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ACCEPTANCE

This dissertation, MORE THAN A FEELING: A STUDY ON CONDITIONS THAT PROMOTE HISTORICAL EMPATHY IN MIDDLE AND SECONDARY SOCIAL STUDIES CLASSES WITH THE “THE ELIZABETH JENNINGS PROJECT,” by KATHERINE ASSANTE PERROTTA, was prepared under the direction of the candidate’s Dissertation Advisory Committee. It is accepted by the committee members in partial fulfillment of the requirements for the degree, Doctor of Philosophy, in the College of Education and Human Development, Georgia State University.

The Dissertation Advisory Committee and the student’s Department Chairperson, as representatives of the faculty, certify that this dissertation has met all standards of excellence and scholarship as determined by the faculty.

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**MORE THAN A FEELING: A STUDY ON CONDITIONS THAT PROMOTE HISTORICAL
EMPATHY IN MIDDLE AND SECONDARY SOCIAL STUDIES CLASSES WITH THE
“ELIZABETH JENNINGS PROJECT**

by

KATHERINE ASSANTE PERROTTA

Under the Direction of Dr. Chara Bohan

ABSTRACT

Historical empathy (HE) is a growing subfield in social studies education scholarship. HE refers to deep inquiry in which academic and emotional responses to historical content are shaped through source analysis of the actions, motives, perspectives, and beliefs of people in the past. There are limited studies about whether students demonstrate HE through analysis of underrepresented historical figures. Additionally, studies are limited on how students' social identities—which include ethnic, gender, and racial affiliations—influence demonstration of HE (Epstein & Shiller, 2005). Consequently, there is a gap in the literature with regard to whether source analysis of underrepresented historical figures, as well as students' social identities, impact demonstration of HE and critical race consciousness (CRC).

Elizabeth Jennings is an example of an underrepresented historical figure. She was an African American teacher who was forcibly ejected from a streetcar due to her race in 1854.

Jennings sued the streetcar company and won. Although Jennings set an important precedent for African Americans to use the legal system to challenge segregation ordinances prior to the Civil War, she remains a relatively obscure historical figure.

The purpose of this study was to examine whether or not an instructional unit about Elizabeth Jennings called “The Elizabeth Jennings Project” (EJP) promotes conditions conducive for student demonstration of HE and/or CRC through a variety of pedagogical techniques. The research questions of this study are as follows:

1. Can an instructional unit about an underrepresented historical figure promote historical empathy? If so, how? If not, why?
2. Do students’ social identities impact demonstration of historical empathy and critical race consciousness through primary and secondary source analysis of an underrepresented historical figure? If so, how? If not, why?

A case study of one middle and two high school classes was conducted at one private, non-secular school in an urban area of the Northeast. Instructional methods that best promoted HE in these middle and secondary social studies classes included in-class discussion and debate. Students provided insights about ethnicity and religious affiliation during focus group sessions with regard to how the EJP fostered HE and CRC in middle and secondary social studies classes.

INDEX WORDS: Historical empathy, Perspective recognition, Affective connections, Historical contexts, Critical race consciousness, Elizabeth Jennings

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in

MIDDLE AND SECONDARY EDUCATION DEPARTMENT

in

the College of Education and Human Development

Georgia State University

Atlanta, GA
2016

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DEDICATION

"It is difficult to judge the past by the criteria of the present. Nonetheless, when the stranger in our midst appeals to us, we must not repeat the sins and the errors of the past." Pope Francis I,

Joint Session of U.S. Congress, 9/24/15

This dissertation is dedicated to many important people in my life who supported me throughout my professional and personal life. Julianna, you are my angel baby. You have been with me every step of the way throughout this process, and I can't imagine completing this Ph.D. without you. You gave my life new meaning; I love you! Steve, words can not express how much your unwavering love and support mean to me. For a pilot, you always keep me grounded and I love you. Mom and Dad, you were and are my first and greatest teachers in my life who never let me settle for less, pushed me to always strive for my dreams, and instilled my love of history and education. Bob, thank you for always being my consultant for everything I write being an integral part of this study. For my grandma, I miss you and I know you are proud of me. To my best friends and sisters Bethanie and Taha, thank you for your unwavering support and love. To Debbie Ann, thank you for being my archivist and helping me uncover Elizabeth Jennings' story. To my GSU colleagues Rhonda, Tiffany, Tanya, Eddy, Sundiata, Tania, Lauren, Terry, Lindsey, Aubrey, Jen, and everyone else who provided such wonderful friendship to me. To all my teachers past and present, thank you for inspiring me to achieve this goal. To Elizabeth Jennings who stood up. To my colleagues and friends at Dewey, GPC, GSU, and KSU, thank you for always being so supportive and encouraging of my ideas and career goals. To all my students past and present, from the halls of Middle School 136 in Sunset Park, Brooklyn to the classrooms of GPC and KSU in Atlanta, each of you inspire me to be the best teacher and person I can be.

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1 THE PROBLEM

Historical empathy (HE) is a growing field of scholarship in social studies education. According to Yilmaz (2007), HE is “the ability to see and judge the past in its own terms by trying to understand the mentality, frames of reference, beliefs, values, intentions, and actions of historical agents using a variety of historical evidence” (p. 331). Moreover, HE involves intellectual and emotive dimensions that “develop from the active engagement in thinking about particular people, events, and situations in their context” (Davis, 2001, p. 3). The majority of HE research studies address how students display HE through analysis of well-known historical figures and events. Consequently, there is a gap in the literature with regard to whether students demonstrate HE through investigation of an underrepresented historical figure.

Elizabeth Jennings is an example of an underrepresented historical figure whose activism led to “a little known milestone in racial progress” in United States history (Dans & Wasserman, 2006, p. 194). She was a schoolteacher in the former African Free Schools (AFS) in New York City. Members of the New York Manumission Society established these segregated schools for the children of freedmen living in New York City after the American Revolution. Eventually these schools were co-opted by the New York City Board of Education after slaves were emancipated in New York State in 1827. Jennings came from a prominent family that held strong ties to abolitionist organizations in the free African American community. She also served as an organizer for her church that frequently held assemblies addressing matters of slavery and emancipation.

On a Sunday morning in July 1854, Jennings was forcibly ejected from a streetcar by a white conductor and nearby police officer while on her way to church due to her race (Hewitt, 1990; Perrotta & Bohan, 2013). It was customary in New York for African Americans to ride on

segregated streetcars that were operated by private companies. Her father, Thomas L. Jennings, and members of her church congregation hired attorney Chester A. Arthur to sue the Third Avenue Streetcar Company for violation of common carrier laws. Common carrier laws stipulated that paying customers on public conveyances were entitled to punctual and safe accommodations (Welke, 1995). Judge Rockwell ruled in Jennings' favor in New York Supreme Court in 1855. Although Jennings set an important precedent for African Americans to use the legal system to challenge segregation ordinances prior to the Civil War in a region of the country not generally associated with slavery and racial discrimination, she remains a relatively obscure figure in United States history narratives.

