

# A More Perfect Union: Barack Obama's Race Speech at the National Constitution Center

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## About this Lesson

*This lesson is designed to show the process of perfecting the Union through changes made to the Constitution and through the powers delegated to each branch of government by the Constitution. The lesson encourages student deliberation on race in America by familiarizing students with Senator Obama's speech entitled, A More Perfect Union, his famous race speech, given at the National Constitution Center in Philadelphia in March 2008. Students are asked to read the speech for homework, guided by essential questions. In class, students work in groups to analyze parts of the Constitution, legislation and a Supreme Court opinion. They are then asked to consider them in regards to the progression of race relations in American history and Sen. Barack Obama's call to perfect the union. The deliberation culminates with students creating an action plan detailing how they will play a part in perfecting the union.*

## Background

On March 18, 2008, Sen. Barack Obama, then a candidate for president, gave a speech entitled, *A More Perfect Union*, at the National Constitution Center in Philadelphia, PA. The speech was made in response to controversy over Obama's connection to Reverend Jeremiah Wright, an outspoken critic of American domestic and foreign policy and treatment of black minorities. Video clips of the Reverend Wright appeared on YouTube during the Democratic primary race between Senators Barack Obama and Hillary Clinton.

To give his opinions and address the widespread criticism and outrage at Reverend Wright's comments, Sen. Obama made one of the most important speeches of his campaign. The speech confronted issues of race in America and called for citizens to not become complacent with the status quo. In the speech, Sen. Obama called for a national conversation on race relations in America, and throughout the world. He entitled the speech, *A More Perfect Union*, a line taken from the Preamble of the U.S. Constitution.

## Objectives

Students will:

- Analyze the Constitution, selected legislation and Supreme Court decisions relating to race.
- Explain what the phrase, "a more perfect union" means and identify it in the Constitution.
- Identify and evaluate solutions proposed by Sen. Barack Obama in his *A More Perfect Union* speech for resolving racial tensions.
- Understand current issues that exist regarding race relations in the United States.
- Propose actions they can take to improve race relations in the United States.

### Grade(s) Level

High School

### Classroom Time

45-60 minute period

### Handouts

*A More Perfect Union* Worksheet and Transcript

Three-fifths Clause:  
Article I, Section 2, Paragraph 3

13<sup>th</sup> Amendment

14<sup>th</sup> Amendment

15<sup>th</sup> Amendment

*Brown v. Board of Education*

Voting Rights Act of 1965

*Grutter v. Bollinger*

### Constitution Connections

Preamble

Three-fifths Clause

Reconstruction Amendments

## Activity

### Prior to the Start of the Class Period

Instruct students to read or watch Sen. Barack Obama's Race Speech at the National Constitution Center. Provide student with the worksheet, ***Student Reading Notes: Senator Obama's Speech on Race*** and a copy of the transcript of the speech (attached to this lesson).

Note: You can also find the video of the speech at:

[http://www.c-spanarchives.org/library/index.php?main\\_page=product\\_video\\_info&products\\_id=204469-1&showVid=true](http://www.c-spanarchives.org/library/index.php?main_page=product_video_info&products_id=204469-1&showVid=true)

### Primary Activity

1. Provide students with the following information:

Today we will begin a deliberation about race in America. If students are unfamiliar with deliberation, you may wish to review what a deliberation is and how it differs from debate using the following information:

#### **What is deliberation?**

Deliberation is a form of communication. Deliberation is different from discussion because it is measured conversation and almost always leads to action. Deliberation is focused around an issue, generally laws or policy, but also can cover public behavior and cultural practices. The public includes everyone, not just experts and politicians, but everyday people who have an opinion on the topic. Current deliberation practices offer three possible choices or outcomes, and then arrange the conversation around the pros and cons of each.

#### **Is deliberation debate?**

Deliberation is often confused with debate, but the two are very different. Debate is a formally structured conversation between two opposing sides; some even define debate as a "quarrel." Debate creates a dichotomy while deliberation allows for careful consideration of many sides, so the best choice can be made. The two also differ because debate is also between experts, while deliberation allows for input from laypeople. Essentially, debate is black and white, who is right and who is wrong, while deliberation allows for shades of gray.

2. Divide class into seven (7) groups. Assign each group one of the following texts to read and distribute the readings accordingly.

