument and specific claims in a text, including the validity of the reasoning as well as the relevance and sufficiency of the evidence.

RL/RI.X.9. Analyze how two or more texts address similar themes or topics in order to build knowledge or to compare the approaches the authors take.

Speaking and Listening: Comprehension and Collaboration

SL.X.1 Prepare for and participate effectively in a range of conversations and collaborations with diverse partners, building on others' ideas and expressing their own clearly and persuasively.

SL.X.2. Integrate and evaluate information presented in diverse media and formats, including visually, quantitatively, and orally

SL.X.3 Evaluate a speaker's point of view, reasoning, and use of evidence and rhetoric.

SL.X.5 Make strategic use of digital media and visual displays of data to express information and enhance understanding of presentations.

Writing: Research to Build and Present Knowledge.

W.X.7: Conduct short as well as more sustained research projects based on focused questions, demonstrating understanding of the subject under investigation.

W.X.8 Gather relevant information from multiple print and digital sources, assess the credibility and accuracy of each source, and integrate the information while avoiding plagiarism.





Directions: As you watch the film clips, consider the following questions and record your answers.

According to Bryan Stevenson,	what is the function	of the narrative of ra	icial difference in the era of
slavery?			

According to Bryan Stevenson, what is the function of the narrative of racial difference in the era of lynching?

What does the phrase "everybody was complicit" mean with regard to racial terror lynching? In what way do you think the same phrase applies to mass incarceration?

How does understanding the narrative of racial difference change or enhance your understanding of the aspects of U.S. history described in these clips?

Where do you see or where have you experienced evidence of the narrative of racial difference in your own community?

HANDOUT TWO: RACIAL TERROR LYNCHING



Excerpted from Lynching in America: From "Popular Justice" to Racial Terror

"Southern lynching took on an even more racialized character after the Civil War. The act and threat of lynching became "primarily a technique of enforcing racial exploitation—economic, political, and cultural." Characterized by Southern mob violence intended to reestablish white supremacy and suppress black civil rights through political and social terror, the Reconstruction era was a violent period in which tens of thousands of people were killed in racially- and politically-motivated massacres, murders, and lynchings. White mobs regularly targeted African Americans with deadly violence but rarely aimed lethal attacks at white individuals accused of identical violations of law or custom.

By the end of the nineteenth century, Southern lynching had become a tool of racial control that terrorized and targeted African Americans. The ratio of black lynching victims to white lynching victims was 4 to 1 from 1882 to 1889; increased to more than 6 to 1 between 1890 and 1900; and soared to more than 17 to 1 after 1900. Professor Stewart Tolnay concluded from this data that "lynching in the South became increasingly and exclusively a matter of white mobs murdering African-Americans," —a "routine and systematic effort to subjugate the African-American minority." 12

The character of the violence also changed as gruesome public spectacle lynchings became much more common. At these often festive community gatherings, large crowds of whites watched and participated in the black victims' prolonged torture, mutilation, dismemberment, and burning at the stake.¹³ Such brutally violent methods of execution had almost never been applied to whites in America. Indeed, public spectacle lynchings drew from and perpetuated the belief that Africans were subhuman—a myth that had been used to justify centuries of enslavement, and now fueled and purportedly justified terrorism aimed at newly emancipated African American communities.¹⁴

Southern states were equipped with readily-available, fully-functioning criminal justice systems eager to punish African American defendants with hefty fines, imprisonment, terms of forced labor for state profit, and legal execution. Lynching in this era and region was not used as a tool of crime control, but rather as a tool of racial control wielded almost exclusively by white mobs against African American victims. Many lynching victims were not accused of any criminal act, and lynch mobs regularly displayed complete disregard for the legal system. . . .

Through lynching, Southern white communities asserted their racial dominance over the region's political and economic resources—a dominance first achieved through slavery would now be restored through blood and terror.