Historian John Hewitt (1990) lamented that there were not any biographies or research papers that amounted to more than a “thumbnail sketch” about Jennings. One reason why Jennings has not appeared in mainstream narratives of United States history is because primary sources from the time period written by or about her are scarce. The lack of sources on Jennings suggests either she did not keep records such as diaries or letters, or that these documents were destroyed as fires typically broke out in 19th-century New York (Perrotta & Bohan, 2013, p. 17). As seen in Figure 1, one of the only images of Jennings that exists is a portrait of her:



Figure 1. Portrait, Elizabeth Jennings, Kansas Historical Society

Another reason why Jennings is an obscure historical figure is due to matters regarding what is considered “official” history. Traditionally, mainstream narratives of United States history have focused on white, male, Eurocentric narratives of United States history (Loewen, 1995; Kincheloe, 2001). These narratives are problematic, as more than one-third of Americans do not trace their ancestry to Europe (<https://www.census.gov/quickfacts/table/PST045215/00>; Takaki, 1993). Many social studies textbooks have presented minorities and women as “add-ons” in context of “the contributions of famous white men” in United States history (Loewen, 1995; Kincheloe, 2001, p. 258, 249). As a result, many students may have “a ubiquitous lack of awareness of how ordinary citizens and minority groups fought for and achieved civil rights throughout United States history” (Perrotta & Bohan, 2013, p. 14). Jennings’ absence from mainstream United States history narratives raises the following questions: why is she an important historical figure and why should anyone care about her story and contributions in United States history? Although Jennings is not a well-known known historical figure, the primary sources that are available about her life, ejection from the streetcar, and lawsuit can be used to gain greater insights into how particular conditions contribute or do not contribute to student demonstration of HE.

Elements of Historical Empathy

Building upon Yilmaz and Davis’ definitions, the researcher of this study defines HE as deep historical inquiry in which academic and emotional responses to historical content are shaped through source analysis of the actions, motives, perspectives, and beliefs of people in the past that relate to one’s prior knowledge and life experiences. She provides her own explanation of HE in order to articulate the significance of this study with regard to garnering greater under-

standings about which conditions, if any, contribute to student demonstration of HE through source analysis of an underrepresented historical figure.

There are three major elements of HE. These three elements are 1) historical contextualization, 2) perspective taking, and 3) affective connections (Endacott & Brooks, 2013). Grasping historical contextualizations, which is the act of understanding how socio-economic and political norms of the past differs from the present; and perspective taking, which involves understanding how a person's lived experiences and beliefs shapes his or her actions; are two cognitive aspects of historical empathy that constitute historical thinking. Historical thinking involves several intellectual acts including analyzing primary sources, identifying a source author's purpose and historical context, assessing the source's author's socio-cultural-political positions, and judging the reliability and validity of a source (VanSledright, 2004, pp. 230-231). The cognitive acts of HE that involve document analysis "to reconstruct, understand, and make sense of the past" simulates the job of a historian (Yeager & Foster, 2001, p. 14). Hence, student demonstration of HE models the job of a historian by engaging in source analysis to construct meaning from the actions, positions, and behaviors of historical figures.

Making affective connections to historical content is the third element of HE. These connections are formed when students consider how a historical figure's lived experiences, actions, and situations were influenced by their emotive responses and connect to a person's similar life experience (Endacott & Brooks, 2013). HE is promoted when historical contextualizations, perspective taking, and affective connections are taught together, thus engaging students in a "deeper and holistic understanding of the past" (Endacott & Brooks, 2013, p. 43, 44) and motivating students to learn (Brooks, 2011; Barton & Levstik, 2004). Hence, engagement in HE involves both the intellectual and emotive acts of understanding the beliefs, motives, and actions of

historical figures in a particular context, as well as connecting these contextualizations to prior knowledge, beliefs, and life experiences.

Problem Statement

Investigation of student analysis of sources about Elizabeth Jennings' ejection from the streetcar and challenge to racial segregation ordinances in antebellum New York can contribute to the growing body of research on promoting HE in social studies. "Traditional" HE studies involve investigation of "larger than life" figures (Endacott, 2010). Among these famous figures and events include Truman's decision to drop the atomic bomb (Endacott, 2014), the Salem Witch Trials (Barton, 1996), the Boston Massacre (Bohan, 1998), and Chamberlain's appeasement of Hitler (Foster, 1999). However, there are few studies that examine how students demonstrate HE by analyzing sources about "underrepresented figures" in history such as "child laborers, women, and Holocaust victims" (Endacott, 2010, p. 7). Jensen (2008), Brooks (2011), and Kohlmeier's (2005) research addressed students' demonstration of historical empathy using primary sources about 19th century pioneers in the American west, the Industrial Revolution, and women in world history respectively. Nonetheless, Endacott notes (2010) there is a need for further examination of "other examples in the past of people who may not have been 'important' before they made their mark on history" (p. 38). Endacott's assertion highlights a gap in the existing research that calls for study on whether student investigations of underrepresented historical figures elicits demonstration of HE.

Additionally, "little is known about the various ways in which students might demonstrate the subjective component of historical empathy or about the impact that affective responses to the past might have on students' ability and propensity to objectively consider historic perspectives. Even less is known about the classroom practices that promote subjective responses to

the past” (Brooks, 2011, p. 167). Epstein and Shiller (2005) argue that there are limited studies on how students’ social identities—which include ethnic, gender, and racial affiliations— influence the formation of historical knowledge and beliefs. Endacott and Brooks (2013) offer an “invitation” for further research on how the dual-dimensional cognitive and emotive aspects of promoting HE is implemented in order to examine “historical empathy’s dispositional benefits” which include pedagogies that help shape students’ “understanding of themselves and the world around them” (p. 55). Consequently, this gap in the existing HE literature also highlights the need for further research on the specific curricular, pedagogical, and cultural conditions that impact student demonstration of HE, as well as students’ critical race consciousness (CRC).

Grounded in Carter’s (2008) pedagogical terminology and the tradition of Woodson’s (1933) scholarship of African American history and race, the researcher defines CRC as someone’s critical awareness of institutional and historical power struggles that exist between blacks and whites in American society. These power struggles can be seen, and have been seen, in various socio-economic and political realms throughout United States history, particularly in voting; gaining employment, housing, and healthcare; access to education; law enforcement, and representation of the histories of African Americans and non-whites in the dominant lexicon of United States history narratives. Therefore, CRC is an important element of HE due to the fact students are encouraged to identify historical context of sources, examine the multiple perspectives of historical figures, and make affective connections between prior knowledge and life experiences to content studied.

