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*Jim Crow's Twisted Past is Prologue: Students as Justice Advocates*

**Abstract:**

The Civil Rights Movement organized to terminate Jim Crow. Jim Crow schemes now are twisted into newer systems. Tactics manipulate voting rights and educational equity for political gain.

## **Introduction**

### **The New Jim Crow**

The Civil Rights Movement organized to terminate Jim Crow. Contemporary racism manipulates voting rights, educational equity, and criminal justice for political, social and economic gain. Past Jim Crow tactics are now twisted into newer institutionalized racist tactics and systems. Over fifty years later the United States is still not an egalitarian democracy (Alexander, 2013).

It is incumbent upon educators to advocate for the present and future of our students' equality. Continuing racial caste systems is unacceptable. Essentially, teaching students about the importance of the vote and of protecting a fair, free vote not only reinforces their understanding of justice and equality; it also protects the diverse democracy that our students will one day lead. Voting restrictions, segregated schools, and the substantial rise in incarcerated Blacks, people of color and immigrants are revived in newer Jim Crow systems (Holland, 2014). Ripple effects from these issues, now twisted new Jim Crow denies liberties in most states through voting, inequitable educational issues, and a surge of people of color and immigrant incarceration. The inter-related issues have to be addressed.

### **Political Oppression – Voting Irregularities**

The U. S. Supreme Court removed Section Five from the Voting Rights Act (1965), affecting mostly southern states and the move to revamp voting districts through gerrymandering (Kates, 2006). In some states, the resurgence of voter disenfranchisement and suppression already has occurred. Texas, New York, Florida, Ohio, and North Carolina have high gerrymandering rates (Alexander, 2013; Smith,

2018). Gerrymandering is the process to establish political voting advantages by redesigning district voting and funding boundaries to favor certain classes of people and political parties. Gerrymandering, the new Jim Crow is alive and well. Minor changes in the laws and establishing accurate voting districts have occurred.

Young American students' courage grasped the lead of the Civil Rights movement. Students were central in gaining the right to vote for Black citizens. Today, students are integral to social action. Students' advocacy involves informed social action against transporting students to underfunded schools.

In the new Jim Crow era, it's incumbent upon teachers to provide opportunities for students to be just advocates to loosen the hold of voting restrictions, segregated schools and the surge of people of color unreasonably incarcerated into prison systems.

**Questions for Students to Study:** How does social action affect contemporary students to challenge the twisted new Jim Crow by examining the past civil rights movement? How do students apply content and skills to take social action relevant to interrupt issues of inequality?

### **Overview**

Although Jim Crow was struck down, poll taxes and literacy tests discontinued, voter suppression for people of color continues as witnessed in the 2018 election. In 1967, Rev. Dr. Martin Luther King Jr. forewarned in his prediction that “when machines and computers, profit motives and property rights are considered more important than people, the giant triplets of racism, extreme materialism and militarism are incapable of being conquered.”

Educators and students were a very important part of the Civil Rights Movement. The legal challenges to school segregation mounted by the NAACP succeeded in overturning the “separate but equal” doctrine. In 1954, the Supreme Court ruled that racially segregated schools were unequal and unconstitutional. Researchers, lawyers, and courts were important in overturning legal segregation of schools. But this action alone was not enough. The courage of students made basic civil rights possible in the United States. *Brown v. Board of Education* had little immediate effect on the dual system of education in the South. However, by the early 1970s, Southern schools were the most racially integrated in the country.

If learners in this nation are to become effective participants in a democratic society, social studies must be an essential part of the elementary curriculum. Voting rights concepts are inherently the aggregate within the term democracy (Chambers, 2003).

The Fourteenth Amendment (Amendment XV) in the United States Constitution prohibits the federal and state governments from denying a citizen the right to vote based on that citizen's "race, color, or previous condition of servitude." Promoting civic ideals by social studies teachers that offer students informed practice that empowers them as contributors to the formation of a more perfect union and just citizenry follows the marching steps of children before them.

The U. S. Supreme Court removed Section Five from the Voting Rights Act on June 25, 2013 in the *Shelby County vs. Holder* decision. The decision lifted restrictions on nine states and parts of seven others that maintained discriminatory voting practices in the 1960s or early 1970s. Judiciary controls known as “preclearance” required these

particular states to obtain permission from the Justice Department before changing their voting laws or maps (Feingold, 2017; Glor & Hirschhorn, 2013). The *Shelby vs. Holder* decision opened the door to new voting rights concerns.

Common voter suppression tactics include (a) election date changes wherein e-mails, robocalls, or paper flyers are sent out announcing that the election date has changed, (b) intimidation appears through various threats such as job loss; arrest threats for showing up at polling sites (e.g., unpaid parking tickets, ongoing court cases, unpaid child support), and (c) changing voting locations and hours involve last minute messages; and 'do not vote messages' claiming that one candidate has already won or is so far ahead that one vote would not matter (Holland, 2014).

### **Economic Oppression**

Low income families are more likely to live in a lower income neighborhood, lower quality childcare options, and few community resources. Similarly, children in lower income families are more apt to attend high poverty schools that are underfunded. The relationship between segregation and uneven achievement in highly segregated schools.

### **Legal Oppression – Mass Incarceration**

Michelle Alexander clearly documents how the current system of mass incarceration of Blacks and people of color is a caste system that not only puts people behind bars but lock them into under-class citizenship (2012).

### **Social Oppression – Integration**

Further segregation in large metro areas increased by 15%, while within-district segregation increased over 40% from 1990 - 2010 (Marcotte & Dalane, 2019; Owens,

Reardon, & Jencks, 2016). Increased socio-economic segregation intensifies the disparity of education resources. Marcotte and Dalane (2019) document that income-based segregation has increased from 1998 to 2015. There is a documented educational achievement gap between high- and low-income students from elementary through college attendance (Bailey & Dynarski, 2011). However, due to Political, Economic, Legal and Social Oppression, schools with the highest levels of between district segregation have lower achievement trends (Fahle & Reardon, 2018). Perpetuating these trends of inequality will surely usher in racialized social control (Alexander, 2012).

A resurrected new and twisted Jim Crow has to be acknowledged. This disturbing racialized social control trend has to be challenged.

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