- Three-fifths clause;
- 13<sup>th</sup> Amendment;
- 14<sup>th</sup> Amendment;
- 15<sup>th</sup> Amendment;
- *Brown v. Board of Education*
- Voting Rights Act of 1965;
- *Grutter v. Bollinger*

3. Write these three questions for all the class to see:
  - When was this written or signed into law?
  - What was prohibited or allowed as a result of this legislation or court decision?
  - Do you think this made America more or less equal?

Instruct students to discuss answers to these questions with their group. Allow 7-10 minutes for this section of the activity.

4. Ask a representative from each group to stand to come to the front of the class, and line up according to the chronological order of their legislation or court decision (students still seated may help their representatives find the appropriate order).
5. Once students have formed a line in this order, ask each student in the line to summarize their reading, using the answers they discussed with their group.  
Note: You may want to mention that this is not a comprehensive list of legislation dealing with race issues.
6. After each student has summarized his or her reading, ask the class the following questions:
  - Has the law become more just/fair over time?
  - Do changes in the law reflect changes in American society?
7. Review the Preamble of the Constitution: [www.constitutioncenter.org/constitution](http://www.constitutioncenter.org/constitution)
8. Ask students the following questions:
  - Why do you think it says, “to create a more perfect Union” and not, “to create a perfect Union”?
  - Is the Union perfect today?
9. Ask students to take out their completed worksheet, ***Student Reading Notes: Senator Obama’s Speech on Race***
10. Begin a class discussion by asking the following questions, note the answers in the front of the classroom for all to see:
  - Do you agree with Sen. Barack Obama?
  - Do you think that Sen. Barack Obama’s proposed solutions will help perfect the union?
  - What steps can each of us take to achieve a racially just society?
11. As students discuss what steps they can take to continue perfecting the union, distribute the **Action Plan Worksheet** to students. If time remains, students can complete the action plan in class. If not, the worksheet can be assigned for homework.

## Assessment-Options

The Action Plan worksheet may be collected. Students may be required to write an essay chronicling their experiences in carrying out their Action Plan. Students may be required to write an opinion-editorial to their school or local newspaper encouraging a conversation on race relations in America.

Name: \_\_\_\_\_

Date: \_\_\_\_\_

### ***Student Reading Notes: Senator Obama's Speech on Race***

**Before** you read or watch the speech, answer these questions.

1. Senator Barack Obama chose to give this speech at the National Constitution Center in Philadelphia. Why do you think he chose this venue? What does it symbolize?
  
2. Do you remember hearing this speech or hearing about it? If yes, what did you hear? If no, why do you think you missed it?

**During** your reading or watching keep the following topics in mind:

- The William Faulkner quote, "The past isn't dead and buried. In fact, it isn't even past."
- The individual citizen's role in improving race relations.

**After** you have finished reading, answer the following questions.

1. What are some of the ongoing problems that Barack Obama identified in his speech?
  
2. Can you think of any other problems Americans continue to have regarding race?
  
3. Identify solutions Barack Obama proposed in this speech.

## A More Perfect Union

*Speech given by Sen. Barack Obama  
March 18, 2008 at the National Constitution Center  
Philadelphia, Pennsylvania*

"We the people, in order to form a more perfect union."

Two hundred and twenty one years ago, in a hall that still stands across the street, a group of men gathered and, with these simple words, launched America's improbable experiment in democracy. Farmers and scholars; statesmen and patriots who had traveled across an ocean to escape tyranny and persecution finally made real their declaration of independence at a Philadelphia convention that lasted through the spring of 1787.

The document they produced was eventually signed but ultimately unfinished. It was stained by this nation's original sin of slavery, a question that divided the colonies and brought the convention to a stalemate until the founders chose to allow the slave trade to continue for at least twenty more years, and to leave any final resolution to future generations. Of course, the answer to the slavery question was already embedded within our Constitution - a Constitution that had at its very core the ideal of equal citizenship under the law; a Constitution that promised its people liberty, and justice, and a union that could be and should be perfected over time.

And yet words on a parchment would not be enough to deliver slaves from bondage, or provide men and women of every color and creed their full rights and obligations as citizens of the United States. What would be needed were Americans in successive generations who were willing to do their part - through protests and struggle, on the streets and in the courts, through a civil war and civil disobedience and always at great risk - to narrow that gap between the promise of our ideals and the reality of their time.

This was one of the tasks we set forth at the beginning of this campaign - to continue the long march of those who came before us, a march for a more just, more equal, more free, more caring and more prosperous America. I chose to run for the presidency at this moment in history because I believe deeply that we cannot solve the challenges of our time unless we solve them together - unless we perfect our union by understanding that we may have different stories, but we hold common hopes; that we may not look the same and we may not have come from the same place, but we all want to move in the same direction - towards a better future for our children and our grandchildren.