Research Questions

The aim of this research was to investigate whether student source analysis of Elizabeth Jennings as an example of an underrepresented historical figure impacts students' cognitive and affective demonstrations of HE and CRC. The questions that framed this research are as follows:

1. Can an instructional unit about an underrepresented historical figure promote historical empathy? If so, how? If not, why?
2. Do students' social identities impact demonstration of historical empathy and critical race consciousness through primary and secondary source analysis of an underrepresented historical figure? If so, how? If not, why?

These research questions were designed to examine what pedagogical and curricular conditions, if any, could promote students' display of HE and CRC through source analysis about Elizabeth Jennings as an underrepresented historical figure. Among these conditions included the curricular design of the lessons in the EJP, the content of the primary and secondary sources used in the EJP, the teaching strategies employed to promote HE, CRC, and students' social identities.

Purpose of Study

Although sources about Elizabeth Jennings are limited, there are enough primary and secondary documents available for students to analyze that may "cognitively shape empathetic responses" (Endacott, 2010, p. 13). Therefore, the purpose of this study was to examine whether or not an instructional unit about Elizabeth Jennings called "The Elizabeth Jennings Project" (EJP) creates curricular and pedagogical conditions conducive for students in middle and secondary social studies classes at a private school in a metropolitan region of the Northeast to demonstrate the cognitive and affective elements of HE through source analysis of an underrepresented historical figure.

Additionally, the objective of this research was to examine whether students' social identities impacts demonstration of HE and CRC through source analysis about Jennings as an underrepresented historical figure in the EJP. Students may not have prior knowledge of Jennings' story or segregation in antebellum New York; however, it is likely they will have knowledge or awareness of concepts of injustice, inequality, and unfairness through historical studies of more famous figures such as Rosa Parks. Hence, another goal of this study was to examine if and how students' social identities and CRC shape their cognitive and emotive understandings about Jennings' resistance to segregation during a time in United States history where African Americans were enslaved in the South and treated as second-class citizens in the North.

Expectations

The researcher possesses several expectations with regard to which factors an instructional unit about Elizabeth Jennings as an underrepresented historical figure promotes HE and/or CRC in middle and secondary social studies. First, students' familiarity with the story of Rosa Parks may assist in their engagement in the cognitive and affective aspects of HE. Historiographically, Jennings is compared to Rosa Parks due to the similar circumstances surrounding their ejections from public transit and mobilization of civil rights activists to challenge segregation ordinances. The similarities between Jennings and Parks include their resistance to Jim Crow ordinances, legal action to segregation, the role of African American activists and civil rights organizations challenging racial segregation, and the fact both were black women who held significant status in their communities. Part of what constitutes HE is the ability to make connections to prior knowledge in order to form understandings of the experiences of historical figures. Students may not be aware of who Elizabeth Jennings was or issues of slavery and segregation in Antebellum New York; however, they may be able display intellectual and emotive

responses about Jennings based on their prior knowledge about Parks. The connections students may make between Parks and Jennings may constitute students' cognitive and affective abilities to display HE.

Second, students may be able to demonstrate HE and/or CRC in this study because of the ideal conditions in the EJP to formulate cognitive and affective responses to sources. Students will investigate the overarching question “is it ever O.K. to break a rule or law?” throughout the instructional activities in the EJP. This question is designed to facilitate “affective empathetic arousal” (Endacott, 2010) because it is unlikely most students will have an experience dealing with segregation as it has been outlawed in public facilities in the United States for decades. Several events over the past decades— including the 9/11 terror attacks, the election of Barack Obama as the first African American President, the 50th anniversary of the Selma march and Voting Rights Act, and deaths of Freddie Gray in Baltimore, Michael Brown in Missouri, Eric Garner in New York City, Philando Castillo in Minnesota, and Alton Sterling in Baton Rouge— have brought issues of race to the forefront in mainstream news. These issues relate to representation of the electorate, voting, national security, color-blindness with regard to law enforcement and the legal system, and whether American society has transitioned to becoming “post-racial” where “race does not matter” (Leonardo, 2009, p. 64). Leonardo (2009) argues that “race relations pulses as strongly as ever, perhaps even more significantly than previous eras” (p. 64). If students are cognizant of these events in the nation's modern history, they may be likely to display HE and CRC by grasping the historical context of the antebellum Period in which Jennings' ejection and lawsuit took place, as well as identifying the perspectives of those involved in her case and making affective connections to Jennings' ordeal.

Third, students' social identities may influence displays of HE and CRC. Singer (2005) and Epstein's (1998, 2000) studies show that students' racial, gender, ethnic, and national identification shapes their perspectives towards historical interpretations and how historical knowledge is formed. Although this study may seem similar, there are important differences. This study explores how students' social identities impact the development of HE and CRC by investigating how students' backgrounds and social affiliations impact their grasp of historical context, engagement in perspective taking, and making affective connections to an underrepresented historical figure. For instance, a student may be able to intellectually explain the historical context of Jennings' ejection from the streetcar and the perspectives of people involved in her court case, but lack the capacity to express affective responses to Jennings' ordeal or how her case connects to contemporary issues and vice versa. A student's personal or vicarious experiences dealing with matters such as racial discrimination connects to how he or she may identify him or herself, which also effects how he or she displays HE.

Moreover, the EJP may foster HE and/or CRC through source analysis of Jennings as counterstories or unofficial histories. Counterstories, which are the alternative histories of racial, class, and gender minorities, function "as a means of analysis to examine the epistemologies of racially oppressed peoples" (Stinson, 2008; Tyson, 2006, p. 47) that can shape the cognitive and affective responses that constitute students' demonstration of HE. Woodson (1933) asserted during the early 20th century prior to school desegregation, "the thought of the inferiority of the Negro is drilled into him in almost every class he enters and in almost every book he studies" (p. 1). Consequently, the use of counterstories in the EJP are designed to promote HE by engaging students in historical inquiry about how Jennings' story connects to the continuum of civil rights struggles in official narratives of United States history, as well as and creating "a personal con-

nection of some kind” (Duhlberg, 2002, p. 13) to content studied. Curricular conditions, such as primary and secondary sources about Jennings in the EJP, may provoke students to display HE and CRC by engaging them in deep historical inquiry to critically assess “whose knowledge matters most” (Buras, Randels, Salaam, SAC, 2010, p. 1) in the social studies curriculum.

Theoretical Framework

The theoretical framework for this study about whether an instructional unit about an underrepresented historical figure promotes students’ HE and CRC is situated in Critical Race Theory (CRT). CRT derives from Critical Legal Studies (CLS) that emerged during the 1960s and 1970s from “left scholars, most of them scholars of color, situated in law schools, whose work challenges the ways in which race and racial power are constructed and represented in American legal culture and, more generally, in American society as a whole” (Crenshaw, Gotanda, Peller, Thomas, 1995, p. xiii). Dixon and Rousseau (2006) outlined six themes of CRT derived from the works of prominent CRT scholars including Matsuda, Lawrence, Crenshaw, and Delgado:

1. Racism is a pervasive and permanent part of American society
2. CRT challenges dominant claims of objectivity, neutrality, colorblindness, and merit
3. CRT challenges ahistoricism and insists on contextual/historical analysis of the law
4. CRT insists on recognition of the experiential knowledge of people of color in analyzing the law and society
5. CRT is interdisciplinary
6. CRT works towards eliminating racial oppression as part of the broader goal of ending all forms of oppression

In short, CRT asserts that racism is a “significant factor” in normal part of daily life in American society in which “assumptions of White superiority is so ingrained in political, legal,

and educational structures that they are almost unrecognizable” (Taylor, 2009, p. 4; Dixon & Rousseau, 2006, p. 31, 32).

