



SLAVERY

by Another Name

Representations

GRADE LEVEL: 9–12

OVERVIEW: This session focuses on the laws and statutes — including vagrancy statutes and pig laws — enforced by Southern states after the Civil War to assert control over the freedom, mobility and labor of the newly freed blacks. Students will closely analyze vagrancy statutes and make connections between these types of oppressive laws, the criminalizing of certain groups of people, and the rise of forced labor. Students will analyze New York’s Stop and Frisk controversy and take a position (and provide support for that position) about a number of related issues. Students will evaluate a counter narrative to the negative stereotypes of black and Latino youth. Lastly, students will create their own counter narratives, visual stories that accurately portray who they are. At the end of this session, students will understand how certain legislation, enforced by Southern states after the Civil War, was exploited to assert control over the freedom, mobility and labor of the newly freed blacks.

LENGTH: Three class periods plus, if necessary, additional time to complete assignments.

MATERIALS

- Image: Cigarette Dudes (included on the curriculum homepage)
- Handout: The Arrest of Green Cottenham (included with this guide)
- Video: The Origins of the Black Codes (2:31 minutes)
<http://www.pbs.org/tpt/slavery-by-another-name/themes/black-codes/video-origins-black-codes/>
- Video: Black Codes (2:49 minutes)
<http://www.pbs.org/tpt/slavery-by-another-name/themes/black-codes/>
- Video: Pig Laws and Imprisonment (2:24 minutes)
<http://www.pbs.org/tpt/slavery-by-another-name/themes/black-codes/video-pig-laws-and-imprisonment/>
- Article: Stopped-and-Frisked: ‘For Being a F**king Mutt’
The Nation | Ross Tuttle and Erin Schneider
<http://www.thenation.com/article/170413/stopped-and-frisked-being-fking-mutt-video>
- Press Release: Landmark Decision: Judge Rules NYPD Stop and Frisk Practices Unconstitutional, Racially Discriminatory
<http://ccrjustice.org/newsroom/press-releases/judge-rules-floyd-case>

- Video: Suit and Tie in the 217 (2:34 minutes)
<https://www.youtube.com/watch?v=D7vNEI4Br0w#t=53>
- Mirror(s)
- Mobile device(s) equipped with a camera

OPENING ACTIVITY

1. Project Image: Cigarette Dudes. Go around the room and have each student describe who or what they see in the photograph using one word. You can begin and serve as a model.
2. Explain to students that this is an image of young men who were referred to as “cigarette dudes.”
3. Distribute Handout: The Arrest of Green Cottenham. Explain to students that this is an excerpt from the book *Slavery by Another Name*, which the film is based on. Have students read it to themselves silently.
4. Facilitate a discussion about the excerpt. Possible questions to guide the conversation include:
 - a. What do you think happened to Green Cottenham?
 - b. What type of work was available to black men during this time period?
 - c. Are there any similarities between unemployment then and unemployment now? If so, what?
 - d. What’s the connection between jobs and where you live? What role does access to transportation play in employment?
 - e. Do you know any examples of people who must travel for work and who must look for day work?
 - f. Who were the cigarette dudes? Describe them.
 - g. Why were they feared?
 - h. Are there similarities between the cigarette dudes and young black and Latino men today?

By the end of this discussion, students should understand that Green Cottenham, and many African American men like him, were forced into labor, often for not committing any crime at all.

5. Project on a board the following excerpt from the 1866 Virginia State Code:

“The following described persons shall be liable to the penalties imposed by law upon vagrants: ... All persons who, not having wherewith to maintain themselves and their families, live idly and without employment, and refuse to work for the usual and common wages given to other laborers in the like work in the place

where they then are.”

Facilitate a discussion about this passage. Possible prompts to guide the discussion include:

- a. What does this legislation mean? Can you reword this passage?
- b. How might this law impact men like Green Cottenham or the cigarette dudes?
- c. What could happen to men who were arrested for vagrancy?
- d. Who would be arrested now under this statute?

By the end of this discussion, students should understand that that not long before this statute was passed, blacks were forced to work for free, and now this statute, which doesn't specifically mention blacks, but was almost rarely enforced against whites, requires that blacks be employed and accept any wage offered them. These types of laws and statutes helped to provide a pipeline of forced labor as men who were arrested for crimes like vagrancy were often forced into debt slavery or convict leasing.

