

**Can the “Magic City” Really Be Magical with Convict Leasing?
A Qualitative Study**

Jeremiah Clabough

The University of Alabama at Birmingham

Abstract

Social studies teachers have to design classroom instruction to prepare students to be future democratic citizens. This means that middle school students need learning opportunities to grapple with issues of racism in our country’s past and present. In this article, I discuss a six-day research project implemented in a sixth-grade U.S. history classroom in the Birmingham metropolitan area. These sixth-grade students explored the convict-leasing system that was constructed to fill the need for workers at Birmingham’s founding that played upon existing racial prejudices. Findings from this qualitative study are discussed that show how these sixth graders articulated the racism present within Birmingham’s convict-leasing system at the end of the 19th century and beginning of the 20th century. Data were collected from coding students’ completed graphic organizers with analyzing primary sources about the convict-leasing system. Additionally, students’ writing prompts designed to take civic action against the convict-leasing system were coded for themes of how they discussed racism present at Birmingham’s founding. Through examining emergent themes from this study and exploring racism present at Birmingham’s founding, this study presents an approach that can be duplicated for students to explore racism in U.S. history that is still faced in contemporary American society.

Keywords: convict-leasing system, Birmingham’s history, racial literacy, C3 Framework, civic education

Introduction

The United States has been a democracy in theory as opposed to reality. The democratic principles and values espoused in the U.S. Constitution have not been the reality throughout U.S. history for oft-marginalize groups (Hubbard, 2019). In his famous *I Have a Dream* speech, Dr. King articulated the contradiction of American democracy with the violation of oft-marginalized groups’ rights in the following way:

When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was a promise that all men, yes, black men as well as white men, would be guaranteed the unalienable rights of life, liberty, and the pursuit of happiness. It is obvious today that America has defaulted on this promissory note insofar as her citizens of color are concerned. (King, 1963)

Sadly, Dr. King’s words ring true for African Americans’ experiences throughout U.S. history. The conclusion of the U.S. Civil War and disintegration of the slavery system did not end racial discrimination that African Americans faced. In the wake of the U.S. Civil War, new forms of racial discrimination were created with economic, social, cultural, and political factors that perpetuated African Americans’ second-class status in the United States (Blackmon, 2008; Boles, 1983; Cohen, 1991; Woodward, 1951). One of the lesser-known forms of racial discrimination in the aftermath of the U.S. Civil War was the convict-leasing system found in Birmingham, Alabama.

In this article, I discuss a six-day project on the convict-leasing system done in a sixth grade U.S. history classroom in the Birmingham metropolitan area. This project was driven by the following two research questions.

1. How did students, through their graphic organizers and writing prompts, articulate the racial discrimination present in Birmingham’s convict-leasing system?
2. In what ways, if any, could students, through their writing, articulate the connections between the convict-leasing system in Birmingham after the U.S. Civil War to the slavery system prior to the U.S. Civil War?

First, a brief overview of the convict-leasing system is given. Then, a brief literature review of racial literacy is provided. Next, I describe how the principles of inquiry-based teaching outlined in the *College, Career, and Civic Life (C3) Framework for Social Studies State Standards: Guidance for Enhancing the Rigor of K-12 Civics, Economics, Geography, and History* by the National Council for the Social Studies (NCSS) (NCSS, 2013a) helped frame this project. Then, the steps of this intervention are discussed. Next, the findings from student work are examined. Students’ graphic organizers and writing prompts were coded to answer the research questions of this study. Finally, a discussion section is provided to unpack the meaning of these findings and

give potential recommendations for next steps with future research. The steps and resources needed to implement this research project are provided.

Brief Overview of Convict Leasing

The U.S. Civil War ripped asunder the fabric of Southern society. While the “New South” did contain many novel elements, there were still some remnants from the past that were reborn through new methods. The racial discrimination that African Americans faced was still present in Southern society through new methods. The most well-known methods of racial discrimination that African Americans faced were the Jim Crow segregation laws designed to segregate Blacks in Southern society (Caro, 2002; Ezra, 2013; Woodward, 1951). Jim Crow segregation laws were not the only form of racial discrimination, as the case of the convict-leasing system in Birmingham, Alabama demonstrates.

Birmingham was established based on the ability through the Second Industrial Revolution to extract the needed resources found in abundance through central Alabama to make steel. Steel was in high demand in the late 1800s at the inception of modern industrial America (Lewis, 1994). Unfortunately, steel companies struggled to have the necessary workforce. In Birmingham, the racial prejudices of the past were applied to meet a workforce shortage created by the need for steel (Bickford & Clabough, 2019; Clabough & Bickford, 2018).

The convict-leasing system was established to meet the need for industrial workers with steel companies in the Birmingham area. Under the convict-leasing system, companies paid local governments to use their convicts as laborers (Blackmon, 2008; Lichtenstein, 1996; Mancini, 1996). People might argue that the convict-leasing system does not have a component of racism until they dig beneath the surface. Convicts used were over 90% African American (Douglass, 1893). Charges in many cases contained dubious evidence at best. Their sentences were indefinite with no chance of reprieve, which is a mockery of how the U.S. court system is supposed to protect an individual’s rights and civil liberties (Lichtenstein, 1996). The work in mines and factories was dangerous and led to many deaths (Mancini, 1996). In all but name, the convict-leasing system was slavery by another name (Blackmon, 2008; Lichtenstein, 1996; Mancini, 1996). The large source of labor provided through the convict-leasing system enabled Birmingham to grow at such a rate that the city was nicknamed “The Magic City” (Clabough & Bickford, 2018).