Historical Roots of CRT

The historical roots of CRT are entrenched in the works of post-Reconstruction black scholars, particularly W.E.B DuBois and Carter G. Woodson. DuBois, Harvard University graduate and co-founder of the National Association for the Advancement of Colored People (NAACP), “was convinced that Blacks must push and agitate for social advancement to occur” (Milson, 2010, p. 425). He referenced CRT in this 1903 seminal book *The Souls of Black Folks*, where he argued that “the Negro” experiences “this double-consciousness, this sense of always looking at one’s self through the eyes of others, of measuring one’s soul by the tape of a world that looks on in amused contempt and pity. One ever feels his two-ness- an American, a Negro; two souls...whose dogged strength alone keeps it from being torn asunder” (p. 3). He believed that an education system that rejected the “adjustment” to Jim Crow and taught Blacks about the dual-consciousness of being African American through inclusion in historical narratives prepared leaders to take a strong stance on racial equality.

Woodson (1933), founder of the Association of the Study of Negro Life and History (ASNLH) in 1915, contended that schooling in the North and West was irrelevant to black children, thus reinforcing negative racial stereotypes that deem a Negro’s “black face” a “curse” (p. 2; Dagbovie, 2007, p. 62). Woodson’s critiqued traditional Western education, stating that the curricula taught to African American children was “foreign” and “propaganda,” that “kills one’s aspirations and dooms him to vagabondage and crime” (p. 2). Moreover, Woodson (1933) argued that formally educated African Americans, many of whom hailed from institutions in the

South, were “misdirected” and “Americanized” by conform[ing] quickly to the standards of the whites and thus remove the pretext for the barriers between the races” (p. 3, 4).

Woodson’s (1933) call for “race consciousness,” especially among educated African Americans, aimed at enfranchising black history in the mainstream narrative of American history, stating “whatever is American is as much the heritage of the Negro as of any other group in this country” (p. 5, 4). He advocated for Negro History Week, founded in February 1926 (the birth month of Abraham Lincoln and Frederick Douglass), which was “the first major achievement in popularizing black history...focused on black youth” (Dagbovie, 2007, p. 48, 49).

Woodson contended that racial prejudice in Jim Crow America perpetuated “the widely accepted notion that black people had not contributed anything of worth to world civilization” (Dagbovie, 2007, p. 48). His call for Negro History Week was aimed at promoting black youth “pride and self-worth” with events including lectures, pageants, exhibits, parades, and banquets held in black churches, schools, and community centers (Dagbovie, 2007, p. 48, 50).

In order to prepare teachers and community leaders for Negro History Week, Woodson wrote and published the *Journal of Negro History*, *Negro History Bulletin*, and other informative pamphlets and kits to provide schools and community organizations with primary source documents, curricular materials, and procedural outlines. Negro History Week grew in popularity throughout the 1930s and 1940s in black and white schools. According to Dagbovie (2007), Woodson’s “scholarship and social activism served as useful object lessons for practitioners of the modern Black studies movement. Dimensions of Woodson’s approach can be beneficially adapted to Black studies paradigms of the twenty-first century” (p. 62). Ergo, Woodson’s contribution to CRC and CRT is the inclusion and celebration of African American history is a part of, not separate from, United States history.

CRT in Education

The formal application of the six tenets of CRT, as well as Woodson's decree for race consciousness, in education derives from Ladson-Billings and Tate's research presented at the American Educational Research Association (AERA) annual meeting in 1994 (Dixon & Rousseau, 2006). Ladson-Billings and Tate (1995) posit that American society has been based on property rights "exacerbated by the presence of African people as slaves in America," which has caused tensions with human rights. With regard to education, property relates to property values and taxes that fund schools and "intellectual property" (Ladson-Billings & Tate, 1995, pp. 53, 54). With regard to intellectual property, Ladson-Billings and Tate (1995) contend that "the grand narrative of U.S. history is replete with tensions and struggles over property in various forms. From the removal of Indians (and later Japanese Americans) from the land, to military conquest of the Mexicans (Takaki, 1993), to the construction of Africans as property (Franklin, 1998), the ability to define, possess, and own property has been a central feature of power in America" (p. 53). Consequently, "most standard textbooks about philosophy, political science, history, and education rarely mention" White supremacy and the omnipresence of racial oppression (Taylor, 2009, p. 4). Elizabeth Jennings is an example of an underrepresented figure that has been largely omitted from mainstream narratives of United States history.

The problem with many mainstream history textbooks with regard to depictions of race is the permeation of "whitestream" curricula rife with heroification myths (Dagbovie, 2007, p. 44). Heroification is "overtly racist" because it has been used to "excuse questionable actions and policies" of American "heroes," insisting that their "noble intentions" were for the greater good of "the people" (Loewen, 1995, p. 28, 29). Although teaching certain myths in United States history, such as Rosa Parks' arrest on the Montgomery bus because she was "tired" can be tools to

unite and rally citizens around a common national heritage, Wineburg and Monte Sano (2008) assert “myths fill the national consciousness the way excited gas molecules fill a vacuum” (p. 1202). Rosa Parks was in fact an active member of the NAACP who was chosen to participate in an act of planned civil disobedience to protest segregation in Montgomery (Theoharis, 2013). However, this aspect of Parks’ role in the civil rights movement, as well as Jennings’ actions that pre-dated Parks’ protest against segregation, are widely unknown and unreported in most social studies curricula.

One reason why heroification myths persist in many social studies classes is due to the use of student and teacher materials that romanticize and distort the events and contributions of people and groups throughout history. For instance, Loewen’s (1995) review of popular textbooks used in American high schools revealed how the majority of United States history narratives, particularly the stories of Columbus and Woodrow Wilson, were told mainly from a Eurocentric perspective that heroified the actions of men who condoned racial discrimination. Moreover, Gay’s (2003) review of social studies teacher education textbooks found that many books used to educate pre-service social studies teachers virtually “bleached” issues of race and racism (p. 132). Gay (2003) notes, “even the most high profile, racially-specific events in U.S. history...and exemplary individuals are not named” (p. 141). The “whitewashed” or omitted histories from these textbooks can be attributed to issues of property rights and a colorblind and de-racialization of content by avoiding issues of race.