This belief comes from my unyielding faith in the decency and generosity of the American people. But it also comes from my own American story.

I am the son of a black man from Kenya and a white woman from Kansas. I was raised with the help of a white grandfather who survived a Depression to serve in Patton's Army during World War II and a white grandmother who worked on a bomber assembly line at Fort Leavenworth while he was overseas. I've gone to some of the best schools in America and lived in one of the world's poorest nations. I am married to a black American who carries within her the blood of slaves and slave owners - an inheritance we pass on to our two precious daughters. I have brothers, sisters, nieces, nephews, uncles and cousins, of every race and every hue, scattered across three continents, and for as long as I live, I will never forget that in no other country on Earth is my story even possible.

It's a story that hasn't made me the most conventional candidate. But it is a story that has seared into my genetic makeup the idea that this nation is more than the sum of its parts - that out of many, we are truly one.

Throughout the first year of this campaign, against all predictions to the contrary, we saw how hungry the American people were for this message of unity. Despite the temptation to view my

candidacy through a purely racial lens, we won commanding victories in states with some of the whitest populations in the country. In South Carolina, where the Confederate Flag still flies, we built a powerful coalition of African Americans and white Americans.

This is not to say that race has not been an issue in the campaign. At various stages in the campaign, some commentators have deemed me either "too black" or "not black enough." We saw racial tensions bubble to the surface during the week before the South Carolina primary. The press has scoured every exit poll for the latest evidence of racial polarization, not just in terms of white and black, but black and brown as well.

And yet, it has only been in the last couple of weeks that the discussion of race in this campaign has taken a particularly divisive turn.

On one end of the spectrum, we've heard the implication that my candidacy is somehow an exercise in affirmative action; that it's based solely on the desire of wide-eyed liberals to purchase racial reconciliation on the cheap. On the other end, we've heard my former pastor, Reverend Jeremiah Wright, use incendiary language to express views that have the potential not only to widen the racial divide, but views that denigrate both the greatness and the goodness of our nation; that rightly offend white and black alike.

I have already condemned, in unequivocal terms, the statements of Reverend Wright that have caused such controversy. For some, nagging questions remain. Did I know him to be an occasionally fierce critic of American domestic and foreign policy? Of course. Did I ever hear him make remarks that could be considered controversial while I sat in church? Yes. Did I strongly disagree with many of his political views? Absolutely - just as I'm sure many of you have heard remarks from your pastors, priests, or rabbis with which you strongly disagreed. But the remarks that have caused this recent firestorm weren't simply controversial. They weren't simply a religious leader's effort to speak out against perceived injustice. Instead, they expressed a profoundly distorted view of this country - a view that sees white racism as endemic, and that elevates what is wrong with America above all that we know is right with America; a view that sees the conflicts in the Middle East as rooted primarily in the actions of stalwart allies like Israel, instead of emanating from the perverse and hateful ideologies of radical Islam.

As such, Reverend Wright's comments were not only wrong but divisive, divisive at a time when we need unity; racially charged at a time when we need to come together to solve a set of monumental problems - two wars, a terrorist threat, a falling economy, a chronic health care crisis and potentially devastating climate change; problems that are neither black or white or Latino or Asian, but rather problems that confront us all.

Given my background, my politics, and my professed values and ideals, there will no doubt be those for whom my statements of condemnation are not enough. Why associate myself with Reverend Wright in the first place, they may ask? Why not join another church? And I confess that if all that I knew of Reverend Wright were the snippets of those sermons that have run in an endless loop on the television and You Tube, or if Trinity United Church of Christ conformed to the caricatures being peddled by some commentators, there is no doubt that I would react in much the same way

But the truth is, that isn't all that I know of the man. The man I met more than twenty years ago is a man who helped introduce me to my Christian faith, a man who spoke to me about our obligations to love one another; to care for the sick and lift up the poor. He is a man who served his country as a U.S. Marine; who has studied and lectured at some of the finest universities and seminaries in the country, and who for over thirty years led a church that serves the community by doing God's work here on Earth - by housing the homeless, ministering to the needy, providing day care services and scholarships and prison ministries, and reaching out to those suffering from HIV/AIDS.