Brief Literature Review on Racial Literacy

Race issues are an important part of the U.S. history classroom. The lingering effects of America’s racist past from the Jim Crow era continues to impact many of our middle school students (Bolgatz, 2005a; Howard & Navarro, 2016). Discussing historical and contemporary race issues prepares our students to successfully interact within a pluralistic democracy that contains diverse ethnic, racial, religious, and cultural groups (Bolgatz, 2005b). However, many middle school U.S. history teachers are hesitant to discuss racial issues. They feel unprepared to discuss racial issues and are also worried about a lack of parental and administrative support for discussing such controversial topics (Bolgatz, 2005b; Hess & McAvoy, 2015; Journell, 2016). There is also the fear that discussing controversial issues may upset and offend some students. However, controversial issues cannot be avoided in middle school U.S. history classrooms. Many controversial issues are deeply integrated into some of the most central topics of a U.S. history curriculum (Hess, 2018). Some examples of controversial issues include slavery in U.S. democracy, the Holocaust, and Jim Crow segregation laws. Middle school U.S. history classrooms are some of the few safe spaces that our students have to examine and discuss controversial issues (Kawashima-Ginsberg & Junco, 2018). The examination of racial issues allows students to see the numerous ways that oft-marginalized groups’ rights have been violated due to racial prejudices (Leonardo, 2004). One educational tool that middle school U.S. history teachers can utilize to explore racism in the U.S. is the racial literacy framework advocated for by King, Vickery, and Caffrey (2018).

Racial issues have been an enduring challenge because many have failed to realize and discuss the continued existence of white hegemony in the United States. For example, the enforcement of Jim Crow segregation laws for almost a century created generational poverty in much of the African American community that political gains in the 1960s could not completely address. Therefore, it is challenging to discuss racial issues in the past that continue to impact and shape students’ daily lives (King, Vickery, & Caffrey, 2018). U.S. history teachers need to help students realize and study different groups’ lived experiences. These learning experiences help students to empathize with different groups (Banks, 2014). Students can also grasp how systemic racism impacts every facet of oft-marginalized groups’ daily lives (Freire, 1970).

U.S. history teachers can more openly discuss race issues through implementing the racial literacy approaches advocated for by King and colleagues (2018). They stress that racism in the

United States is a result of institutional factors through social, economic, and political policies that resulted in the systematic exclusion and suppression of oft-marginalized groups’ rights and civil liberties (King et al., 2018). Racial literacy is defined by these scholars to have five elements:

1. Understanding the intersections of power and race.
2. Being able to locate and analyze racial systems.
3. Possessing the grammar and vocabulary terms associated with racial discourse.
4. Differentiating among terms that connect to concepts of race and racism.
5. The ability to analyze and take civic action with racial situations and issues (King et al., 2018).

These five elements of racial literacy help students research many topics in U.S. history with the type of social studies instruction advocated for in the C3 Framework (NCSS, 2013a).

Theoretical Framework

This project was based upon the best teaching practices advocated for in the C3 Framework (NCSS, 2013a). The C3 Framework stresses that students research open-ended questions, analyze primary and secondary sources, and use evidence from their research to take civic action (Lee & Swan, 2013; Levinson & Levine, 2013; NCSS, 2013a). The various steps involved with teaching practices advocated for in the C3 Framework alter the dynamics of the U.S. history classroom to be student centered and driven by inquiry-based activities (NCSS, 2013a).

Inquiry-based teaching practices are focused on the idea that students do research and construct their own solutions to questions and issues based on evidence. With inquiry-based teaching, the teacher becomes a guide to help facilitate students’ research. Students are applying background knowledge to construct new knowledge gained from researching an open-ended question about content material being explored (Kohlmeier & Saye, 2019; Van Hover & Hicks, 2017). All of the processes involved in inquiry-based teaching alter the dynamics of the U.S. history classroom. Students move from being passive observers to active participants that are having meaningful dialogues with each other and the authors of primary sources to construct knowledge about a topic (Nokes, 2019; Wineburg, 2018). U.S. history classrooms that integrate inquiry-based activities create meaningful learning opportunities for students that help them to critically analyze the past and make connections with how previous historical eras impact and influence the present. These learning experiences play a pivotal role in preparing students to be future democratic citizens (NCSS, 2013b; Nokes, 2019).

This project was the first unit that this teacher taught at the beginning of the school year. Therefore, her students had very limited to no experience in inquiry-based teaching practices. According to the teacher, most of her students had primarily been taught social studies with direct instruction prior to this project. This reality informed how the teacher and I designed this project. We provided the students with the primary and secondary sources to examine and discuss in groups as opposed to students searching for their own sources online. The students did not possess the research skills at the beginning of the school year to engage in very open-ended inquiry where they searched online for primary and secondary sources to answer research questions. The teacher had to work to build her students’ historical research skills over the course of the academic year. Our hope with this project was to start the students on exploring social studies content in the ways espoused in the C3 Framework. Specifically, our goal was for the students to analyze primary sources to explore the research question of how the convict-leasing system in Birmingham was a continuation of racial discrimination that African Americans faced after the U.S. Civil War (NCSS, 2013a). This means that the inquiry-based activities were designed to meet the students’ learning needs at the beginning of the school year, so they could be successful in this project.

Methods

I received administrative approval to conduct this project as well as obtained parental consent and student assent to use students’ graphic organizers and writing prompts for this study. Students’ graphic organizers and writing prompts were used to answer the following two research questions.