Although some of the books Gay reviewed mentioned issues of racism, it was done so in such a way that “students are personally removed from the occurrence of events, [which makes it] harder...for them to get deeply and emotionally invested in the issues” (Gay, 2003, p. 140). Loewen and Gay’s studies reveal that many teacher preparatory and United States history text-

books present historical narratives from the perspective of “dead, white, European, males” (Loewen, 1995, p. 212); hence excluding the narratives of women and minority groups.

“Whiteness as property” is an important element of CRT in education. Whiteness as property refers to the “relationships between the concepts of race and property, and how...rights in property are contingent on, or intertwined with, and conflated with race” (Harris, 1995, p. 277). Whiteness as property influences white dominance and black subordination in various forms of property “ownership,” especially with regard to control of the social studies curriculum. Traditionally, narratives of United States history focus on the achievements of white males as the “official” history of the United States. Leonardo (2009) notes that acceptance of whiteness as property condones white hegemony that becomes “transformed into the common sense that becomes law” (p. 177). The omission of unofficial histories and counterstories from the social studies curriculum contributes to “lived oppression” in the form of disparities in academic achievement of minority students and the perpetuation of “post-colonialism” in dominant narratives of United States history (Tyson, 2006, pp. 42, 43). Whiteness as property creates a racial standard that “allows for the inequitable distribution of resources and power” in which white enjoy opportunities and nonwhites do not (DeCuir-Gunby, 2006, p. 93).

CRT and the Social Studies Curriculum

The racial standard that whiteness as property set has manifested in color-blind and race-neutral narratives in the social studies curriculum. Ladson-Billings (2009) states that the civil rights battles for “equal opportunity” in schools after the 1954 *Brown v. Board of Education* decision “was associated with the idea that students of color should have access to the same opportunities, i.e. curriculum, instruction, funding, facilities, as White students” (p. 28). Moreover, Watras (2012) notes that the *Brown* decision did not address issues with the curriculum (p. 188).

The Court's focus on "sameness" and "equal protection under the law" actually encapsulated whiteness as property by causing "expectations of power and control that enshrine the status quo as a neutral baseline, while masking maintenance of white privilege and domination" (Harris, 1995, p. 1715).

For instance, the recent debates over #Blacklivesmatter and #Alllivesmatter campaigns following the Michael Brown shooting in Ferguson, Missouri in 2014 highlights the issue of neutralizing the relevancy of race in everyday situations many African Americans and people of color face, particularly with regard to law enforcement, socio-economic disparities, and access to public resources (Yancy & Butler, 2015). With regard to Elizabeth Jennings' ordeal on the streetcar, whiteness as property extended to "the right to use and enjoyment...often...in the form of asserting power and using money (material goods) (DeCuir-Gunby, 2006, p. 103). Consequently, a color-blind curriculum downplays the role of race in ordinary American society and "presumes a homogenized 'we' in a celebration of diversity" in which students actually learn stereotypes and distortions often told from the master narrative (Ladson-Billings, 2009, p. 28).

CRT can challenge whiteness as property and color-blindness in the social studies curriculum and mainstream United States history narratives by raising students' CRC. Ladson-Billings and Tate (2006) state, "the intersection of race and property creates an analytic tool through which we can understand social (and consequently, school) inequality" (p. 12). Teachers who promote HE with counterstories provide students with opportunities to gain insights about the contributions of disenfranchised peoples in United States history, and question the status quo of whiteness as property and color-blindness as presented in dominant narratives in the curriculum; hence heightening critical consciousness about the role of race in the daily lives of people of color in American society.

A major theme of CRT in education involves “naming one’s reality” or “voice,” namely through the use of “parables, chronicles, stories, counterstories, poetry, fiction, and revisionist histories” (Ladson-Billings & Tate, 1995, pp. 56-57). The “voice” theme of CRT is important to promoting HE because “the story of one’s condition leads to realizing how one came to be oppressed and subjugated,” particularly when “members of minority groups internalize the stereotypical images that certain elements of society have constructed around those minorities in order to maintain their own power” (Ladson-Billings & Tate, 1995, p. 57). Historical “truth” is socially constructed with regard to a person’s experiences, understandings, interactions, and perspectives. For example, Woodson (1933) charged that “the Negro has never been educated. He has merely been informed about other things that he has not been permitted to do” (p. 93). His advocacy for teachers to “treat the disease rather than the symptoms” of the systematic mis-education of African Americans with culturally relevant curricula, particularly in conjunction with Negro History Week celebrations, was a call to “uplift...the Negro” and “revolutionize the social order for the good of the community” (pp. 93, 94). Therefore, voice is a vital aspect HE as CRT “provides a way to communicate the experience and realities of the oppressed, a first step on the road to justice” (Ladson-Billings & Tate, 1995, p. 58).

Social studies “seem[s] to be the ‘natural fit’ to address the salience of race and racism in the United States” (Howard, 2003, p. 30). Moreover, CRT “is precisely an intervention that aims to halt racism by highlighting its pedagogical dimensions and affirming an equally pedagogical solution rooted in anti-racism” in social studies education (Leonardo, 2009, p. 4). A major aspect of HE involves the “question of the narrative” (Green & Troup, 1999). According to Megill (1995), a “grand narrative” is one that “claims to offer the authoritative account of history gener-

ally” (pp. 152-153). Traditionally, HE is a unique aspect of historical thinking because it can be perceived as being both epistemologically objective and subjective.

CRT and HE Epistemology

Although not situated completely in the scientific method, an objectivist epistemology towards HE maintains that there is “unambiguous and accurate knowledge of the world” (Crotty, 1998, p. 18) that is derived from identifying the historical contextualizations and perspective taking from sources. However, an objectivist epistemological view towards HE is problematic, as the representation of historical “truth” or “official” histories can vary. For example, compared to popular knowledge about slavery in the Confederate South, matters of segregation in the North prior to and after the Civil War, as well as “the extent to which historical knowledge about New York’s involvement with slavery and the trans-Atlantic slave trade” is lesser-known and to an extent, “ha[s] been erased from our memory” (Singer, 2005, pp. 1-2). It is commonly known that enslaved peoples lived and labored in the South, but not so much in the North. Consequently, “unofficial” histories about underrepresented racial minorities, such as Jennings, can result in some students, particularly African American and Hispanic children, learning a “sanitized, biased, or commercialized version of ‘history’” that has left them to become “skeptical about what they learn in school” (Singer, 2005, p. 4) with regard to what is historical truth.