In my first book, *Dreams From My Father*, I described the experience of my first service at Trinity:

"People began to shout, to rise from their seats and clap and cry out, a forceful wind carrying the reverend's voice up into the rafters....And in that single note - hope! - I heard something else; at the foot of that cross, inside the thousands of churches across the city, I imagined the stories of ordinary black people merging with the stories of David and Goliath, Moses and Pharaoh, the Christians in the lion's den, Ezekiel's field of dry bones. Those stories - of survival, and freedom, and hope - became our story, my story; the blood that had spilled was our blood, the tears our tears; until this black church, on this bright day, seemed once more a vessel carrying the story of a people into future generations and into a larger world. Our trials and triumphs became at once unique and universal, black and more than black; in chronicling our journey, the stories and songs gave us a means to reclaim memories that we didn't need to feel shame about...memories that all people might study and cherish - and with which we could start to rebuild."

That has been my experience at Trinity. Like other predominantly black churches across the country, Trinity embodies the black community in its entirety - the doctor and the welfare mom, the model student and the former gang-banger. Like other black churches, Trinity's services are full of raucous laughter and sometimes bawdy humor. They are full of dancing, clapping, screaming and shouting that may seem jarring to the untrained ear. The church contains in full the kindness and cruelty, the fierce intelligence and the shocking ignorance, the struggles and successes, the love and yes, the bitterness and bias that make up the black experience in America.

And this helps explain, perhaps, my relationship with Reverend Wright. As imperfect as he may be, he has been like family to me. He strengthened my faith, officiated my wedding, and baptized my children. Not once in my conversations with him have I heard him talk about any ethnic group in derogatory terms, or treat whites with whom he interacted with anything but courtesy and respect. He contains within him the contradictions - the good and the bad - of the community that he has served diligently for so many years.

I can no more disown him than I can disown the black community. I can no more disown him than I can my white grandmother - a woman who helped raise me, a woman who sacrificed again and again for me, a woman who loves me as much as she loves anything in this world, but a woman who once confessed her fear of black men who passed by her on the street, and who on more than one occasion has uttered racial or ethnic stereotypes that made me cringe. These people are a part of me. And they are a part of America, this country that I love. Some will see this as an attempt to justify or excuse comments that are simply inexcusable. I can assure you it is not. I suppose the politically safe thing would be to move on from this episode and just hope that it fades into the woodwork. We can dismiss Reverend Wright as a crank or a demagogue, just as some have dismissed Geraldine Ferraro, in the aftermath of her recent statements, as harboring some deep-seated racial bias.

But race is an issue that I believe this nation cannot afford to ignore right now. We would be making the same mistake that Reverend Wright made in his offending sermons about America - to simplify and stereotype and amplify the negative to the point that it distorts reality.

The fact is that the comments that have been made and the issues that have surfaced over the last few weeks reflect the complexities of race in this country that we've never really worked through - a part of our union that we have yet to perfect. And if we walk away now, if we simply retreat into our respective corners, we will never be able to come together and solve challenges like health care, or education, or the need to find good jobs for every American.

Understanding this reality requires a reminder of how we arrived at this point. As William Faulkner once wrote, "The past isn't dead and buried. In fact, it isn't even past." We do not need to recite here the history of racial injustice in this country. But we do need to remind ourselves that so many of the disparities that exist in the African-American community today can be directly traced to

inequalities passed on from an earlier generation that suffered under the brutal legacy of slavery and Jim Crow.

Segregated schools were, and are, inferior schools; we still haven't fixed them, fifty years after *Brown v. Board of Education*, and the inferior education they provided, then and now, helps explain the pervasive achievement gap between today's black and white students.

Legalized discrimination - where blacks were prevented, often through violence, from owning property, or loans were not granted to African-American business owners, or black homeowners could not access FHA mortgages, or blacks were excluded from unions, or the police force, or fire departments - meant that black families could not amass any meaningful wealth to bequeath to future generations. That history helps explain the wealth and income gap between black and white, and the concentrated pockets of poverty that persists in so many of today's urban and rural communities.

A lack of economic opportunity among black men, and the shame and frustration that came from not being able to provide for one's family, contributed to the erosion of black families - a problem that welfare policies for many years may have worsened. And the lack of basic services in so many urban black neighborhoods - parks for kids to play in, police walking the beat, regular garbage pick-up and building code enforcement - all helped create a cycle of violence, blight and neglect that continue to haunt us.