African Americans were lynched under varied pretenses. Today, lynching is most commonly remembered as a punishment exacted by white mobs upon black men accused of sexually assaulting white women. During the lynching era, whites' hypervigilant enforcement of racial hierarchy and social separation, coupled with widespread stereotypes of black men as dangerous, violent, and uncontrollable sexual aggressors, fueled a pervasive fear of black men raping white women.¹⁶ Of the 4084 African American lynching victims EJI documented, nearly 25 percent were accused of sexual assault¹⁷ and nearly 30 percent were accused of murder.¹⁸ Hundreds more black people were lynched based on accusations of far less serious crimes like arson, robbery, non-sexual assault, and vagrancy,¹⁹ many of which were not punishable by death if convicted in a court of law. In addition, African Americans frequently were lynched for non-criminal violations of social customs or racial expectations, such as speaking to white people with less respect or formality than observers believed was due.²⁰ Finally, many African Americans were lynched not because they committed a crime or social infraction, and not even because they were accused of doing so, but simply because they were black and present when the preferred party could not be located."



Excerpted from Lynching in America: From "Popular Justice" to Racial Terror

Directions: Underline key phrases and new details as you read through this excerpt from the EJI Report "Lynching in America." Note names of places, court cases or people you might be interested in learning more about in the future.

Prepare to answer these questions during classroom discussion, or in writing:

- Describe how the legacy of racial terror lynching is visible in today's system of capital punishment.
- How do you think this legacy should influence our capital punishment laws and policies?
- Use the data from the film clip, the <u>Lynching In America</u> report, or conduct independent research
 to identify other areas of our criminal justice system where else the legacy of racial terror and the
 narrative of racial difference is evident.

LYNCHING'S LEGACY: CAPITAL PUNISHMENT IN AMERICA

As early as the 1920s, lynchings were disfavored because of the "bad press" they garnered. Southern legislatures shifted to capital punishment so that legal and ostensibly unbiased court proceedings could serve the same purpose as vigilante violence: satisfying the lust for revenge...²¹

By 1915, court-ordered executions outpaced lynchings in the former slave states for the first time. Two-thirds of those executed in the 1930s were black, and the trend continued. As African Americans fell to just 22 percent of the South's population between 1910 and 1950, they constituted 75 percent of those executed in the South during that period.

In the 1940s and 1950s, the NAACP's Legal Defense Fund (LDF) began a multi-decade litigation strategy to challenge the American death penalty—which was most active in the South—as racially-biased and unconstitutional. They won in Furman v. Georgia in 1972 when the United States Supreme Court struck down Georgia's death penalty statute, holding that capital punishment too closely resembled "self-help, vigilante justice, and lynch law" and that "if any basis can be discerned for the selection of these few to be sentenced to die, it is the constitutionally impermissible basis of race.

Southern opponents decried the decision and immediately proposed new death penalty statutes. In 1976, in Gregg v. Georgia, the Supreme Court upheld Georgia's new death penalty statute and reinstated the American death penalty, capitulating to the claim that legal executions were needed to prevent vigilante violence.

The new death penalty statutes continued to result in racial imbalance, and constitutional challenges persisted. In the 1987 case of McCleskey v. Kemp, the Supreme Court considered statistical evidence demonstrating that Georgia decision makers were more than four times as likely to impose death for the killing of a white person than a black person. Accepting the data as accurate, The Court described racial bias in sentencing as "an inevitable part of our criminal justice system" and upheld Warren McCleskey's death sentence because he had failed to identify a "constitutionally significant risk of racial bias" in his case.

Race remains a significant factor in capital sentencing. African Americans make up less than 13 percent of the nation's population, but nearly 42 percent of those currently on death row in America are black, and 34 percent of those executed since 1976 have been black. In 96 percent of states where researchers have completed studies examining the relationship between race and the death penalty, results reveal a pattern of discrimination based on the race of the victim, the race of the defendant, or both. Capital trials today remain proceedings with little racial diversity; the accused is often the only person of color in the courtroom and illegal racial discrimination in jury selection is widespread, especially in the South and in capital cases. In Houston County, Alabama, prosecutors have excluded 80 percent of qualified African Americans from juries in death penalty cases.