CRT can be applied to promoting HE by raising students’ CRC through analysis of how counternarratives and “stories of African Americans are muted and erased when they challenge dominant culture authority and power” (Ladson-Billings, 2009, p. 29). The case of Elizabeth Jennings is an example of a counterstory of a disenfranchised historical figure that has been largely overlooked in the grand narratives of United States history and the social studies curriculum. According to Green and Troup (1999), “historians must now consider the assertion that our

representation of the past has no greater claim to truth than that of novelists and poets, and that our narratives are literary artefacts produced according to the rules of genre and style” (p. 206). As a result, narratives are important to students’ knowledge construction and perception of reality, especially in social studies (Banks, 1993). Asante (1991) notes for “education to have integrity, [it] must begin with the proposition that that all humans have contributed to world development and the flow of knowledge and that most human achievements are the result of a mutually interactive, international effort” (p. 172). Therefore, counternarratives foster CRT and HE as students tackle issues regarding race, as well as personal experiences and prior knowledge, in order to evaluate what is the “truth” or “facts” in United States history.

Brooks (2011) argues that the cognitive acts of HE, which are grasping historical contextualizations and engagement in perspective taking, are objective understandings of the past. However, she also contends that a student’s affective connections that result from source analysis constitute the subjective nature of HE with regard to how one interprets historical significance from a document and what one considers historical truth. Brooks’ contention highlights the conundrum of HE: is it the demonstration of objective historical knowledge, or does it also have to include the subjective nature of one’s emotions and feelings when understanding the past? Since pedagogical methods that promote HE focus on simulating the role of a historian by engaging students in source analysis and interpretation of documents, the objectivity question arises as to whether students should engage in HE as detached from their subjectivities and social influences, or if they should develop historical understanding that is influenced by presentism and an “intellectual conscience” (Novick, 1988, pp. 374, 410). Wineburg (2001) defines presentism as “the act of viewing the past through the lens of the present” (p. 19). Although presentism is not nec-

essarily something bad for students to experience, it can cloud their objective understandings of the past.

The use of counternarratives in the EJP are designed to foster HE by engaging students in historical inquiry about how Jennings' story connects to the continuum of civil rights struggles in official narratives of United States history. Pedagogies that promote HE and CRC through analysis of underrepresented historical figures can contribute to students' historical thinking skills and affective responses to challenge the status quo of racial and other forms of oppression that have been portrayed in mainstream historical narratives. Students' cognitive and affective displays of HE involve interpreting documents shaped by "autobiographical considerations" (Colby, 2007; Cunningham, 2009) that include biases, life experiences, maturity, reading levels; these elements of HE impact how students display the cognitive and affective aspects of HE, as well as applying social identities to defining historical "truth" and CRC.

Significance of the Study

This research is significant for several reasons. First, the existing HE studies primarily focus on students' cognitive and affective knowledge and responses to famous historical figures and events. However, there is limited research that addresses how student source analysis of an underrepresented historical figure promotes both HE and CRC. Matters of what determines "official" history shapes how students contextualize the past, engage in perspective taking, and affectively responding to content. Therefore, an instructional unit such as the EJP that reflects a "cultural curriculum" can elevate students' "historical consciousness" about what "correct" historical knowledge is as told from multiple perspectives in primary and secondary sources (Wineburg & Monte Sano, 2008, p. 1196).

Second, the lack of studies on underrepresented historical figures highlights the issue that the social studies curriculum has been slow to address matters of race (Woyshner & Bohan, 2012). Loewen (1995) and Gay (2003) assert that the curriculum tends to avoid “controversy.” Such controversies include how “stories of African Americans are muted and erased when they challenge dominant culture authority and power” (Ladson-Billings, 2009, p. 29). Elizabeth Jennings played an important role in challenging segregation in Antebellum America, yet she remains an obscure figure in mainstream narratives of United States history. Her omission from the curriculum “is not an anomaly, given the inclusion of...race, gender, and class in states’ social studies curricula have been contentious for decades” (Perrotta & Bohan, 2013, p. 13). Analysis of primary and secondary sources about Jennings in the EJP as counterstories to the official narratives of United States history may promote HE by adding “pluralistic interpretation[s] of the American past [that]...acknowledge the contributions of women, African Americans, Hispanics, Asian Americans, and...new heroes to the national pantheon” (Ravitch, 2003, p. 136) and providing students, particularly students of color, with the opportunity to make affective connections to content that may be more relatable.

Third, issues of care and agency are important aspects of the affective elements of HE. Barton and Levstik (2004) identified four aspects of care with regard to historical empathy: caring about historical interests and learning, caring for people in the past and having a desire to help, caring to apply lessons from the past to the present, and caring that moral judgments and reactions to the past (pp. 241, 242). Research on the subjective nature of affective responses to historical content can further show how students “use historical knowledge to take action in the present” and exhibit “a desire...to assist past victims of injustice” (Brooks, 2011, p. 170). Although students cannot literally go back in time to assist those such as Elizabeth Jennings who

faced struggles, students who engage in HE may be more likely to be motivated to learn because content is relatable to their life experiences, prior knowledge, and is important to them. Ergo, the goal of this research is to examine if and how an instructional unit designed with the intention to elicit intellectual and emotive responses to sources about Jennings creates an environment conducive for students to display HE.

Delimitations

There are delimitations to this study on how students' social identities shape displays of historical empathy through analyses of primary and secondary sources in an instructional unit about Elizabeth Jennings. The researcher sought a middle school social studies class to participate in my study in a state in the Northeast. Although middle and high school school children do not have vast life experiences and exposure to historical inquiry, scholarship shows that students under the age of 14 are capable of demonstrating HE (Lee & Ashby, 2001). Furthermore, there are several HE studies that were conducted with middle and secondary school students with regard to famous historical figures and events. This study will contribute to the scholarship of middle and high school social studies pedagogy as the researcher investigates if and how the instructional and curricular conditions in an instructional unit about Elizabeth Jennings promotes HE, as well as the role students' social identities play in demonstration of HE and CRC.

Additionally, matters of slavery and civil rights during the antebellum Era in United States history are in the middle and secondary grades state core social studies curriculum. The researcher chose middle and high school students to observe in this study because more instructional time would be spent on the antebellum Era as compared to an elementary social studies class whose curriculum spans from ancient America through the colonial era (<http://www.p12.nysed.gov/ciai/socst/pub/sscore1.pdf>).

This study was conducted at a secular private co-educational school in a metropolitan region of the Northeast. Gaining permission from a private school to conduct this study will have advantages. The class sizes may be smaller than in a public school, which can lead to more in-depth observations and interviews with study participants about conditions that may foster HE in an instructional unit about an underrepresented historical figure. Moreover, teachers may not be under the same constraints with regard to testing and adherence to the Common Core Standards (CCS) as public school teachers. These teachers may be able to teach the EJP without issues or repercussions of veering away from state and/or the CCS.

There are disadvantages, however, to conducting this study in a secular, co-educational private school setting. There may be issues with diversity of the student body, which may impact students' social identities and how they demonstrate historical empathy through engagement in the activities of the EJP. Moreover, the school in which this research took place was chosen as a sample of convenience. The socio-economic, cultural, and political dynamics of a private school are different from a public school, which may impact whether students can or will to engage in historical empathy towards Elizabeth Jennings and the choices she made to resist racial segregation.