MULTIMEDIA MODULES + DISCUSSION

1. View Video: The Origins of the Black Codes.

Facilitate a discussion. Possible questions to guide the conversation include:

- a. What were some of the Black Codes?
- b. What was the purpose of the Black Codes?
- c. What impact did the Black Codes have?
- d. What role did the media play in supporting the increases of black people in local jails?

2. View Video: Black Codes.

Facilitate a discussion. Possible questions to guide the conversation include:

- a. How did vagrancy statutes target blacks who were newly freed and looking for work?
- b. What is meant by the “criminalization of black life”?
- c. Are there examples today of the criminalization of certain populations?

3. View Video: Pig Laws and Imprisonment.

Facilitate a discussion. Possible questions to guide the conversation include:

- a. What were some of the crimes in the South for which blacks were primarily arrested because of the pig laws?
- b. What was the impact of these oppressive laws?

- c. What was the connection between these laws and the rise of the prison population?
4. Facilitate a summary discussion. Refer back to the Thirteenth Amendment and its loophole. A possible question to guide the conversation is:
 - a. What's the connection between these laws and legislation, an increase in the prison population, and the exception for involuntary servitude included in the Thirteenth Amendment?

By the end of these discussions, students will be able to explain how legislation like the Black Codes and the vagrancy statutes played a role in the increase of the prison population of African Americans and subsequently, an increase in those forced to labor.

MAIN ACTIVITY

1. Distribute Article: Stopped-and-Frisked: 'For Being a F**king Mutt.' Note to educators: This article contains strong language. There is also a video that accompanies the article that also contains strong language, but can be shown if found suitable and if time allows. Lastly, there's a video by musician Yasiin Bey (formerly Mos Def) about Stop and Frisk that was produced by the Center for Constitutional Rights and that can also be viewed if deemed appropriate: <http://www.thenation.com/a/174466/dont-tread-me-yasiin-bey-mos-def-takes-stop-and-frisk>
2. Divide students into small groups. Have students discuss the article in those groups. Possible questions to guide their discussions include:
 - a. Are there any connections between the enforcement of vagrancy statutes after the Civil War and practices like Stop and Frisk?
 - b. In what ways did Alvin stand up against how he was treated by New York City police officers?
 - c. Can you share positive and negative experiences that you have had with law enforcement?
3. Explain to students that they are going to further discuss their opinions by taking a side and supporting their position. Designate one side of the class as the "for" side of the room. Students who support an issue you present will stand on that side. Designate the other side of the room as the "against" side. Students who oppose the issue you present will stand there.
4. After presenting each for and against statement, have students use persuasive skills to encourage students on the opposing side to join their side. Sample for/against prompts include:

- a. Law enforcement should be able to implement practices like stop and frisk.
 - b. There should be laws against “sagging pants.”
 - c. There are instances where profiling people who are suspected of a crime is justified.
 - d. Young people have the power to help change policy and laws.
5. Distribute Press Release: Landmark Decision: Judge Rules NYPD Stop and Frisk Practices Unconstitutional, Racially Discriminatory. Read the release as a class and analyze the court’s decision. Facilitate a discussion. Possible prompts to guide the analysis are:
- a. Are there connections between this practice and the Thirteenth Amendment?
 - b. What role did Alvin’s video and exposure to the issue help in reaching the court decision?
 - c. What role did activists play in helping the court to reach this decision?
 - d. Over history, what role has perception, bias, discrimination and racism played in the wrongful harassment and imprisonment of some young black and Latino males?

By the end of this discussion, students should understand that policies still exist that have the power to target certain populations and that civic participation and activism can impact these types of policy and laws.

CULMINATING ACTIVITY

1. Watch Video: Suit and Tie in the 217. Share with students that the video was produced by the Central and Centennial High School African-American Clubs in Champaign, Illinois.

Facilitate a discussion. Possible questions to guide the conversation include:

- a. Define “counter-narrative.”
 - b. What dominant narrative is being told about young black and Latino males in the media?
 - c. How did the students in the video feel they were being described by media and society in general?
 - d. How do you describe yourself?
 - e. What impact, if any, may this video have as a counter-narrative?
2. Have students complete a series of “He is” statements using words that have been used to describe them by other people.
 3. Have students look in a mirror and develop five “I am” statements based on what they see.