1. How did students, through their graphic organizers and writing prompts, articulate the racial discrimination present in Birmingham’s convict-leasing system?
2. In what ways, if any, could students through their writing articulate the connections between convict-leasing system in Birmingham after the U.S. Civil War to the slavery system prior to the U.S. Civil War?

These two research questions framed my project about the convict-leasing system in Birmingham and were designed to help students grasp how the racial discrimination that African Americans faced prior to the U.S. Civil War carried over through new methods.

Participants

This project on the convict-leasing system took place in a sixth grade U.S. history classroom in the Birmingham metropolitan area. It was implemented with one of the teacher’s U.S.

history classes as a convenience sample. Her U.S. history class had 8 boys and 19 girls for a total sample size of 27 (n=27). There were two Asian American students and one African American student in this class. The rest of the students were Caucasian students. While the school would be labeled as a suburban middle school based on economic factors within the local community, it has a relatively diverse student population with students that still struggle with reading comprehension skills. The teacher has over 10 years of teaching experience.

Instrumentation

There were two instruments that were created to answer the two research questions for this study: convict leasing-system graphic organizer and students’ writing prompts. More information about each of these instruments is presented in the following sections.

Convict-Leasing System Graphic Organizer

After building students’ background knowledge about Birmingham’s industrial origins and the racial discrimination that African Americans faced through Jim Crow segregation laws and in the convict-leasing system in the first three days of the project, students read and analyzed primary sources about the convict-leasing system on day four (Figure 1). In groups, students selected one of the three following primary sources about the convict-leasing system to read.

Figure 1

Primary Source Documents About Convict-leasing

Letter from a Federal Judge in Alabama to the U.S. Attorney General

Sir: Some witnesses before the Grand Jury here have developed the fact that in Shelby County [Alabama] in this District, and in this Coosa County in the Middle district, a systematic scheme of depriving negroes of their liberty, and hiring them out, has been practiced for some time. The plan is to accuse the negro of some petty offense, and then require him, in order to escape conviction, to enter into an agreement to pay his accuser so much money, and sign a contract, under the terms of which his bondsmen can hire him out until he pays a certain sum. The negro is made to believe he is a convict, and treated as such. It is said that thirty negroes were in the stockade at one time. Thursday, a negro witness who had been summoned here, and testified before the Grand Jury, was taken from the train by force, and imprisoned on account of his testimony; but finally his captors became frightened and turned him loose. The grand jury found indictments against nine of the parties. I deemed it essential to the safety of the negro that a deputy marshal should

protect him while in that county, and while here giving testimony; and that the accused parties should be promptly arrested and held to bail, in order to deter them, at least, from further violence to the negro....

Excerpt of a Letter from a Convict Laborer to the Alabama Board of Inspectors of Convicts

“[Our living quarters are] filled with filth and vermin. ... [Gunpowder cans were used to hold human waste that periodically] would fill up and runover on bed [where some prisoners were shackled in place at night]. ... Every Day some one of us were carried to our last resting, the grave. Day after day we looked Death in the face & was afraid to speak. ... Fate seems to curse a convict. Death seems to summon us hence. ... Comer is a hard man. I have seen men come to him with their shirts a solid scab on their back and beg him to help them and he would say [‘]let the hide grow back and take it off again.[’] I have seen him hit men 100 and 160 [times] with a ten prong strop [sic], then say they was not whiped [sic]. He would go off after an escape man come one day with him and dig his grave the same day. We go to cell wet, go to bed wet and arise wet the following morning and evry [sic] guard knocking[,] beating[,] yelling[,] Keep [sic] in line Jumping Ditches [sic].”

Reading Prompt:

This is an excerpt from a book Frederick Douglass wrote over a 100 years ago. Douglass was born a slave, escaped, and spent his life working to first free and then inspire African Americans.

Chapter III – The Convict Lease System

Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, Nebraska, North Carolina, South Carolina, Tennessee and Washington claim to be too poor to maintain state convicts within prison walls. Hence the convicts are leased out to work for railway contractors, mining companies and those who farm large plantations. These companies assume charge of the convicts, work them as cheap labor and pay the states a handsome revenue for their labor. Nine-tenths of these convicts are Negroes. There are two reasons for this.

- (1) The religious, moral and philanthropic forces of the country — all the agencies which tend to uplift and reclaim the degraded and ignorant, are in the hands of the Anglo-Saxon [white]. ... The white Christian and moral influences have not only done little to prevent the Negro becoming a criminal, but they have deliberately shut him out of everything which

tends to make for good citizenship. ... The Negro is shut out and ignored, left to grow up in ignorance and vice. Only in the gambling dens and saloons does he meet any sort of welcome. What wonder that he falls into crime?

(2) The second reason our race furnishes so large a share of the convicts is that the judges, juries and other officials of the courts are white men who share these prejudices. They also make the laws. ... The *People's Advocate*, a Negro journal, of Atlanta, Georgia, has the following observation on the prison showing of that state for 1892. "It is an astounding fact that 90 per cent of the state's convicts are colored; 194 white males and 2 white females; 1,710 colored males and 44 colored females. Is it possible that Georgia is so color prejudiced that she won't convict her white law-breakers? Yes, it is just so, but we hope for a better day." ...

Every Negro so sentenced not only means able-bodied men to swell the state's number of slaves, but every Negro so convicted is thereby *disfranchised* [unable to vote].

Then, the groups of students completed the questions in the graphic organizer below for their selected source (Figure 2).