Subjectivities

There are subjectivities that must be addressed with regard to this study on whether students' social interactions and source analysis of Elizabeth Jennings as an underrepresented historical figure promotes HE. As a former middle school social studies teacher who worked in an urban area of the Northeast, the researcher is very familiar with that state's social studies core curriculum where this study took place. As a result, the EJP was designed to conform to that state's social studies core curriculum and learning standards for intermediate grade social stud-

ies. This instructional unit about Elizabeth Jennings might not succeed in promoting HE in another state because the differences in social studies content.

Furthermore, as a teacher educated in constructivist pedagogies in the Northeast, the researcher designed the lessons in the EJP to promote HE with active learning strategies. According to Faust and Paulson (1998), active learning “includes everything from listening practices...to... writing exercises...to complex group exercises in which students apply course material to ‘real life’ situations and/or to new problems” (p. 4). Among the active learning strategies employed in the EJP to promote HE include debate, narrative writing, and in-class discussion about primary and secondary sources. Brooks (2011) notes that teacher lectures delivered in interesting ways with visuals, high and low order questioning, and interesting stories and details can be an effective method to elicit students’ objective (cognitive) and subjective (affective) responses to historical sources and content. Although lecture may be necessary for instructors to deliver in order to clarify points, facilitate student discussion, and to model curricular skills such as source analysis or narrative writing, the lessons of the EJP were intentionally designed to promote student-centered pedagogies with little teacher lecture in order to glean the organic process of how students engage in the objective activity of grasping historical contextualizations and engage in perspective taking in order to express affective connections and emotive responses to content.

Assumptions

An instructional unit about Elizabeth Jennings as an underrepresented historical figure may promote HE in social studies for three reasons. First, students most likely know who Rosa Parks was. Jennings is referred to as a “nineteenth century Rosa Parks” in recent scholarship by Singer (2005), Collins (2003), Greider (2006), and Perrotta and Bohan (2013). The similarities between Jennings and Parks include the resistance to Jim Crow segregation, legal action, the role

of African American community and civil rights organizations challenging racial segregation, and the fact both were black women who held significant status in their communities. Part of what constitutes historical empathy is the ability to make connections to prior knowledge in order to form understandings of the experiences of historical figures. Students may not be familiar with Elizabeth Jennings; however, they should be able to form historical perspectives about Jennings by drawing parallels to Parks because she was a highly publicized civil rights activist in United States history. The connections students may make between Parks and Jennings should constitute students' cognitive abilities to display HE.

Second, students' social identities will influence students' demonstration of historical empathy. Singer (2005) and Epstein's (1998, 2000) studies show that students' racial, gender, ethnic, and national identification shapes how their perspectives towards historical interpretations and knowledge are formed. The researcher is seeking to find how students' social identities impact the dual-dimensional aspects of the cognitive and affective responses of historical empathy by investigating an underrepresented historical figure. For instance, a student may be able to intellectually explain the historical context of Jennings' ejection from the streetcar and the perspectives of people involved in her court case, but he or she might not be able to express an affective response to Jennings' ordeal and how her case connects to contemporary problems or issues and vice versa.

Overview of the Study

The remainder of this research on factors that do and do not promote HE and CRC with the EJP in secondary social studies classes is organized into seven chapters. Chapter Two provides a comprehensive literature review on the origins of HE, applications of HE, concerns with HE, the various criteria for assessing students' HE, pertinent scholarship on the pedagogy of HE

in social studies, and connections to CRC research. Chapter Three outlines the methodology of this study. This chapter also includes the contextual statement with regard to the school where this study was conducted, discussion of the protocols and instrumentation used to measure student displays of HE, the data collection and analysis procedures, limitations of this research, and refinements and adjustments learned from a pilot study that was conducted the week of March 10, 2014.

Chapter Four contains the historiography of Elizabeth Jennings as a “Nineteenth Century Rosa Parks.” The purpose of this chapter is to contextualize how Jennings’ story has been interpreted and portrayed in the scholarship of slavery and segregation in New York and civil rights in United States history. Several of the primary and secondary sources in this historiography constitute the resources used in the EJP. Chapter Five addresses the findings of this study with regard to which pedagogical conditions in the EJP promoted HE with the EJP. Findings about conditions that fostered HE and CRC are discussed in Chapter Six. This study concludes with a discussion of the results of this study, recommendations, and the implications for future research in Chapter 7.

Summary

Elizabeth Jennings was an African American schoolteacher who sued the Third Avenue Railway Company when she was ejected from a streetcar on her way to church in 1854. She won her case in New York Supreme Court, setting an important precedent for African Americans to use the legal system to challenge segregation ordinances. Jennings’ ordeal occurred in an area of the country that is not usually associated with slavery and Jim Crow, which makes her case significant to historical understandings of the role of slavery in the development of New York City from a colonial port city to one of the United States’ pre-eminent urban areas. Although

Jennings achieved a major civil rights victory prior to the Civil War, she remains a relatively obscure historical figure. The questions that drive this research includes why is Jennings an underrepresented historical figure, and why should anyone care about her ejection from the street-car?

Historical empathy is an evolving field of research in social studies education. HE involves the cognitive and emotive aspects of grasping historical contextualizations, engaging in perspective taking, and making affective connections between content studied and students' personal experiences and prior knowledge. The majority of existing research focuses on how students demonstrate HE through primary and secondary source analysis of famous historical figures and events. There is a gap in the literature, however, about whether students display HE through analysis of an underrepresented historical figure. As a result, the objective of this study is to determine if the EJP fosters HE among students in middle and high school social studies classes. Moreover, the goal of this research is to glean better insights as to the conditions that foster or do not foster HE and CRC in social studies. These conditions under investigation include curricular materials, pedagogies, and students' social identities. This research aims at contributing to the growing body of literature about instructional practices that promote HE and/or CRC in social studies through examination of Elizabeth Jennings as an underrepresented historical figure.

Definition of Terms

Affective Connections: the identification of how a historical figure's beliefs impacted their motives and actions; and the connections one makes between personal biases, beliefs, prior knowledge, and experiences to content being studied

Counterstories: the alternative histories of racial, class, religious, and gender minorities that function as a means to analyze the epistemologies of underrepresented historical figures and oppressed peoples

Critical Race Consciousness: A critical awareness of institutional and historical power struggles that exist between Blacks and Whites in American society

Critical Race Theory: an avenue of critical theory derived from Critical Legal Studies that posits that racism is an endemic and ordinary aspect of American society, and that the legal system and consequently schooling is not colorblind with regard to law enforcement and access to educational opportunities

Historical Contextualization: the identification of the particular context of historical content being studied and how the past differs from the present

Historical Empathy: the act of historical inquiry and thinking that involves intellectual and affective responses to source analysis in order to determine significance of the past and relevancy to the present

Perspective Recognition: identification of the perspectives and viewpoints of others through source analysis

Perspective Taking: the dialogue students engage in when considering theirs and other perspectives based on evidence presented in primary and secondary sources.