4. Assign students a two-paragraph response that explores the differences or gaps between the “He is” statements they completed and their “I am” statements.
5. Explain to students that they are going to develop their own counter narratives, a visual story of who they are that is only comprised of images of themselves or their peers. Using a mobile device equipped with a camera, assign students to take four to five images of themselves and their peers that they feel accurately portray who they are. They can also curate existing photos that they may have. Have students post their visual stories (4-5 images) to the class blog along with their two-paragraph response and invite peer-to-peer commenting and online discussion. Note to Educators: This activity can be completed for homework or outside of class.

STANDARDS

Common Core State Standards (Grades 11–12)

English Language Arts Standards - Reading: Literature

- Cite strong and thorough textual evidence to support analysis of what the text says explicitly as well as inferences drawn from the text, including determining where the text leaves matters uncertain.
- Determine the meaning of words and phrases as they are used in the text, including figurative and connotative meanings; analyze the impact of specific word choices on meaning and tone, including words with multiple meanings or language that is particularly fresh, engaging or beautiful.

English Language Arts Standards - Reading: Informational Text

- Determine two or more central ideas of a text and analyze their development over the course of the text, including how they interact and build on one another to provide a complex analysis; provide an objective summary of the text.
- Analyze how the author unfolds an analysis or series of ideas or events, including the order in which the points are made, how they are introduced and developed, and the connections that are drawn between them.
- Analyze and evaluate the effectiveness of the structure an author uses in his or her exposition or argument, including whether the structure makes points clear, convincing and engaging.
- Integrate and evaluate multiple sources of information presented in different media or formats (e.g., visually, quantitatively) as well as in words in order to address a question or solve a problem.
- Analyze seventeenth-, eighteenth-, and nineteenth-century foundational U.S. documents of historical and literary significance for their themes, purposes, and rhetorical features.

English Language Arts Standards - Speaking and Listening

- Initiate and participate effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grades 9 through 12 topics, texts and issues, building on others' ideas and expressing their own clearly and persuasively.
- Integrate multiple sources of information presented in diverse formats and media (visually, quantitatively, orally) in order to make informed decisions and solve problems, evaluating the credibility and accuracy of each source and noting any discrepancies among the data.
- Present information, findings and supporting evidence, conveying a clear and distinct perspective, such that listeners can follow the line of reasoning, alternative or opposing perspectives are addressed, and the organization, development, substance and style are appropriate to purpose, audience, and a range of formal and informal tasks.

English Language Arts Standards – Language

- Demonstrate command of the conventions of standard English grammar and usage when writing or speaking.
- Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing.

English Language Arts Standards - History/Social Studies

- Cite specific textual evidence to support analysis of primary and secondary sources, connecting insights gained from specific details to an understanding of the text as a whole.
- Evaluate various explanations for actions or events and determine which explanation best accords with textual evidence, acknowledging where the text leaves matters uncertain.
- Determine the meaning of words and phrases as they are used in a text, including vocabulary describing political, social, or economic aspects of history/social science.
- Evaluate authors' differing points of view on the same historical event or issue by assessing the authors' claims, reasoning, and evidence.
- Integrate and evaluate multiple sources of information presented in diverse formats and media (e.g., visually, quantitatively, as well as in words) in order to address a question or solve a problem.

English Language Arts Standards - Science and Technical Subjects

- Determine the central ideas or conclusions of a text; summarize complex concepts, processes, or information presented in a text by paraphrasing them in simpler but still accurate terms.

CREDITS

Curriculum Developer: [pride collaborative](#)

Curriculum Writer: Felicia Pride

Curriculum Consultant: Annie Gordon

Curriculum Advisor: David E. Kirkland, PhD, Associate Professor of English and Urban Education, New York University

Excerpt: The Arrest of Green Cottenham
A War of Atrocities
Excerpted from *Slavery by Another Name* by Douglas A. Blackmon

Green Cottenham huddled behind the worn, whitewashed walls of the train depot in Columbiana. It was a clear, brisk Thursday — sunny and crisp before noon, the temperature easing toward the 70s by early afternoon. Green walked to the train station to play dice, or to find a day's labor, or for some other claimed reason that in truth was no different from any other. The train station was simply where he went almost every day, where nearly all young black men found themselves.

