



## Teaching Guide

### SEGMENT 6, WEBISODE 8

Please note: Each segment in this Webisode has its own Teaching Guide



#### Segment Overview



#### Let's Discuss

Prejudice and discrimination against the Chinese in California led to a landmark Supreme Court decision concerning two constitutional issues: the arbitrary enforcement of the law and the rights of aliens to equal treatment under the law.

In 1886, a Chinese immigrant in California appealed a local court decision that had shut down his business. Although clearly guilty of operating a laundry in a wooden building, Lee Yick appealed because authorities invoked the law only against Chinese laundries and not those operated by whites—except in the case of one woman. Eventually the case went to the Supreme Court, which considered two basic constitutional questions: Do the police have the right to enforce a law arbitrarily? Should the law treat aliens the same way that it treats American citizens? The Supreme Court ruled no to the first question and yes to the second, and thus further defined equality under the law for all persons—citizens or aliens—under the jurisdiction of the United States.

#### Teacher Directions

1. Write the following quotation on the chalkboard, chart paper, or a transparency.

*Talk about going to the land of the Flowery Flag made my face fill with happiness. With hard work pieces of gold were gathered together. Words of farewell were said to the parents, and my throat choked up. Parting from the wife, many tears flowed face to face.*

~~ Xu, an immigrant from China

2. Ask the students

How did many of the Chinese feel about immigrating to the United States? (Although they were sad at leaving family and friends, many Chinese were happy to be going to America where they believed that hard work would provide them with money (gold) and a better life for their families.)

3. Discuss with the students what many Chinese immigrants found when they reached the United States. Remind students about the Chinese Exclusion Act. What did the law do? Why would Congress pass such a law? (Californians, especially the Workingmen's Party, pressured Congress into passing the law in exchange for political support).



History Sleuth

### Teacher Directions

1. Discuss with the students the purpose of political cartoons.

Political cartoons provide a method for presenting a political viewpoint in print. Making fun of political figures and issues helps put them in perspective, and often gives the reader a humorous way to look at controversial events and ideas. Because the cartoons illustrate an editorial viewpoint, they can anger the reader. Political cartoons use caricature and satire to create humor. Caricature is the exaggeration of personal characteristics. Satire is the use of sarcasm or irony to make fun of somebody or some event. To understand a political cartoon the reader must first understand what the symbols represent and then try to understand the cartoon's overall meaning.

2. Distribute the Student Sheets: *Where is The Constitution in All This?*. Explain to students that these cartoons by famous political cartoonist Thomas Nast show the American attitude toward Chinese immigrants.

- In "Honors are Easy," the Republican Party (the elephant) and the Democratic Party (the tiger) are pulling down a Chinese man. What is the Chinese man hanging on to? What is happening to the tree? What does the caption say? What is the overall message of the cartoon?
- In "Pacific Chivalry," the state of California is being anything but chivalrous (polite and fair) to the Chinese immigrant. What does the caption say? Would this treatment encourage immigration? What does the sign in the building in the background on the right say?

3. Direct students to read the Fourteenth Amendment on the third page of the Student Sheets. Ask students to study carefully what the amendment says to answer the following question.

Do the behaviors toward Chinese immigrants go against the spirit of Fourteenth Amendment of Constitution?

4. Ask students to support their answers.

### Teacher Directions

1. Ask students.

- What do you think happened to the Chinese laundries after the Supreme Court decision? What do you think happened to the non-Chinese laundries? Explain your viewpoints.
- Are immigrants today free from racism and inequality under the law in the United States?

2. Students draw a political cartoon expressing their viewpoints. They should be able to support their viewpoints with evidence.



What do you Think?



### Teacher Directions

1. Using information from the Overview, review with students the facts of the case *Yick Wo v. Hopkins*. Be sure the students understand that a court in San Francisco and the California Supreme Court had both found Lee Yick guilty. His case came to the Supreme Court on appeal; that is, when Lee Yick and his lawyers did not think they had received justice in the lower courts, they took their case to the highest court in the country.
2. Distribute to team partnerships the Student Sheet: *Flowchart of the Case of Yick Wo v. Hopkins*. From the class discussion of the case, student partners complete the first part of flowchart. Partnerships share their answers with the entire class to be sure all understand the essential elements of the case.
3. Discuss the following questions with the class.
  - Who was Lee Yick and what was his case? (Lee Yick was the defendant whose laundry the sheriff closed down because it was in a wooden building. It was against a local law to operate a laundry in a wooden building, but many non-Chinese laundries were in wooden buildings. Lee Yick said that the police shut down only the laundries owned by Chinese.)
  - Who was Hopkins and what was his case? (Hopkins was the sheriff of San Francisco. He said Lee Yick broke the law, and the police could enforce or not enforce the law as they saw fit.)
    - ⇒ The first step was ARREST.
    - ⇒ The next step was TRIAL IN SAN FRANCISCO COURT (found guilty).
    - ⇒ The next step was APPEAL.
    - ⇒ The next step was TRIAL IN CALIFORNIA SUPREME COURT (found guilty).
    - ⇒ Ask the students: Has justice been served at this point?
    - ⇒ The next step was APPEAL.
    - ⇒ The next step was TRIAL IN THE SUPREME COURT.
4. Review with students the two Constitutional questions that the Supreme Court had to decide in *Yick Wo v. Hopkins* and what it decided.
  - Do the police have the right to enforce the law for some people and not for others? (The Supreme Court said no. The police must enforce the law equally all the time.)
  - Should the law treat aliens the same way that it treats American citizens?  
(The Supreme Court said yes. The Fourteenth Amendment protects the rights of “any person,” which means both citizens and non citizens.)
5. Ask the class to decide whether or not justice was served in the Supreme Court in the *Yick Wo v. Hopkins* case and discuss their opinions. How did this case move the country toward freedom?