Figure 2

Graphic Organizer

Source	What do we know about the author of this primary source? Who is the audience? How do we know the author’s audience based on evidence from his source?	What did you learn from this primary source? Why is this information important? Use evidence from the source to support your arguments.	How is this primary source similar to or different from the other two primary sources? Use evidence from the source to support your arguments.
Letter from Judge			

Letter from Convict Laborer			
Excerpt from Frederick Douglass book			

Regardless of the source selected, students were able to grasp how the convict-leasing system in Birmingham violated African Americans’ rights and civil liberties. They also gained experience constructing arguments by using evidence from primary and secondary sources (Wineburg, Martin, & Monte-Sano, 2013).

Students’ Writing Prompts

Days five and six of the project were dedicated to students individually completing the following writing prompt.

Figure 3

Writing Prompt

Imagine that you were an activist against the convict-leasing system because of its violations of African Americans’ rights and freedoms. Write a letter to a Birmingham

newspaper detailing why the convict-leasing system should be ended. Your letter should also include information about the false charges brought against prisoners and their living and working conditions. Draw on evidence from the sources examined in this project.

First, students outlined their writing prompt. Then, they started their essay on day five. Students made progress differently on their essay during day five. On day six, they finished their essay and edited the content. The teacher walked around to help students and provided individual writing conferences as needed to help the students throughout the processes of crafting their essays. This writing prompt allowed students to apply knowledge from the unit to articulate how people could take civic action to protest the social injustices inherent within the convict-leasing system in Birmingham (Levinson & Levine, 2013; Nokes, 2019; Teitelbaum, 2011).

Data Analysis

Students’ graphic organizers and writing prompts were coded using qualitative content analysis with inductive and deductive elements (Elo & Kyngas, 2007; Kline, 2008; Krippendorff, 2013; Maxwell, 2010; Zhang & Wildemuth, 2009). During open coding, observations of and outliers to patterns that emerged during open coding were created and synthesized into testable codes for axial coding. During axial coding, or deductive analysis, all students’ graphic organizers and writing prompts were used to focus on the presence, absence, and frequency of the codes. Data were compiled and analyzed. Patterns are reported, and their significance is extrapolated in the following sections. The following sections contain samples from student writing that illustrate examples of emergent themes from their completed graphic organizers and writing prompts. Pseudonyms are used for all students to keep confidentiality with writing samples shared in the following sections.

Findings

Analysis of Students’ Graphic Organizers

There were several themes that emerged from analyzing the sixth-grade students’ graphic organizers. First, the majority of the students accurately conveyed the content material within the primary sources examined. In other words, students were able to analyze the short excerpts from the three sources and accurately convey this information in their responses. However, the benefits of completing this graphic organizer went deeper than accurately analyzing the excerpts from these three sources about the convict-leasing system in Birmingham. Pseudonyms are used throughout the findings section to maintain student anonymity.

Students Displaying Empathy for Convict Laborers

Students’ responses to the second question about the convict laborer’s letter shows that they accurately conveyed the brutality of the convict-leasing system. Students often used negative words and phrases to describe the life of convict laborers as “being unfairly treated,” “being abused,” “having a hard life,” and “having bad living and working conditions.” Students’ responses to convicts’ lives were very descriptive. Their responses also show that the students were able to empathize with the poor quality of life that convicts endured because of this racist system. William said, “I learned how bad it was to live as a convict laborer.” It is important for the U.S. history teacher to design meaningful instruction for students to grasp how racist systems negatively impact people’s daily lives (Endacott & Brooks, 2013; Hawkman, 2017).

Students Articulate the Social Injustices within the Convict Leasing System

Students’ responses on the graphic organizer also discussed the social injustices within the convict-leasing system. Luke said, “the Frederick Douglas excerpt points out that 90% of the convicts were African Americans and were simply arrested for being a different race.” Several students pointed out that the convict-leasing system mainly targeted African American males. Elizabeth builds on Luke’s argument by saying, “I learned that convict leasing denied African Americans’ their liberties and freedoms.” A couple of students were struck by how the convict-leasing system created inequality for African Americans, which is best captured by Mena’s comment. “I learned that convicts were treated horribly. This is important because everyone should be treated equally.” Mena’s comment and several students’ arguments demonstrate that they grasped how the convict-leasing system violated African Americans’ rights.

Students’ Thematic Connections with Racial Discrimination that African Americans Faced

There were a few students that were able to connect the convict-leasing system on day four to slavery in their responses to questions of the graphic organizer. Al’Leah said, “I learned that blacks would get basically re-enslaved by the convict-leasing system.” Al’Leah’s comment shows that she could see the parallels between the institution of slavery and the convict-leasing system. Similarly, Anna made connections between slavery and the convict-leasing system. “The primary source tells us about what happened after the Civil War and how African Americans still didn’t have rights.” Anna’s statement shows that she was able to see the continuation with the violation of African Americans’ rights before and after the U.S. Civil War. There were a couple of students through their graphic organizers that made this connection that the convict-leasing system

perpetuated the violation of African Americans’ rights and civil liberties. It is important for students to be able to make connections among related events across different time periods. This allows students to see the interconnections among events as well as how some issues are not always resolved in one historical era (Metro, 2017; Oliver & Shaver, 1966).

Area for Improvement with Graphic Organizer

One weakness of this graphic organizer was the sixth graders’ responses to the third column. The students struggled in discussing how the three sources were connected. In other words, they did not consistently explain how the arguments in the sources corroborated each other. This shows that students need more modeling by the teacher on how to engage in the process of corroboration. After all, corroboration is one of the higher cognitive levels of critical analysis that historians engage in, so it should not be surprising that sixth graders that mainly think in concrete terms would struggle with more abstract thinking (Bickford, Clabough, & Taylor, 2020; Nokes, 2017).

