9th-12th Grade U.S. History Inquiry

Is it Ever Too Late for Justice?

Supporting Questions

1. What happened to Emmett Till on August 28, 1955?
2. Why was justice denied in the original trial?
3. What efforts and struggles have occurred in recent attempts to pursue justice?
4. How does the story of Emmett’s death and the legacy of his life impact people today?
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**Is It Ever Too Late for Justice?**

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<th>Arkansas Social Studies Standards</th>
<th>Era9.6.USH.1 Analyze the roles of individuals, groups, and the government in securing civil rights during the mid-20th century using a variety of primary and secondary sources</th>
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<td>Staging the Compelling Question</td>
<td>Brainstorm, research, list, or discuss some examples of injustice (or delayed justice) regarding racially motivated murders (lynching) in areas of the American south after the Civil War.</td>
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<td>Create a timeline of events about the kidnapping and murder of Emmett Till.</td>
<td>Complete a note-taking organizer of procedural errors during the trial of Till’s killers.</td>
<td>Design a “What’s Happening Now?” poster to identify and display recent government efforts to pursue justice.</td>
<td>Write a persuasive paragraph as to why so many people are still drawn to Emmett Till’s story.</td>
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<td><strong>Source A:</strong> Emmett Till FBI Trial Transcript excerpt</td>
<td><strong>Source A:</strong> New York Times: The Ghosts of Emmett Till</td>
<td><strong>Source A:</strong>: Investigation 1955 Emmett Till Murder</td>
<td><strong>Source A:</strong>: Justice Department May Reopen Emmett Till Case</td>
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<td><strong>Source B:</strong> Library of Congress: NAACP Press Release on the Lynching of Emmett Till</td>
<td><strong>Source B:</strong> Bettmann/CORBIS photograph of jury: Jury for Trial of Roy Bryant and J.W. Milam</td>
<td><strong>Source B:</strong> Emmett Till Unsolved Civil Rights Crimes Reauthorization Act of 2016</td>
<td><strong>Source B:</strong> Emmett Till’s Casket Goes to the Smithsonian</td>
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<td><strong>Source C:</strong> Chicago Magazine: Eyewitness Account: Simeon Wright</td>
<td><strong>Source C:</strong>: NPR Morning Edition: Acquittal of Emmett Till’s Killers Troubles Town</td>
<td><strong>Source C:</strong> Chicago Tribune article on Emmett Till</td>
<td><strong>Source C:</strong>: The Emmett Till Memory Project: About the Project</td>
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<td><strong>Source D:</strong> Mississippi Law Code, 1942</td>
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**ARGUMENT Is It Ever Too Late for Justice?** Construct an argument (e.g., detailed outline, poster, essay) that discusses the compelling question using specific claims and relevant evidence from historical and current sources while acknowledging competing views.

**EXTENSION** Write a fictional alternative closing argument for the Till trial that might convince the jury to reach a different verdict.

**UNDERSTAND:** Identify another case of Civil Rights-era lynching where justice was not served.

**ASSESS:** Determine if missing information could be found and/or if there are grounds to revisit the case in pursuit of justice.

**ACT:** Implement a plan to ensure those killed will be remembered (i.e. a memorial, historical marker).
Overview

Inquiry Description

This inquiry leads students through an examination of whether there is a time limit on pursuing justice in decades-old civil rights-era lynchings. By investigating the compelling question “Is it ever too late for justice?” students evaluate primary sources about the murder of Emmett Till and address the issue of whether the passage of time essentially closes the book on cases where justice was not served. The formative performance tasks help students build knowledge and practice skills so they can answer the supporting questions. Students create an evidence-based argument to answer the compelling question.

In addition to the standard listed on the blueprint, this inquiry will also address the following Arkansas social studies framework requirements:

Era9.6.USH.4 Examine domestic policies of the federal government between 1945 and 1970 and the outcomes from multiple perspectives (e.g., New Frontier, Great Society, civil rights, social issues)

Era9.6.USH.5 Construct historical arguments of long-term effects of social and economic changes occurring during the mid-20th century using available data and multiple sources

It is important to note that this inquiry requires prerequisite knowledge of historical events and ideas. Thus, students should have already studied the basic background concerning prejudices and racism existing in the American south leading up to, during, and after the Civil War in the United States.

Note: This inquiry is expected to take four or five 40-minute class periods. The inquiry time frame could expand if teachers think their students need additional instructional experiences (i.e., supporting questions, formative performance tasks, and featured sources). Teachers are encouraged to adapt the inquiries in order to meet the needs and interests of their particular students. Resources can also be modified as necessary to meet individualized education programs (IEPs) or Section 504 Plans for students with disabilities.