This is the reality in which Reverend Wright and other African-Americans of his generation grew up. They came of age in the late fifties and early sixties, a time when segregation was still the law of the land and opportunity was systematically constricted. What's remarkable is not how many failed in the face of discrimination, but rather how many men and women overcame the odds; how many were able to make a way out of no way for those like me who would come after them. But for all those who scratched and clawed their way to get a piece of the American Dream, there were many who didn't make it - those who were ultimately defeated, in one way or another, by discrimination. That legacy of defeat was passed on to future generations - those young men and increasingly young women who we see standing on street corners or languishing in our prisons, without hope or prospects for the future. Even for those blacks who did make it, questions of race, and racism, continue to define their worldview in fundamental ways. For the men and women of Reverend Wright's generation, the memories of humiliation and doubt and fear have not gone away; nor has the anger and the bitterness of those years. That anger may not get expressed in public, in front of white co-workers or white friends. But it does find voice in the barbershop or around the kitchen table. At times, that anger is exploited by politicians, to gin up votes along racial lines, or to make up for a politician's own failings.

And occasionally it finds voice in the church on Sunday morning, in the pulpit and in the pews. The fact that so many people are surprised to hear that anger in some of Reverend Wright's sermons simply reminds us of the old truism that the most segregated hour in American life occurs on Sunday morning. That anger is not always productive; indeed, all too often it distracts attention from solving real problems; it keeps us from squarely facing our own complicity in our condition, and prevents the African-American community from forging the alliances it needs to bring about real change. But the anger is real; it is powerful; and to simply wish it away, to condemn it without understanding its roots, only serves to widen the chasm of misunderstanding that exists between the races.

In fact, a similar anger exists within segments of the white community. Most working- and middle-class white Americans don't feel that they have been particularly privileged by their race. Their experience is the immigrant experience - as far as they're concerned, no one's handed them anything, they've built it from scratch. They've worked hard all their lives, many times only to see their jobs shipped overseas or their pension dumped after a lifetime of labor. They are anxious about their futures, and feel their dreams slipping away; in an era of stagnant wages and global competition, opportunity comes to be seen as a zero sum game, in which your dreams come at my

expense. So when they are told to bus their children to a school across town; when they hear that an African American is getting an advantage in landing a good job or a spot in a good college because of an injustice that they themselves never committed; when they're told that their fears about crime in urban neighborhoods are somehow prejudiced, resentment builds over time. Like the anger within the black community, these resentments aren't always expressed in polite company. But they have helped shape the political landscape for at least a generation. Anger over welfare and affirmative action helped forge the Reagan Coalition. Politicians routinely exploited fears of crime for their own electoral ends. Talk show hosts and conservative commentators built entire careers unmasking bogus claims of racism while dismissing legitimate discussions of racial injustice and inequality as mere political correctness or reverse racism.

Just as black anger often proved counterproductive, so have these white resentments distracted attention from the real culprits of the middle class squeeze - a corporate culture rife with inside dealing, questionable accounting practices, and short-term greed; a Washington dominated by lobbyists and special interests; economic policies that favor the few over the many. And yet, to wish away the resentments of white Americans, to label them as misguided or even racist, without recognizing they are grounded in legitimate concerns - this too widens the racial divide, and blocks the path to understanding.

This is where we are right now. It's a racial stalemate we've been stuck in for years. Contrary to the claims of some of my critics, black and white, I have never been so naïve as to believe that we can get beyond our racial divisions in a single election cycle, or with a single candidacy - particularly a candidacy as imperfect as my own.

But I have asserted a firm conviction - a conviction rooted in my faith in God and my faith in the American people - that working together we can move beyond some of our old racial wounds, and that in fact we have no choice is we are to continue on the path of a more perfect union. For the African-American community, that path means embracing the burdens of our past without becoming victims of our past. It means continuing to insist on a full measure of justice in every aspect of American life. But it also means binding our particular grievances - for better health care, and better schools, and better jobs - to the larger aspirations of all Americans -- the white woman struggling to break the glass ceiling, the white man whose been laid off, the immigrant trying to feed his family. And it means taking full responsibility for own lives - by demanding more from our fathers, and spending more time with our children, and reading to them, and teaching them that while they may face challenges and discrimination in their own lives, they must never succumb to despair or cynicism; they must always believe that they can write their own destiny.

Ironically, this quintessentially American - and yes, conservative - notion of self-help found frequent expression in Reverend Wright's sermons. But what my former pastor too often failed to understand is that embarking on a program of self-help also requires a belief that society can change.