More than eight in ten American lynchings between 1889 and 1918 occurred in the South, and more than eight in ten of the nearly 1400 legal executions carried out in this country since 1976 have been in the South. Modern death sentences are disproportionately meted out to African Americans accused of crimes against white victims; efforts to combat racial bias and create federal protection against racial bias in the administration of the death penalty remain thwarted by familiar appeals to the rhetoric of states' rights; and regional data demonstrates that the modern death penalty in America mirrors racial violence of the past. As contemporary proponents of the American death penalty focus on form rather than substance by tinkering with the aesthetics of lethal punishment to improve procedures and methods, capital punishment remains rooted in racial terror—"a direct descendant of lynching."²²

22 Ibid., p. 63-64





The narrative of racial difference persists because people believe in it and act to uphold it. As you view each of these images, respond to the following questions:

- Describe what you see in the photograph.
- What questions would you ask the photographer about these photos?
- What evidence of the narrative of racial difference is present in the photo?
- Who or what is missing from this photo that might give you a fuller picture or what is happening?
- How would the photo be different if so many people were not complicit in the narrative of racial difference?

The people who perpetrated these lynchings weren't people wearing white hoods, there was no need to wear a hood. You could actually pose with the victim's body. You could carve their body up and collect souvenirs. This was actually a point of pride. Everybody was complicit.

- BRYAN STEVENSON







PHOTO 1 PHOTO 2 PHOTO 3







PHOTO 4 PHOTO 5 PHOTO 6



Storyboards, Graphic Organizers, and Sketchnotes are all examples of narrative maps.

Feel free to identify other narrative map models.

FOR LESSON TWO Using the narrative map of your choice from Handout Five, organize your learning to reflect your understanding of how the narrative of racial difference has functioned to maintain and perpetuate racial injustice in the United States.

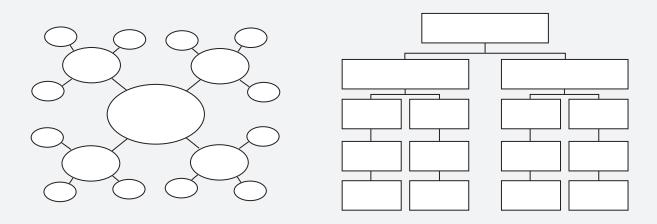
STORYBOARD

A sequence of drawings, typically with some directions and dialogue that conveys their understanding of the lesson topic, and which may be then made into a graphic novel or film. Each of the squares represents a 'scene' of the story you want to tell. Give each box a title, choose a representative image, and write a sentence or two about the ideas and concepts this section of your overall story will communicate.

Scene Title:	Scene Title:	Scene Title:
Description:	Description:	Description:

GRAPHIC ORGANIZER

A visual method of organizing information that is sometimes called a mindmap, invites students to organize ideas and concepts in a non-linear, relational way using words and/or images.



Sample images from: https://www.cultofpedagogy.com/graphic-organizer/

SKETCHNOTE

Often referred to as doodling, sketchnoting is defined as creative, individualized note taking that uses a mix of words and pictures together to create a personal story or narrative.⁷



Sample Image from: https://www.kqed.org/mindshift/39941/making-learning-visible-doodling-helps-memories-stick

EXTENDED LEARNING, HANDOUT SIX: IDA B. WELLS "LYNCHING OUR NATIONAL CRIME"24

Note: In this speech, Ida B. Wells refers to the phrase "color-line" which was famously used by W.E.B. Du Bois, one of the founders of the NAACP, in "The Souls of Black Folk" to describe the racial hierarchy perpetuated by the narrative of racial difference.