Analysis of Students’ Writing Prompts

There were several themes that emerged from reviewing and coding students’ writing prompts from days five and six. First, students consistently applied content from primary and secondary sources examined throughout the project. In other words, students made evidence-based arguments with their persuasive letter to try and end the convict-leasing system. The teacher emphasized that students should draw on arguments from their graphic organizer, which is apparent from reviewing students’ writing prompts.

Students’ Define Social Injustices of Convict Leasing in Concrete Terms

The most common arguments found in the students’ writing prompts are about the unfairness in the convict-leasing system. Carson said, “Convict leasing should end because African Americans should get the same freedoms and rights as white people.” Students discussed the second-class treatment of African Americans in concrete terms. For example, Luke echoed a sentiment found in many students’ essays when he said, “I also think it is wrong that African Americans can be arrested without reason.” Luke’s comment demonstrates how these middle school students articulated social injustices in concrete terms.

The other common response found in students’ essays was best summed up by Zac. “The convict-leasing system was unfair, and African Americans had bad living and working conditions.” Many students used adjectives like “cruelty” and “suffering” to describe African

Americans’ living and working conditions in the convict-leasing system. Again, this shows that this perspective-writing activity helped these sixth graders to empathize to some degree with the plight of African Americans working in the convict-leasing system (Brooks, 2008; Endacott, 2010).

Students Articulate How Convict Leasing Violates U.S. Democratic Principles

A few students in their writing prompt discussed the unfairness of the convict-leasing system in more abstract political terms based on the ideas embodied in the U.S. Constitution and Declaration of Independence. Jayanti made the following argument. “There is no reason to falsely accuse a Negro. That is a big issue. To treat anyone different because of race will never be okay.” Jayanti’s statement shows how she articulated a difference in the ways that African Americans were treated under U.S. law. Daniel also argued that the convict-leasing system should be ended because “African Americans did not have rights and freedoms.” In a similar vein, Nola said, “I thinking convict leasing should be ended. Just because African Americans have a different skin color than whites does not mean that African Americans should have fewer rights than white people.” Mary argued how convict-leasing altered the dynamics of justice in the United States. “Guilty until proven innocent is changed to guilty even though they are innocent.” Alex also mentioned how the convict-leasing system prevents the U.S. from actualizing its political promises to her citizens. “If America is trying to move to being a free country where people of all races have a voice and rights, convict leasing is not how we are going to get there.” These students’ comments demonstrated that they grasped how the convict-leasing system stood in contradiction to the democratic values and principles espoused in U.S. law. When social injustices like the convict-leasing system take hold in a city or country, we fail to live up to the promises guaranteed to all citizens as Jayanti’s comment suggests. “In the U.S. Constitution it said, ‘All men are created equal.’ I don’t see that here in Birmingham.” Jayanti’s comment shows how important it is to set up learning activities for students to examine social injustices in order for them to take civic action to challenge and protest racial discrimination (Agarwal-Rangnath, 2013; Teitelbaum, 2011).

Student Response to the Social Injustices of the Convict-Leasing System in Economic Terms

There was one student in his writing prompt that discussed the unfairness of the convict-leasing system in economic terms. Luke said, “People can’t just force black people to work for whites to profit and African Americans don’t earn a penny.” Luke’s example is the only student writing prompt that discusses the unfairness of the convict-leasing system in economic terms. This

may be in part to the more abstract thinking that it takes to view the convict-leasing system in economic terms, which is more difficult for sixth graders as concrete thinkers to do.

Students’ Writing that Made Thematic Connections

There were also two students in their writing prompts that made arguments connecting the convict-leasing system to the institution of slavery. Eleanor said, “I believe we should end convict leasing. Convict leasing is just a modern form of slavery.” Mary also said that “the convict-leasing system is just a replacement for slavery which is illegal.” These two students show that the teacher with careful instructional supports can help students make connections with related events occurring across multiple historical eras (Metro, 2017). However, the fact that only two students were able to articulate these connections about racial discrimination that African Americans faced demonstrates the need for the teacher to do more scaffolding with how to examine thematic connections with issues across time.

Discussion

Initial Steps Taken for Inquiry-Based Teaching

There were several encouraging outcomes and needed next steps that came from this six-day research study. First, these sixth-grade students were able to successfully engage in the type of historical analysis and inquiry-based activities outlined in the C3 Framework (NCSS, 2013a). They utilized evidence from primary and secondary sources to take civic action against the convict-leasing system in Birmingham, Alabama through their writing prompt. The students’ writing prompts discussed the social injustices and racial discrimination present within the convict-leasing system in Birmingham. All of these are notable outcomes to show that students as young as sixth graders can have a critical dialogue about controversial issues in Birmingham’s past.

Sixth Grade Students Articulate Social Injustices in Concrete Terms

When these sixth graders talked about social injustices of the convict-leasing system, they did so mainly in concrete terms. The most frequently used argument in the sixth graders’ writing prompts was that African Americans should not be arrested without reason. These students also often looped in fairness in terms of living and working conditions with the convict-leasing system. Most of these students’ arguments were done in concrete terms, which reflects their cognitive level of development as middle schoolers. The challenge is that racial discrimination impacts every facet of African Americans’ daily lives (Hawkman, 2017; King et al., 2018).

Students Struggled in Their Writing to Connect the Convict-Leasing System to Slavery

There were only two students that connected the institution of slavery to the convict-leasing system in their writing prompt. These students’ comments are provided above in the findings section on student writing. This shows that students need more support from their teacher to make these types of historical connections among a series of related events.

