

Discrimination and the 14th Amendment

Overview

In this lesson, students will read the Dr. Seuss book *The Sneetches* and discuss the effects of discrimination. Then they will look at the 14th Amendment and the role the Supreme Court has played in guaranteeing equal protection. Finally, students will analyze the difference between lawful and unlawful discrimination.

Objectives

1. Define “discrimination “
2. Understand that people may look and act differently but should be treated with equality, respect, and fairness
3. Examine the 14th amendment’s right to equal protection under the law
4. Analyze the difference between lawful and unlawful discrimination
5. Research and summarize discriminatory practices toward a group

Grade

8

Course

North Carolina-Creation and Development of the State

North Carolina Standard Course of Study

- Competency Goal 4.05-Analyze the political, economic, and social impact of Reconstruction on the state and identify the reasons why Reconstruction came to an end.
- Competency Goal 5.05-Assess the influence of the political, legal, and social movements on the political system and life in North Carolina.
- Competency Goal 7.02-Evaluate the importance of social changes to different groups in North Carolina.

Materials:

- Green Stars for half the class
- *The Sneetches*, by Dr. Seuss
- Lesson 26 “What is the right to equal protection of the laws?” from *We thePeople—Middle School edition*, published by The Center for Civic Education

Duration

Two to three class periods

Procedure

1. As student enter class, tape a green star onto the hand of every other student. Announce that those with green stars will be allowed special privileges throughout the class period while those without stars will be excluded from the privileges. Pause to see if any discussion ensues. Hopefully, some students will accuse the teacher of **discrimination**.

Write the word “**discrimination**” on the board and ask students to brainstorm the word. Ask students to cite examples of discrimination, both historical and present-day. Lead the discussion toward some of the reasons for discrimination: **prejudice**, hate, feelings of **superiority**, **insecurities**, tradition or **institutionalized practices (Black Codes and Jim Crow Laws** in the South).

Ask students if they can tell you anything about the **14th Amendment**. After they share, explain that the 14th Amendment was added to the Constitution after the **Civil War** to provide equal protection under the law; therefore, when people face unlawful discrimination today, they can sue for equal protection in a court.

2. Tell students that today’s lesson will be about exploring discrimination, and that they will first be listening to a story that may have been read to them as a child. Hold up a copy of *The Sneetches* and ask students to raise their hands if they are familiar with the story. Tell students that this book was first published in 1961, and that while Dr. Seuss’ books are classified as children’s books, they often explore deep and meaningful issues. *The Sneetches* explores social values within a society and sets up a conflict that needs to be resolved.

Show the class the first page of the story, *The Sneetches* and ask:

- What do you notice about both Sneetches? (One has a green star and is walking with a proud, beak-up gait; the

other Sneetch doesn't have a star and looks unhappy)

- Do you think the Sneetch with the star is better than the one without a star? Explain.

3. Read the first four pages of the story then pause for discussion:

- In what ways were the Sneetches without stars excluded?
- Who determines who wears stars? Does the story imply that a government chooses who gets to wear stars? (No, the star labeling is a private action, not a public government-sponsored action.)
- What is the example from history where a specific group of people were required to wear stars? Was this a private or government-sponsored action? Would you consider this example lawful or unlawful discrimination?
- Compare the Sneetches with stars to cliques in a middle school. How does it feel to be included versus excluded from the "popular group"?
- If the Sneetches with stars were in school today, what would they be like? For example, do you think they would feel they had to wear fashionable, logo-laden clothing to fit in?

4. Continue reading the story, pausing before reading the last page to ask the following questions.

- Who is Mr. Sylvester McMonkey McBean? How would you characterize him?
- How would you classify Mr. McBean? Is he an entrepreneur? (Is he an exploiter? Is he a benefactor? Is he all of these?)
- Why is he able to profit from both Sneetches without stars and Sneetches with stars? Are there people like Mr. McBean in today's marketplace who play upon young people's needs to fit in? Give some examples. Who dictates what is trendy and fashionable? Why do you think people today (like Sneetches) literally buy into these fashion statements? Who profits?
- Are his actions lawful or unlawful? Explain.
- Do you think his actions are ethical or unethical? Is he contributing to the common good of society? (Accept both yes and no answers. Some may think he is giving the excluded a means of assimilating into the accepted social network. Others may think he is only after personal gain and is exploiting the vulnerable members of the society.)
- What does he mean when he says, "You can't teach a Sneetch?"

5. Read the last page of the story. Once finished, culminate the discussion by asking:

- What does the author mean when he says, "The Sneetches got really quite smart that day"?
- What did the Sneetches decide? What is your opinion of this decision?
- What did the Sneetches learn about each other?
- What lessons should we take from Dr. Seuss's story?

6. Revisit the question -- Was the star-wearing situation in *The Sneetches* a form of discrimination? If so would it be considered lawful or unlawful discrimination?

Tell students that in order to answer these questions more accurately, they will be reading and discussing the information in Lesson 26—"What is the right to equal protection of the laws?" on pages 112 to 115 in *We the People*.

After introducing the purpose of the lesson, divide students into small groups to identify and explain unfair discrimination situations in the "Problem Solving" section.

7. After helping the class to process the group work, ask the class to think of examples of lawful discrimination and why it would be allowed. There are many examples associated with age that children can identify with. (Examples: child labor laws; legal drinking age of 21; legal driving age of 17; legal voting age of 18; compulsory school attendance; legal age to marry; seat belt and use of cell phones while driving laws, etc. Older students can talk about court decisions involving affirmative action, laws surrounding special education requirements, and the American Disabilities Act.)

Continue with the lesson by discussing the language of the 14th Amendment which guarantees equal protection for people in all states; point out, however, that some states used the "separate but equal" phrase from the *Plessy v. Ferguson* 1896 Supreme Court decision to continue to practice segregation for 58 years.

- What was the purpose of the 13th and 14th Amendment? (Read the full text of the amendments on page 158 or in a copy of the U.S. Constitution)
- How did some states continue to discriminate?
- How did these states justify their "Jim Crow laws"?
- What is the term given to the practice of separating the races?
- How long did legal segregation continue?

- What Supreme Court case changed the “separate but equal” practice? How did this decision differ from the *Plessy v. Ferguson* ruling?
- Did the Brown ruling have an immediate effect in ending discrimination?
- What other groups have benefited from the equal protection amendment? How?

8. In closure, guide students to the understanding that unlawful discrimination is hurtful to those who experience it. The 14th Amendment was added to the Constitution to protect against this type of discrimination.

Culminating Activities

- Review with students several examples of unlawful discrimination that have been discussed during the lesson. Each student will choose a group (women, Native Americans, African Americans, gays & lesbians, the disabled, Japanese Americans, etc.) to research. Students should collect information to prove discriminatory practices against their group (i.e. pictures, newspaper articles, statistical charts and information, student research). Tell students to show how the 14th Amendment can be used to support the group’s rights to equal protection and to present all their learned information in a format of their choice.