

LESSON 8

Grade Level & Subject: High School Social Studies (History or Government)

Unit: Discovering the Rich History of the Michigan Supreme Court

Lesson: Civil Rights and the Michigan Supreme Court I: A Case of Racial Discrimination in the late 1800s and Minority Supreme Court Justices

State Standards and Benchmarks:

Social Studies. Strand I. Historical Perspective. Standard I.4 Judging Decisions from the Past. All students will evaluate key decisions made at critical turning points in history by assessing their implications and long-term consequences. Strand II. Geographic Perspective. Standard II.1 Diversity of People, Places, and Cultures. All students will describe, compare, and explain the locations and characteristics of places, cultures, and settlements. Strand VI. Public Discourse and Decision Making. Standard VI.2 Group Discussion. All students will engage their peers in constructive conversation about matters of public concern by clarifying issues, considering opposing views, applying democratic values, anticipating consequences, and working toward making decisions.

Unit Outcome:

When this unit is finished, students will be able to: (1) conduct historical research/investigation using both primary and secondary sources, (2) describe the importance of the Michigan Supreme Court, (3) present, verbally and in written form, informed opinions about Court decisions and procedures, and (4) recognize how the Michigan Supreme Court affects their lives.

Lesson Outcomes:

Students will be able to:

- Demonstrate their ability to find information in primary source historical documents
- Evaluate the Court's decision in this case
- Recognize the names of minority justices and be able to briefly summarize pertinent biographical information

Rational/Purpose for Lesson:

Today students learn about civil rights in relation to the Michigan Supreme Court. First, they will analyze a primary source document; they will read the decision of the Michigan Supreme Court in *the Ferguson v. Gies* case (A case from 1890 dealing with discrimination in a restaurant). Then, bringing students to the present, there will be a presentation given that exposes the students to the minority justices of the Court. These justices may serve as inspiration to some students, especially those who share their minority status.

All students, however, will benefit from learning about the increasingly multicultural make-up of the Michigan Supreme Court over the years.

Resources/Materials required:

- Copies: pages from the book *A Case in Court* (Supreme Court's decision in the case of William W. Ferguson v. Edward G. Gies)
- Lecture notes/PowerPoint presentation about minority justices
- Possibly: the included file – Misupremecourtpowerpoint.ppt – which has in it some information about this particular case (See Lesson 10 folder)
- Copies: *People v. Zerillo* case (found @ PeopleVZerillo.doc in Lesson 9 folder)

Introduction:

Ask students if any of them have ever been discriminated against for reasons of religion, ethnicity or age. Ask volunteers to share their stories. If there are none, ask them if they have ever felt like an adult was not listening to them just because they were teenagers. If none of them can relate to this, the teacher should share a personal experience with discrimination. If the teacher has not experienced it, the teacher should present a hypothetical situation. Then, students should be asked what they know about civil rights and laws dealing with discrimination. Tell students that today they will learn about a case of discrimination that was heard in the Michigan Supreme Court in 1890. Tell them that they will also learn about Michigan Supreme Court justices who were appointed and/or elected to the Court despite their minority status in a country where discrimination has been such a problem.

Procedures:

1. Pass out copies of *A Case in Court*
2. Tell students to read the eight pages of the packet
3. Tell them to concentrate on the facts of the case, the Court's opinion, and the explanation of that opinion. Tell them to avoid becoming "bogged down" in language they do not understand
4. When students are done reading, they should write on a sheet of paper three questions they have about what they read
5. Each student should ask one question about the case
6. The teacher should answer these questions or encourage other students to do so
7. The teacher should lead a discussion about this case
8. Deliver brief lecture about: Otis Smith, Mary Coleman, Dorothy Comstock Riley, Conrad Mallett, Jr. and Dennis Archer
9. Answer student questions about these justices

Closure:

Point out that the Michigan Supreme Court made a decision in favor of civil rights. Stress, however, that Michigan was by no means “pure” when it came to civil rights “across the board.” There were separate schools, for instance, that served as tools of segregation. Also point out that despite their minority status, Otis Smith, Mary Coleman, Dorothy Comstock Riley, Conrad Mallett, Jr. and Dennis Archer served honorably as Justices of the Michigan Supreme Court.

Guided study/Homework:

Tell the class to read the *People v. Zerillo* case. Tell them to start during class if there is time and to take notes as they read.

If Lesson 9 is to be taught without having students read the information from one of the two Second Amendment cases: Tell students they are to develop a guide for helping people to read this type of primary source document: *Michigan Reports*: Michigan Supreme Court decision. This should be no more than one page in length. An alternative would be a two-day assignment that required students to research one of the minority justices and to write a brief (1 page) biographical piece about that justice concentrating on their experience as a minority.

Assessment:

1. Student participation in discussion will be assessed
2. Students will be expected to develop a guide for helping people to read this type of primary source document: *Michigan Reports*: Michigan Supreme Court decision
3. Students will receive credit if they actually read the material

Evaluation and Reflection: (To be completed by teacher after lesson has been implemented)

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1. Read packet from *A Case in Court*
2. Pay attention to the details of the case (Don't get "bogged down" by the sometimes difficult language or by the legal references)
3. Take notes during the brief lecture about minority justices who have served on the Michigan Supreme Court
4. **Homework:** develop a guide for helping people to read this type of primary source document: *Michigan Reports*: Michigan Supreme Court decision. This should be no more than one page in length.

If you missed class, you should also:

1. Get a copy of the lecture notes
2. Get a copy of the handout
3. For Homework: Write a 1-2 page essay about the life and Supreme Court tenure of one of the following Michigan Supreme Court Justices: Otis Smith, Mary Coleman, Dorothy Comstock Riley, Conrad Mallett, Jr. or Dennis Archer