Using Interdisciplinary Practices to Teach the Convict-Leasing System

Only one student discussed the convict-leasing system in abstract terms with the economic component that exploited African Americans for white business owners in the Birmingham area to prosper. These findings show that U.S. history teachers need to focus on utilizing more interdisciplinary teaching practices for students to grasp how economic, political, social, cultural, religious, and geographic factors are interconnected (Lintner, 2013). Interdisciplinary teaching practices are especially important when examining the racial discrimination that African Americans faced in the century after the U.S. Civil War because racism pervaded every aspect of their daily lives (Hawkman, 2017; King et al., 2018). U.S. history teachers need to design classroom activities for their students to explore the economic, political, social, and cultural aspects of racial discrimination present in the convict-leasing system.

Missing Economic Component of the Convict-Leasing System in Student Writing

There was another noticeable gap from coding students’ work. These sixth graders failed to articulate arguments about Birmingham’s culpability for economic profit from the convict-leasing system. The only comment by students in their essays that alluded to Birmingham’s role in the convict-leasing system was the one statement by a student that white businessmen prospered from African Americans’ labor. This lack of discussion by these sixth graders illustrates a continuing issue within the South. Many whites in the White South have failed to come to terms with its racist legacy. This can be seen in recent controversies with arguments about whether to remove Confederate monuments because of their continued endorsement of white hegemony (Gibson & Reich, 2017; Nunez, 2018). Racism within the convict-leasing system and that African Americans experienced throughout U.S. history is clearly connected to how constructs of race impact people’s daily lives (Castro, 2014; Bery, 2014; King & Chandler, 2016). However, these sixth graders did not discuss these issues of critical race theories in their essays.

Limitations and Future Areas of Research

Inability to Generalize Findings

There were several limitations for this study. First, the study had a small sample size with only 27 students in one sixth grade U.S. history class. Therefore, the results from this study are not generalizable. Future studies might expand the student population to multiple school sites in the South with a larger sample size to make the results generalizable.

Building Students’ Ability to Make Thematic Connections

The findings from this study set up potential areas for research on the convict-leasing system. First, this study could be replicated with the addition of analysis prompts to help the sixth graders make thematic connections. For example, the teacher could ask students on day three after introducing them to the convict-leasing system in Birmingham the following analysis prompt. Why do you think a historian would make connections between slavery and the convict-leasing system? Strategic analysis prompts in lesson plans like the example in my last sentence help students make connections among related historical events and engage in the type of thematic teaching advocated for in Metro’s work (2017).

The U.S. history teacher could implement the research study discussed in this article and modify the writing prompt used on days five and six to ask students to make connections between slavery and the convict-leasing system. With the emphasis on content coverage, it is easy to miss valuable learning opportunities presented by the potentials for thematic teaching, especially with the Civil Rights Movement. It is important for students to remember that the Civil Rights Movement was not confined to the 1950s and 1960s. The Civil Rights Movement has been and continues to be a struggle throughout U.S. history to address the social, economic, and political inequalities that the African American community faces (King, Warren, Bender, & Finley, 2016).

Birmingham’s History of Racial Discrimination

After a teacher implements the project discussed in this study, he or she could address the controversial aspect of Birmingham’s history presented by the convict-leasing system by exploring the city’s nickname as the “Magic City.” Young students often struggle to see how certain racist actions can have ripple effects on a city or state (Gibson & Reich, 2017; Harshman & Darby, 2018; Nunez, 2018). Social studies teachers need to create learning opportunities to have these critical dialogues. One analysis prompt that this teacher could use as a follow-up project is the following:

Based on the convict-leasing system serving as an instrumental reason for Birmingham’s economic growth, should the city have the nickname of the “Magic City”? Use evidence from sources examined to support your arguments.

This writing prompt will spark discussion and divergent student views. This discussion and writing activity help students have critical dialogues with Birmingham’s past (Harshman & Darby, 2018). Students are able to confront Birmingham’s spotty record at its founding with racial discrimination that has unfortunately been an ever-present part of the city’s history (McWhorter, 2013).

Conclusion

In this article, I discussed a six-day project in a sixth grade U.S. history classroom about the convict-leasing system in Birmingham. These students demonstrated an ability to analyze primary and secondary sources and articulate the social injustices and racial discrimination present in the convict-leasing system. They mainly conveyed their arguments against the convict-leasing system in concrete terms, which is consistent with their level of cognitive development. It is important to create learning opportunities for students in the U.S. history classroom to set them up to discuss controversial issues like the convict-leasing system that are still relevant. U.S. history teachers can build on the research project discussed in this article to explore contemporary issues connected to the convict-leasing system. After all, abuses of civil liberties through prison facilities are not relegated only to the late 19th century and early 20th century.

Contemporary American society still has issues connected to convict-leasing system such as deregulated private prisons, prison profiteering, and unjust arrest and sentencing (Alexander, 2012; Domonske, 2018; Lafayette Parish Sheriff’s Office, 2019; Pettit, 2012; Pfaff, 2017; Rothstein, 2017). Prisoners have certain legal protections. These protections are not followed as closely in private prisons, which have far less oversight. Private state and federal prisons began in Texas in 1985 and are found elsewhere to address the expanding prison population. Investors exploit the number of incarcerated prisoners and length of incarceration for economic benefit. Further, multiple studies demonstrate unequal, arrest and sentencing patterns that have strong correlations with race and ethnicity (Alexander, 2012; Pettit, 2012; Pfaff, 2017; Rothstein, 2017).