The profound mistake of Reverend Wright's sermons is not that he spoke about racism in our society. It's that he spoke as if our society was static; as if no progress has been made; as if this country - a country that has made it possible for one of his own members to run for the highest office in the land and build a coalition of white and black; Latino and Asian, rich and poor, young and old -- is still irrevocably bound to a tragic past. But what we know -- what we have seen - is that America can change. That is true genius of this nation. What we have already achieved gives us hope - the audacity to hope - for what we can and must achieve tomorrow.

In the white community, the path to a more perfect union means acknowledging that what ails the African-American community does not just exist in the minds of black people; that the legacy of discrimination - and current incidents of discrimination, while less overt than in the past - are real and must be addressed. Not just with words, but with deeds - by investing in our schools and our communities; by enforcing our civil rights laws and ensuring fairness in our criminal justice system; by providing this generation with ladders of opportunity that were unavailable for previous

generations. It requires all Americans to realize that your dreams do not have to come at the expense of my dreams; that investing in the health, welfare, and education of black and brown and white children will ultimately help all of America prosper.

In the end, then, what is called for is nothing more, and nothing less, than what all the world's great religions demand - that we do unto others as we would have them do unto us. Let us be our brother's keeper, Scripture tells us. Let us be our sister's keeper. Let us find that common stake we all have in one another, and let our politics reflect that spirit as well.

For we have a choice in this country. We can accept a politics that breeds division, and conflict, and cynicism. We can tackle race only as spectacle - as we did in the OJ trial - or in the wake of tragedy, as we did in the aftermath of Katrina - or as fodder for the nightly news. We can play Reverend Wright's sermons on every channel, every day and talk about them from now until the election, and make the only question in this campaign whether or not the American people think that I somehow believe or sympathize with his most offensive words. We can pounce on some gaffe by a Hillary supporter as evidence that she's playing the race card, or we can speculate on whether white men will all flock to John McCain in the general election regardless of his policies.

We can do that.

But if we do, I can tell you that in the next election, we'll be talking about some other distraction. And then another one. And then another one. And nothing will change. That is one option. Or, at this moment, in this election, we can come together and say, "Not this time." This time we want to talk about the crumbling schools that are stealing the future of black children and white children and Asian children and Hispanic children and Native American children. This time we want to reject the cynicism that tells us that these kids can't learn; that those kids who don't look like us are somebody else's problem. The children of America are not those kids, they are our kids, and we will not let them fall behind in a 21st century economy. Not this time. This time we want to talk about how the lines in the Emergency Room are filled with whites and blacks and Hispanics who do not have health care; who don't have the power on their own to overcome the special interests in Washington, but who can take them on if we do it together. This time we want to talk about the shuttered mills that once provided a decent life for men and women of every race, and the homes for sale that once belonged to Americans from every religion, every region, every walk of life. This time we want to talk about the fact that the real problem is not that someone who doesn't look like you might take your job; it's that the corporation you work for will ship it overseas for nothing more than a profit.

This time we want to talk about the men and women of every color and creed who serve together, and fight together, and bleed together under the same proud flag. We want to talk about how to bring them home from a war that never should've been authorized and never should've been waged, and we want to talk about how we'll show our patriotism by caring for them, and their families, and giving them the benefits they have earned.

I would not be running for President if I didn't believe with all my heart that this is what the vast majority of Americans want for this country. This union may never be perfect, but generation after generation has shown that it can always be perfected. And today, whenever I find myself feeling doubtful or cynical about this possibility, what gives me the most hope is the next generation - the young people whose attitudes and beliefs and openness to change have already made history in this election.

There is one story in particular that I'd like to leave you with today - a story I told when I had the great honor of speaking on Dr. King's birthday at his home church, Ebenezer Baptist, in Atlanta.

There is a young, twenty-three year old white woman named Ashley Baia who organized for our campaign in Florence, South Carolina. She had been working to organize a mostly African-

American community since the beginning of this campaign, and one day she was at a roundtable discussion where everyone went around telling their story and why they were there.

And Ashley said that when she was nine years old, her mother got cancer. And because she had to miss days of work, she was let go and lost her health care. They had to file for bankruptcy, and that's when Ashley decided that she had to do something to help her mom. She knew that food was one of their most expensive costs, and so Ashley convinced her mother that what she really liked and really wanted to eat more than anything else was mustard and relish sandwiches. Because that was the cheapest way to eat.

She did this for a year until her mom got better, and she told everyone at the roundtable that the reason she joined our campaign was so that she could help the millions of other children in the country who want and need to help their parents too.