JUNE 01, 1909— NEW YORK CITY, NEW YORK ADDRESS AT THE NATIONAL NEGRO CONFERENCE

The lynching record for a quarter of a century merits the thoughtful study of the American people. It presents three salient facts: First, lynching is color-line murder. Second, crimes against women is the excuse, not the cause. Third, it is a national crime and requires a national remedy. Proof that lynching follows the color line is to be found in the statistics which have been kept for the past twenty-five years. During the few years preceding this period and while frontier law existed, the executions showed a majority of white victims. Later, however, as law courts and authorized judiciary extended into the far West, lynch law rapidly abated, and its white victims became few and far between. Just as the lynch-law regime came to a close in the West, a new mob movement started in the South. This was wholly political, its purpose being to suppress the colored vote by intimidation and murder. Thousands of assassins banded together under the name of Ku Klux Klans, "Midnight Raiders," "Knights of the Golden Circle," et cetera, et cetera, spread a reign of terror, by beating, shooting and killing colored in a few years, the purpose was accomplished, and the black vote was supressed. But mob murder continued. From 1882, in which year fifty-two were lynched, down to the present, lynching has been along the color line. Mob murder increased yearly until in 1892 more than two hundred victims were lynched and statistics show tht 3,284 men, women and children have been put to death in this guarter of a century. During the last ten years from 1899 to 1908 inclusive the number lynched was 959. Of this number 102 were white, while the colored victims numbered 857. No other nation, civilized or savage, burns its criminals; only under that Stars and Stripes is the human holocaust possible. Twenty-eight human beings burned at the stake, one of them a woman and two of them children, is the awful indictment against American civilization—the gruesome tribute which the nation pays to the color line.

Why is mob murder permitted by a Christian nation? What is the cause of this awful slaughter? This question is answered almost daily— always the same shameless falsehood that "Negroes are lynched to protect womanhood." Standing before a Chautauqua assemblage, John Temple Graves, at once champion of lynching and apologist for lynchers, said: "The mob stands today as the most potential bulwark between the women of the South and such a carnival of crime as would infuriate the world and precipitate the annihilation of the Negro race." This is the never-varying answer of lynchers and their apologists. All know that it is untrue. The cowardly lyncher revels in murder, then seeks to shield himself from public execration by claiming devotion to woman. But truth is mighty and the lynching record discloses the hypocrisy of the lyncher as well as his crime.

The only certain remedy is an appeal to law. Lawbreakers must be made to know that human life is sacred and that every citizen of this country is first a citizen of the United States and secondly

 $24\ https://www.blackpast.org/african-american-history/1909-ida-b-wells-awful-slaugh\\ 25\ https://docsouth.unc.edu/church/duboissouls/summary.ht$

a citizen of the state in which he belongs. This nation must assert itself and protect its federal citizenship at home as well as abroad. The strong arm of the government must reach across state lines whenever unbridled lawlessness defies state laws and must give to the individual under the Stars and Stripes the same measure of protection it gives to him when he travels in foreign lands.

Federal protection of American citizenship is the remedy for lynching. Foreigners are rarely lynched in America. If, by mistake, one is lynched, the national government quickly pays the damages. The recent agitation in California against the Japanese compelled this nation to recognize that federal power must yet assert itself to protect the nation from the treason of sovereign states. Thousands of American citizens have been put to death and no President has yet raised his hand in effective protest, but a simple insult to a native of Japan was quite sufficient to stir the government at Washington to prevent the threatened wrong. If the government has power to protect a foreigner from insult, certainly it has power to save a citizen's life.

As a final word, it would be a beginning in the right direction if this conference can see its way clear to establish a bureau for the investigation and publication of the details of every lynching, so that the public could know that an influential body of citizens has made it a duty to give the widest publicity to the facts in each case; that it will make an effort to secure expressions of opinion all over the country against lynching for the sake of the country's fair name; and lastly, but by no means least, to try to influence the daily papers of the country to refuse to become accessory to mobs either before or after the fact.

In a multitude of counsel there is wisdom. Upon the grave question presented by the slaughter of innocent men, women and children there should be an honest, courageous conference of patriotic, law-abiding citizens anxious to punish crime promptly, impartially and by due process of law, also to make life, liberty and property secure against mob rule.