Public issues connected to racial discrimination will not solve themselves. Instead, it takes an active democratic citizenry to challenge these public issues (King et al., 2018). U.S. history teachers need to construct projects that examine lingering public issues. These learning opportunities allow students to gain background knowledge about the reasons for a public issue,

so they can apply that knowledge to address modern corollaries of that issue. After all, the purpose of the social studies is to prepare future democratic citizens. U.S. history teachers have not successfully achieved this goal if their students are not equipped with the knowledge and ability to address issues connected to racial discrimination.

References

- Agarwal-Rangnath, R. (2013). *Social studies, literacy, and social justice in the Common Core classroom: A guide for teachers*. Teachers College Press.
- Alexander, M. (2012). *The new Jim Crow: Mass incarceration in the age of colorblindness*. The New Press.
- Banks, J. (2014). *An introduction to multicultural education* (5th ed.). Pearson.
- Bery, S. (2014). Multiculturalism, teaching slavery, and white supremacy. *Equity & Excellence in Education*, 47(3), 334-352.
- Bickford, J., & Clabough, J. (2019). Imprisoned civil liberties: A middle grades inquiry into prisons, racism, and profits. In J. Hubbard (Ed.), *Extending the ground of public confidence: Teaching civil liberties in K-16 social studies education* (pp. 171-193). Information Age Publishing.
- Bickford, J., Clabough, J., & Taylor, T. (2020). Fourth-graders' (re-)reading, (historical) thinking, and (revised) writing about the Black Freedom Movement. *Journal of Social Studies Research*, 44(2), 249-261.
- Blackmon, D. (2008). *Slavery by another name: The re-enslavement of Black Americans from the Civil War to World War II*. Doubleday.
- Boles, J. (1983). *Black Southerners 1619-1869*. The University of Kentucky Press.
- Bolgatz, J. (2005a). Revolutionary talk: Elementary teacher and students discuss race in a social studies class. *The Social Studies*, 96(6), 259-264.
- Bolgatz, J. (2005b). Teachers initiating conversations about race and racism in a high school class. *Multicultural Perspectives*, 7(3), 28-35.
- Brooks, S. (2008). Displaying historical empathy: What impact can a writing assignment have? *Social Studies Research and Practice*, 3(2), 130-146.
- Caro, R. (2002). *Master of the Senate*. Vintage Books.
- Castro, A. (2014). The role of teacher education in preparing teachers for critical multicultural citizenship. *Journal of Social Studies Research*, 38(4), 189-203.

- Clabough, J., & Bickford, J. (2018). Birmingham and the human costs of industrialization: Using the C3 Framework to explore the “Magic City” in the Gilded Age. *Middle Level Learning*, 63, 2-10.
- Cohen, W. (1991). *At freedom's edge: Black mobility and the Southern white quest for racial control, 1861–1915*. Louisiana State University Press.
- Domonoske, C. (2018). Alabama sheriff legally took \$750,000 meant to feed inmates, bought beach house. *NPR*. <https://www.npr.org/sections/thetwo-way/2018/03/14/593204274/alabama-sheriff-legally-took-750-000-meant-to-feed-inmates-bought-beach-house>
- Douglass, F. (1893). The reason why the Colored American is not in the World’s Columbian Exposition. *The Library of Congress*. <https://www.loc.gov/item/mfd.25023/>
- Elo, S., & Kyngas, H. (2007). The qualitative content analysis process. *JAN Research Methodology*, 62(1), 107-115.
- Endacott, J. L. (2010). Reconsidering affective engagement in historical empathy. *Theory & Research in Social Education*, 38(1), 6-47.
- Endacott, J., & Brooks, S. (2013). An updated theoretical practical model for promoting historical empathy. *Social Studies Research and Practice*, 8(1), 41-58.
- Ezra, M. (Ed.) (2013). *The economic Civil Rights Movement: African Americans and the struggle for economic power*. Routledge.
- Freire, P. (1970). *Pedagogy of the oppressed*. Bloomsbury Publishing.
- Gibson, M.T., & Reich, G. (2017). Confederate monuments: Heritage, racism, anachronism, and who gets to decide? *Social Education*, 81(6), 356-362.
- Harshman, J., & Darby, L. (2018). The Lemme history detectives: Researching rights, race, and activism within local history. In J. Clabough & T. Lintner (Eds.), *No reluctant citizens: Teaching civics in K-12 classrooms* (pp. 53-66). Information Age Publishing.
- Hawkman, A. (2017). Race and racism in the social studies: Foundations of critical race theory. In P. Chandler and T. Hawley (Eds.), *Race lessons: Using inquiry to teach about race in social studies* (pp. 19-31). Information Age Publishing.
- Hess, D. (2018). Teaching controversial issues: An introduction. *Social Education*, 82(6), 306.
- Hess, D., & McAvoy, P. (2015). *The political classroom: Evidence and ethics in democratic education*. Routledge.