Now Ashley might have made a different choice. Perhaps somebody told her along the way that the source of her mother's problems were blacks who were on welfare and too lazy to work, or Hispanics who were coming into the country illegally. But she didn't. She sought out allies in her fight against injustice.

Anyway, Ashley finishes her story and then goes around the room and asks everyone else why they're supporting the campaign. They all have different stories and reasons. Many bring up a specific issue. And finally they come to this elderly black man who's been sitting there quietly the entire time. And Ashley asks him why he's there. And he does not bring up a specific issue. He does not say health care or the economy. He does not say education or the war. He does not say that he was there because of Barack Obama. He simply says to everyone in the room, "I am here because of Ashley."

"I'm here because of Ashley." By itself, that single moment of recognition between that young white girl and that old black man is not enough. It is not enough to give health care to the sick, or jobs to the jobless, or education to our children.

But it is where we start. It is where our union grows stronger. And as so many generations have come to realize over the course of the two-hundred and twenty one years since a band of patriots signed that document in Philadelphia, that is where the perfection begins.

## Thirteenth Amendment of the United States Constitution

*Ratified December 6, 1865*

**SECTION. 1.** Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

**SECTION. 2.** Congress shall have power to enforce this article by appropriate legislation.

## Fourteenth Amendment of the United States Constitution

*Ratified July 9, 1868*

**SECTION. 1.** All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

**SECTION. 2.** Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the *male* inhabitants of such State, *being twenty-one years of age*, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such *male* citizens shall bear to the whole number of *male* citizens *twenty-one years of age* in such State.

**SECTION. 3.** No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

**SECTION. 4.** The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

**SECTION. 5.** The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

## Fifteenth Amendment of the United States Constitution

*Ratified February 3, 1870*

**SECTION. 1.** The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

**SECTION. 2.** The Congress shall have the power to enforce this article by appropriate legislation.

## Three-fifths Compromise

*Article I, Section 2, Paragraph 3 of the United States Constitution  
Signed September 17, 1787; Ratified 1789*

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.

## ***Brown v. Board of Education of Topeka, KS***

*Chief Justice Earl Warren delivered the opinion of the Supreme Court  
Decided May 17, 1954  
Excerpts provided.*

Today, education is perhaps the most important function of state and local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the armed forces. It is the very foundation of good citizenship. Today it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms. We come then to the question presented: does segregation of children in public schools solely on the basis of race, even though the physical facilities and other "tangible" factors may be equal, deprive the children of the minority group of equal educational opportunities? We believe that it does. ...

Such considerations apply with added force to children in grade and high schools. To separate them from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone. The effect of this separation on their educational opportunities was well stated by a finding in the Kansas case by a court which nevertheless felt compelled to rule against the Negro plaintiffs:

"Segregation of white and colored children in public schools has a detrimental effect upon the colored children. The impact is greater when it has the sanction of the law, for the policy of separating the races is usually interpreted as denoting the inferiority of the negro group. A sense of inferiority affects the motivation of a child to learn. Segregation with the sanction of law, therefore, has a tendency to [retard] the educational and mental development of negro children and to deprive them of some of the benefits they would receive in a racial[ly] integrated school system." Whatever may have been the extent of psychological knowledge at the time of *Plessy v. Ferguson*, this finding is amply supported by modern authority. Any language in *Plessy v. Ferguson* contrary to this finding is rejected.

We conclude that, in the field of public education, the doctrine of "separate but equal" has no place. Separate educational facilities are inherently unequal. Therefore, we hold that the plaintiffs and others similarly situated for whom the actions have been brought are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment. This disposition makes unnecessary any discussion whether such segregation also violates the Due Process Clause of the Fourteenth Amendment.

## Voting Rights Act of 1965

*Passed by Congress August 4, 1965*

*Signed into law by President Lyndon B. Johnson August 6, 1965 Excerpts provided.*

**SEC. 2.** No voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the United States to vote on account of race or color.

**SEC. 4** (a) To assure that the right of citizens of the United States to vote is not denied or abridged on account of race or color, no citizen shall be denied the right to vote in any Federal, State, or local election because of his failure to comply with any test or device in any State with respect to which the determinations have been made under subsection (b) or in any political subdivision with respect to which such determinations have been made as a separate unit, unless the United States District Court for the District of Columbia in an action for a declaratory judgment brought by such State or subdivision against the United States has determined that no such test or device has been used during the five years preceding the filing of the action for the purpose or with the effect of denying or abridging the right to vote on account of race or color: (c) The phrase "test or device" shall mean any requirement that a person as a prerequisite for voting or registration for voting (1) demonstrate the ability to read, write, understand, or interpret any matter, (2) demonstrate any educational achievement or his knowledge of any particular subject, (3) possess good moral character, or (4) prove his qualifications by the voucher of registered voters or members of any other class.