The freight docks of the station in Columbiana, and in every other county seat on the Southern Railway line between Birmingham and Eufaula, a lush cotton center deep in southern Alabama, were the hub of life for African American men in the South in 1908. Open freight cars, easily boarded as trains eased out of towns like Columbiana or when they slowed to cross rickety bridges and tight curves, were the only mechanized means of movement for the armies of destitute blacks searching or waiting for work in the first years of the century — especially those like Green who had uncoupled themselves from the traditional black life of serfdom in a cotton patch. The tracks themselves, removed from the view of most whites, were the safest paths for walking from town to town as well. Either way, a man on the rails or the trains was violating Alabama law by entering the property of a railroad company. But the appeal of motion and movement, of opportunity, that the tracks and trains represented was too much for a young man like Green to resist.

That spring, there were hardly any jobs for cash to be had for a black man, unless he was willing to take up a cotton hoe or venture into the giant lumber camps on the rail lines thrusting into the swampy jungle forests below the Florida state line, or across the Georgia border. Railroad companies claimed to pay \$2 a day for a strong hand who could handle an axe, cutting trees or shaping rail ties. But the railroad camps sat at the ends of long spurs cut into near-virgin forests, with no roads or other means of exit except via the trains that brought more fresh backs every day. Once a man arrived, there was no departing unless the camp boss allowed it. And there was no knowing whether the Southern Railway or any other company would keep its word to pay the amount it promised, or even to feed men or keep them out of the rain and swamps. Guards with shotguns and dogs patrolled the perimeters of the worksites. The captains of the camps kept long leather straps, affixed to thick wooden handles, to beat men who tried to flee. County sheriffs developed an uncanny eye for spotting any fleeing African Americans who made it through the woods to a farm or town and received rewards for hauling them back in chains.

That was the work available to an independent black man like Green: free labor camps that functioned like prisons, cotton tenancy that equated to serfdom, or prison mines filled with slaves. The alternatives, reserved for African Americans who crossed a white

man or the law, were even more grim. Still, the freight depots were a magnet of excitement. There was always in some corner a simple game of dice being played for pennies or tobacco. Now and again, the freight agent or some farmer in town with a wagon would pay a man a nickel or a quarter to help move a trolley of crates from an open freight car. In picking season, white men would come to the station every day looking for extra hands in the cotton fields, appraising on sight — by the look of their hands or the smell of liquor on their breath — whether an African American boy or man was worth paying for a week's work in his fields, or whether they belonged to the new class of independent blacks that whites saw as the scourge of their lives and towns.

So the term for those African American men deemed specifically worthless for their defiant attitudes was “cigarette dudes.” These were men cocky by comparison to their peers; they had learned some reading and writing, and sometimes worked and sometimes slouched on street corners. Sometimes cigarettes sat a kilter on their lips. There was likely a bottle of moonshine or a pistol in a pocket somewhere among each throng of young men gawking from their poses against the board and batten walls of the freight station. Instead of threadbare overalls, the uniform of all blacks and poor country whites for as long as anyone could remember, these men might wear trousers and jackets, even neckties. They stood by the dozens in the studio of a black photographer in Columbiana, cigarette dudes lounging with their arms draped around black girls in their best Sunday dresses, glaring at the lens. On their faces an air of defiant confidence, visages of the men they knew they should have been allowed to be. Among a population of 8.5 million blacks in the Southern states, crushed into subservience in the forty years since the Civil War, these men were the last refuges of resistance as the twentieth century dawned.

According to almost every white, these cigarette dudes were the source of every trouble in the South. These were the blacks never to be hired, never to be befriended — to be denied embrocation of any kind. To be rid of them forever, by whatever means could accomplish that goal, was something nearly every white man in the South, most certainly in Columbiana, had openly called for and worked toward for at least three decades.

This was the snare waiting for Green Cottenham at the Columbiana railroad station on March 30, 1908.

This passage was edited for classroom use. Excerpted from *Slavery by Another Name* by Douglas A. Blackmon. Copyright © 2008 by Douglas A. Blackmon. Excerpted by permission of Anchor, a division of Random House, Inc. All rights reserved. No part of this excerpt may be reproduced or reprinted without permission in writing from the publisher.