- Howard, T., & Navarro, O. (2016). Critical Race Theory 20 years later: Where do we go from here? *Urban Education, 51*(3), 253-273.
- Hubbard, J. (2019). Introduction. In J. Hubbard (Ed.), *Extending the ground of public confidence: Teaching civil liberties in K-16 social studies education* (pp. ix-xvi). Information Age Publishing.
- Journell, W. (2016). Introduction: Teaching social issues in the social studies classroom. In W. Journell (Ed.), *Teaching social studies in an era of divisiveness* (pp. 1-12). Rowman and Littlefield.
- Kawashima-Ginsberg, K., & Junco, R. (2018). Teaching controversial issues in a time of polarization. *Social Education, 82*(6), 323-329.
- King, L. & Chandler, P. (2016). From non-racism to anti-racism in social studies teacher education: Social studies and racial pedagogical content knowledge. In A. Crowe & A. Cuenca (Eds.), *Rethinking social studies teacher education in the twenty-first century* (pp. 3-22). Springer.
- King, L., Vickery, A., & Caffrey, G. (2018). A pathway to racial literacy: Using the LETS ACT Framework to teach controversial issues. *Social Education, 82*(6), 316-322.
- King, L., Warren, C., Bender, M., & Finley, S. (2016). #Black Lives Matter as critical patriotism. In W. Journell (Ed.), *Teaching social studies in an era of divisiveness: The challenges of discussing social issues in a non-partisan way* (pp. 93-110). Rowman & Littlefield.
- King, M.L. (1963, August 28). I have a dream. *American Rhetoric*.
<https://www.americanrhetoric.com/speeches/mlkhaveadream.htm>
- Kline, W. (2008). Developing and submitting credible qualitative manuscripts. *Counselor Education and Supervision, 47*, 210-217.
- Kohlmeier, J., & Saye, J. (2019). Examining the relationship between teachers' discussion facilitation and their students' reasoning. *Theory & Research in Social Education, 47*(2), 176-204.
- Krippendorff, K. (2013). *Content analysis: An introduction to its methodology* (3rd ed.). Sage Publishing.
- Lafayette Parish Sheriff's Office, (2019). *FAQs about inmates*.
<https://www.lafayettesheriff.com/site383.php#lfaq77>
- Lee, J., & Swan, K. (2013). Is the Common Core good for social studies? Yes, but... *Social*

- Education*, 77(6), 327-330.
- Leonardo, Z. (2004). The color of supremacy: Beyond the discourse of ‘white privilege.’
Educational Philosophy and Theory, 36(2), 137-152.
- Levinson, M., & Levine, P. (2013). Taking informed action to engage students in civic life.
Social Education, 77(6), 339-341.
- Lewis, W.D. (1994). *Sloss Furnaces and the rise of the Birmingham district: An industrial epic*.
The University of Alabama Press.
- Lichtenstein, A. (1996). *Twice the work of free labor: The political economy of convict labor in the New South*. Verso.
- Lintner, T. (2013). Integrative opportunities in the social studies class: Making minutes matter.
In T. Lintner (Ed.), *Integrative strategies for the K-12 social studies classroom* (pp. 1-14). Information Age Publishing.
- Mancini, M. (1996). *One dies, get another: Convict leasing in the American South, 1866-1928*.
The University of South Carolina Press.
- Maxwell, J. (2010). Using numbers in qualitative research. *Qualitative Inquiry*, 16(6), 475-482.
- McWhorter, D. (2013). *Carry me home: Birmingham, Alabama: The climactic battle of the civil rights revolution*. Simon & Schuster.
- Metro, R. (2017). *Teaching U. S. history thematically: Document-based lessons for the secondary classroom*. Teachers College Press.
- NCSS. (2013a). *The college, career, and civic life framework for social studies state standards: Guidance for enhancing the rigor of K-12 civics, economics, geography, and history*.
Author.
- NCSS. (2013b). *Revitalizing civic learning in our schools*. A Position Statement of the National Council for the Social Studies.
http://www.socialstudies.org/positions/revitalizing_civic_learning
- Nokes, J. (2017). Exploring patterns of historical thinking through eighth-grade students’ argumentative writing. *Journal of Writing Research*, 8(3), 437-467.
- Nokes, J. (2019). *Teaching, history, learning citizenship: Tools for civic engagement*. Teachers College Press.
- Nunez, J. (2018). Examining the myth of Antebellum glory through Confederate memorials. *The Councilor: A Journal of the Social Studies*, 79(2), 1-13.

- Oliver, D. W., & Shaver, J. P. (1966). *Teaching public issues in the high school*. Houghton Mifflin Company.
- Pettit, B. (2012). *Invisible men: Mass incarceration and the myth of Black progress*. Russell Sage Foundation.
- Pfaff, J. (2017). *Locked in: The true causes of mass incarceration and how to achieve real reform*. BasicBooks.
- Rothstein, R. (2017). *The color of law: A forgotten history of how government segregated America*. Liveright.
- Teitelbaum, K. (2011). Critical civic literacy in schools: Adolescents seeking to understand and improve the(ir) world. In J. DeVitis (Ed.), *Critical civic literacy: A reader* (pp. 11-26). Peter Lang.
- Van Hover, S., & Hicks, D. (2017). Social constructivism and student learning in social studies. In M. M. Manfra, & C. M. Bolick (Eds.), *The Wiley handbook of social studies research* (pp. 270-318). John Wiley & Sons.
- Wineburg, S. (2018). *Why learn history (When it's already on your phone)*. The University of Chicago Press.
- Wineburg, S., Martin, D., & Monte-Sano, C. (2013). *Reading like a historian: Teaching literacy in middle and high school history classrooms*. Teachers College Press.
- Woodward, C. (1951). *Origins of the New South, 1877-1913: A history of the South*. Louisiana State University Press.
- Zhang, Y., & Wildemuth, B. (2009). Qualitative analysis of content. In B. Wildemuth (Ed.), *Applications of social research methods to questions in Information and Library Science* (pp. 308-319). Libraries Unlimited.

Author Biography

Dr. Jeremiah Clabough is an Associate Professor of Social Science Education at the University of Alabama at Birmingham. He is a former middle and high school social studies teacher. His research interest is focused on strengthening middle and high school students' civic thinking, literacy, and argumentation skills.