(d) For purposes of this section no State or political subdivision shall be determined to have engaged in the use of tests or devices for the purpose or with the effect of denying or abridging the right to vote on account of race or color if (1) incidents of such use have been few in number and have been promptly and effectively corrected by State or local action, (2) the continuing effect of such incidents has been eliminated, and (3) there is no reasonable probability of their recurrence in the future.

## ***Grutter v. Bollinger***

*Justice Sandra Day O'Connor delivered the opinion of the Supreme Court  
Decided June 23, 2003 Excerpts provided.*

The University of Michigan Law School (Law School), one of the Nation's top law schools, follows an official admissions policy that seeks to achieve student body diversity through compliance with *Regents of Univ. of Cal. v. Bakke*, [438 U. S. 265](#). Focusing on students' academic ability coupled with a flexible assessment of their talents, experiences, and potential, the policy requires admissions officials to evaluate each applicant based on all the information available in the file... Additionally, officials must look beyond grades and scores to so-called "soft variables," such as recommenders' enthusiasm, the quality of the undergraduate institution and the applicant's essay, and the areas and difficulty of undergraduate course selection. The policy does not define diversity solely in terms of racial and ethnic status and does not restrict the types of diversity contributions eligible for "substantial weight," but it does reaffirm the Law School's commitment to diversity with special reference to the inclusion of African-American, Hispanic, and Native-American students, who otherwise might not be represented in the student body in meaningful numbers. By enrolling a "critical mass" of underrepresented minority students, the policy seeks to ensure their ability to contribute to the Law School's character and to the legal profession.

When the Law School denied admission to petitioner Grutter, a white Michigan resident with a 3.8 GPA and 161 LSAT score, she filed this suit, alleging that respondents had discriminated against her on the basis of race in violation of the Fourteenth Amendment, Title VI of the Civil Rights Act of 1964, and 42 U. S. C. §1981; that she was rejected because the Law School uses race as a "predominant" factor, giving applicants belonging to certain minority groups a significantly greater chance of admission than students with similar credentials from disfavored racial groups; and that respondents had no compelling interest to justify that use of race. The District Court found the Law School's use of race as an admissions factor unlawful. The Sixth Circuit reversed, holding that Justice Powell's opinion in *Bakke* was binding precedent establishing diversity as a compelling state interest, and that the Law School's use of race was narrowly tailored because race was merely a "potential 'plus' factor" and because the Law School's program was virtually identical to the Harvard admissions program described approvingly by Justice Powell and appended to his *Bakke* opinion.

*Held:* The Law School's narrowly tailored use of race in admissions decisions to further a compelling interest in obtaining the educational benefits that flow from a diverse student body is not prohibited by the Equal Protection Clause, Title VI, or §1981. Pp. 9-32.

The Law School's admissions program bears the hallmarks of a narrowly tailored plan. To be narrowly tailored, a race-conscious admissions program cannot "insulat[e] each category of applicants with certain desired qualifications from competition with all other applicants." *Bakke, supra*, at 315 (opinion of Powell, J.). Instead, it may consider race or ethnicity only as a " 'plus' in a particular applicant's file"; *i.e.*, it must be "flexible enough to consider all pertinent elements of diversity in light of the particular qualifications of each applicant, and to place them on the same footing for consideration, although not necessarily according them the same weight," *id.*, at 317. It follows that universities cannot establish quotas for members of certain racial or ethnic groups or put them on separate admissions tracks. See *id.*, at 315-316. The Law School's admissions program, like the Harvard plan approved by Justice Powell, satisfies these requirements. Moreover, the program is flexible enough to ensure that each applicant is evaluated as an individual and not in a way that makes race or ethnicity the defining feature of the application.

Name: \_\_\_\_\_

Date: \_\_\_\_\_

## Action Plan

**Directions:** Using ideas you have discussed in class, answer the questions below. After answering the questions, get out there and put your plan into action!

What problems or imperfections have you observed regarding race relations in America?

What specific problem would you like to address and why?

What are some potential solutions to this problem?

What obstacles might you face in attempting to solve the problem?

Are there people you can enlist to help you work towards your goal?

Below, list the specific actions you and your partners will take to achieve your goal.

How will you know you have succeeded?