## Connections

### Teacher Directions

Use the following activities with your students.

**Language Arts** — Students read *Jar of Dreams* and/or *The Invisible Thread* by Yoshiko Uchida or *Dragonwings* by Lawrence Yep. Partner Discussion Guides are available for all three novels from the Johns Hopkins University Talent Development Middle School Program.

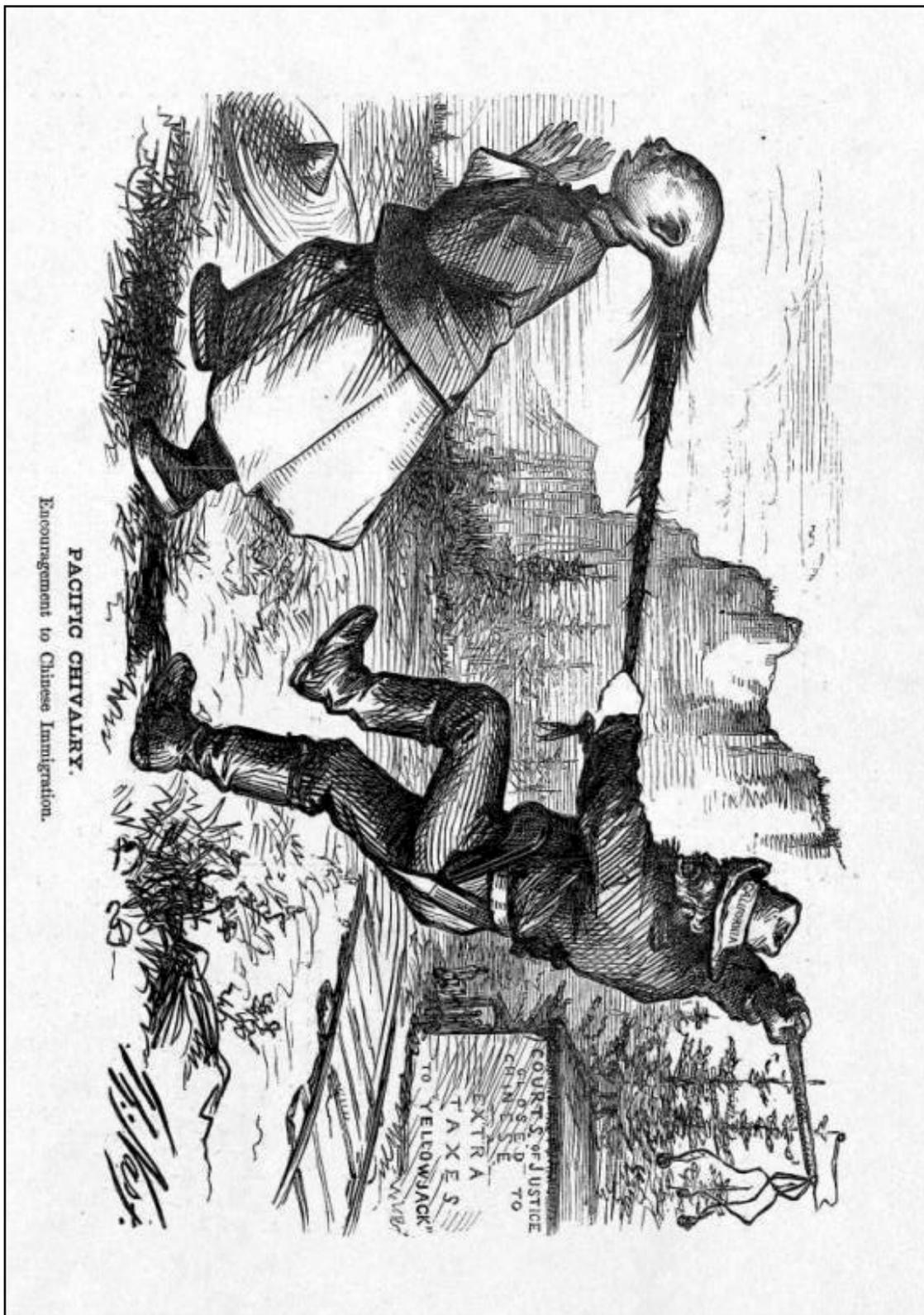
**Library** — Students research some other important Supreme Court Cases (such as Dred Scott, Brown v. Board of Education, Miranda v. Arizona). Were any decisions controversial? What decisions were over turned by a later Supreme Court? How does the composition of the justices and the culture of the time affect Supreme Court decisions?

**Writing/Library** — Students write short biographies about some famous Supreme Court justices such as Sandra Day O'Connor, Roger Taney, Oliver Wendall Holmes, Jr., William H. Taft, William Douglas, Abe Fortas, Bryon White, or Thurgood Marshall.

## Where is the Constitution in All This?



*Where is the Constitution in All This?*



## *Where is the Constitution in All This?*

### **Fourteenth Amendment**

All persons born or naturalized<sup>1</sup> in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside<sup>2</sup>. No State shall make or enforce any law which shall abridge<sup>3</sup> the privileges<sup>4</sup> or immunities<sup>5</sup> of citizens of the United States; nor shall any State deprive<sup>6</sup> 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.

1. made a citizen
2. live
3. cut
4. rights
4. protection
5. take away