Structure of the Inquiry

In addressing the compelling question “Is it ever too late for justice?” students work through a series of supporting questions, formative performance tasks, and featured sources in order to construct an argument supported by evidence while acknowledging competing perspectives.
Staging the Compelling Question

In staging the compelling question, “Is it ever too late for justice?” teachers may prompt students by asking what they know about the lynching of African-Americans in the south after the Civil War. Time and background research can be given to identify some individuals whose murders were racially motivated and where justice in those cases was severely delayed or denied. Some examples might include Reverend George W. Lee, Medgar Evers, or the deaths of an undetermined number of people during the Elaine, Arkansas race massacre of 1919. Time might also be given to provide background information about Emmett’s life in Chicago, as well as the events that led to his visit in the Mississippi Delta.

Supporting Question 1

The first supporting question—“What happened to Emmett Till on August 28, 1955?”—has students piece together the story of the kidnapping and murder of Emmett Till. The formative performance task asks students to create a timeline to organize the events into a cohesive narrative. The featured sources for this question combine to provide students with solid background information about the events. Featured Source A is an excerpt from the FBI case files that summarizes the timeline of events. Featured Source B is a press release from the NAACP regarding what happened to Emmett and the organization’s response to the crime. Featured Source C is an interview that provides an eyewitness account from Simeon Wright, Emmett’s cousin, who was present during part of the series of events.

Supporting Question 2

For the second supporting question—“Why was justice denied in the original trial?”—students investigate and speculate on reasons why Emmett’s killers were acquitted of their crime. In addition to the sources from the previous supporting question, the featured sources here provide students with additional materials that allow them to consider the atmosphere in the Deep South and social structure of the time that likely contributed heavily to the acquittal. Featured Source A is a magazine article with pieces of an interview from one of the original 12 jurors in the 1955 trial and will highlight the ideology among the jurors at the time. Featured Source B is a photograph of the all-male, all-white jury chosen for the trial. Featured Source C is an NPR publication that explores the fallout from the verdict among the people living in the Delta. Students will complete a note-taking organizer to identify procedural errors or examples of intentional disregard for the justice system during the trial of Till’s killers. Teachers can design the organizer to best fit the needs of their students.

Supporting Question 3

The third supporting question—“What efforts and struggles have occurred in recent attempts to pursue justice?”—asks students to design a “What’s Happening Now?” poster to identify present day efforts to address the Emmett Till case. In addition to the previous featured sources, the sources for this task provide examples of recent work on the case. Featured Source A is a 2004 Department of Justice memo announcing that the case has been reopened. Featured Source
Supporting Question 4

For the fourth supporting question—“How does the story of Emmett’s death and the legacy of his life still impact people today?” —students consider why the murder of Emmett Till still resonates so strongly. In addition to the resources from the previous supporting question, the featured sources provide students with additional materials that allow them to write a persuasive paragraph to offer an opinion as to why so many people are still drawn to Emmett Till’s story, and whether or not that connection and interest are impacting the continued pursuit of justice. Featured Source A is an article that explores reasons why people are still pushing for an additional look at Emmett’s death. Featured Source B examines an object critical to the Till story, Emmett’s original casket, and how that object has traveled a path from burial, to exhumation, to forgotten relic, to public display, and its permanent place in history. Featured Source C is a website describing a mobile application that allows students to locate, identify, and study locations pertinent to the Emmett Till story and why this information is critical and applicable to today’s youth.

Summative Performance Task

At this point in the inquiry, students have examined what happened to Emmett Till, why justice was not served in his case in 1955, what’s being done in recent years to bring the case back to light, and why his story has such a profound impact on people today.

In this summative task, students construct an evidence-based argument using multiple sources to answer the compelling question “Is it ever too late for justice?” Students should be expected to demonstrate the breadth of their understandings and their abilities to use evidence from multiple sources to support their claims. It is important to note that students’ arguments could take a variety of forms, including a detailed outline, poster, or essay.

Students’ arguments will likely vary, but could include any of the following:

- It is too late, unfortunately, for justice to be served in Civil Rights-era murders because most of the people responsible for the crimes are dead and evidence has been lost; the window of opportunity has closed.
- While it may be too late to pursue justice through the court system, there are other ways by which we can ensure these stories are remembered
- It is never too late to seek justice in cold cases; there isn’t a statute of limitations on murder and those still living who are guilty of the crimes should be held accountable.

To extend their arguments, teachers may have students write a fictional alternative closing argument for the Till trial that might convince the jury to reach a different verdict. For a brilliant example of a moving closing argument, provide
students the transcript from Bobby DeLaughter’s argument at the close of the trial of Klansman Byron de la Beckwith in the murder of civil rights leader Medgar Evers. The transcript can be found in the book Ladies and Gentlemen of the Jury.

Students have the opportunity to take informed action by drawing on their understandings of justice and justice delayed or denied. To understand, students can identify another case of Civil Rights-era lynching where justice was not served. To assess, they can determine if missing information could be found and/or if there are grounds to revisit the case in pursuit of justice. To act, student can implement a plan to ensure those killed will be remembered (i.e. a memorial, historical marker).

Teachers, please also note that some of the sources may not be needed in their entirety. As you are examining the sources prior to implementation, you may choose to excerpt smaller portions depending on the needs of your students.

For a good overall source of information on the murder of Emmett Till, consider the following PBS documentary film: The Murder of Emmett Till