Abbreviations

AERA: American Educational Research Association

AFS: African Free Schools

AFT: American Federation of Teachers

APUSH: Advanced Placement United States History

ASNLH: Association of the Study of Negro Life and History

CCS: Common Core Standards

(Project) CHATA: Concepts of History and Teaching Approaches

CLS: Critical Legal Studies

CRC: Critical Race Consciousness

CRT: Critical Race Theory

ELA: English Language Arts

ELL: English Language Learner

ESL: English as a Second Language

ESSA: Every Student Succeeds Act

HE: Historical Empathy

HEMR: Historical Empathy Measurement Rubric

EJP: Elizabeth Jennings Project

HNIM: Historical Narrative Inquiry Model (Colby, 2007)

IEP: Individualized Educational Plan

MEIM: Multi-group Ethnicity Identity Measure (Phinney, 1992)

MMRI: Multidimensional Model of Racial Identity (Sellers, et. al., 1998)

NAACP: National Association for the Advancement of Colored People

NCLB: No Child Left Behind

NCSS: National Council for Social Studies

NEH: National Endowment of the Humanities

STEM: Science, technology, engineering, mathematics

2 REVIEW OF THE LITERATURE

Historical empathy is an evolving field of study in social studies education. Teachers promote HE by engaging students in source analysis to determine perspectives and significance of historical data with “investigation, imagination, empathy, and respect” (Lepore, 2010, p. 162). Moreover, an instructional unit about an underrepresented historical figure such as Elizabeth Jennings can also be an effective pedagogy that allows students to examine how their social identities impacts their affective connections and displays of HE with regard to what has been considered “official” and “unofficial” histories of the United States.

Endacott (2013) argues that there is a need for further studies about “classroom practices and curricula to develop students’ engagement in historical empathy” (p. 6). This literature review is three-fold. First, a review of the concerns with regard to HE instruction, factors that promote HE, and the applicability of HE pedagogies are provided. Second, CRT is discussed in the context of education in order to analyze the overlaps and rifts between HE as pedagogical approaches to social studies praxis. Lastly, frameworks and existing studies on HE are highlighted in order to show the contributions this research can make to the growing body of scholarship on HE.

Historical Empathy: A Review of Pedagogy and Practice

Fostering HE in social studies education has its roots in 20th century progressive pedagogical movements in the United States and United Kingdom. There is considerable research that highlights instructional techniques that promote HE through investigation of famous historical figures and events. However, fewer studies exist that examine whether student source analysis of an underrepresented historical figure promotes HE. Furthermore, few studies explore the conditions, including students’ social identities and instructional and curricular factors, promotes

HE with regard to depictions of race and CRC in the social studies curriculum. In the following section, the researcher provides a review the literature that addresses concerns with HE as a curricular goal in social studies, applicability of HE in social studies instruction, and research frameworks that measure student demonstration of HE.

Concerns with Historical Empathy

There are several concerns about the merits of HE as a curricular goal and instructional practice in social studies. Endacott (2013) notes that HE has been a “controversial” topic in social studies education. These controversies include problems with defining HE, how to assess students, and whether it is a cognitive or affective act. Davis (2001) states that “many educational critics and practicing teachers, as well as a number of historians...question its [HE] emphasis in school history instruction.” (p. 5). One concern is that the term *historical empathy* is only “particular to history” (Lee & Shemilt, 2011, p. 40). Blake (1998) argued for the use of the phrase “empathy in history” due to the misconception that empathy is not relevant or achievable in other academic disciplines (p. 26). Brooks (2009) notes that Blake’s call for the use of the term “empathy in history” is a valid point because it “conceptualizes empathy as involving a range of skills, insights, and feelings, which are commonly applied in any field of study” (p. 217). In short, the term *historical empathy* may connote that empathy is something only achievable or relatable to history and social studies, not other subject areas.

There are issues pertaining to assessing students’ demonstration of HE in social studies. Students’ development of HE is shaped not only by their content knowledge, but personal experiences as well. Dulberg (2002) found in her study that elementary school students’ historical empathy abilities were “influenced by the interaction of a number of variables, including his or her particular family culture, individual language abilities, and past experience” (p. 8). Colby

(2007) posits students' autobiographical considerations; which includes biases, life experiences, and attitudes towards primary and secondary source research; impacts the development of HE (p. 27, 28). For instance, if a student has a connection or experience with an issue, such as discrimination, he or she may express HE differently from a student who does not have the same experience. Students' historical knowledge is "heavily influenced by their interpretations of their experiences and their positions within a particular social, economic, and political systems and structures of society (Banks, 1993, p. 5). Furthermore, Cunningham's (2009) study of history teachers in the United Kingdom highlights the challenges of assessment as she notes that historical empathy is "notoriously difficult to evaluate because it happens in the minds of students, often during lessons" (p. 694).

Other issues that pose difficulties with evaluating student demonstration of HE on assessments also include content knowledge, maturity, self-esteem, and experience in historical thinking. Jensen's (2008) research showed that students who performed well in school and exhibited confidence in asking questions, speaking in class, and taking risks were more likely to demonstrate historical empathy than students who were shy, did not take risks, did not perform well in school, or had an IEP (p. 64). As a result, assessing HE depends on several factors including students' experience with historical thinking, source analysis, application of prior knowledge to new content learned, reading levels, maturity, confidence levels, and the type of assessments teachers design and use to measure students' perspective recognition and perspective taking skills.

Another concern with HE is whether it is an intellectual or affective act. Lee and Shemilt (2011) argue that "the choice of label – 'empathy'— led many people to mistake the nature of the concept" as being based on imagination and feelings rather than historical evidence (p. 40).

Endacott and Brooks (2013) disagree with that perspective, stating that HE is “a dual-dimensional, cognitive-affective construct” (p. 41) in which emotive and cognitive knowledge is attained through analysis of historical evidence (Endacott, 2010, p. 13). Traditionally, historians strove to write history “for its own sake” by taking an objective stance on historical narrative (Novick, 1988). However, Green and Troup (1999) note that since the late-20th century, “historical narrative has been subjected to closer, and critical, scrutiny” as historians “had lost sight of the value of ‘historical imagination’ for understanding the human condition” (p. 206). Barton (1996) contends that HE is a combination of intellectual skills and psychological development with regard to student cultivation of perspective taking skills. These skills involve identifying a source, author’s point of view, historical context, motivation for writing the document, and the source’s validity.

There are varying degrees of student demonstration of HE. The highest levels of HE involve students using source evidence to support contextual interpretations of texts that bear relevancy to the perspectives of one’s self and others. Students who do not achieve high levels of HE may experience egoistic drift. Egoistic drift occurs when students lose sight of the meaning of historical evidence and context, and “focuses too intently on the self” instead of “the other’s condition” (Endacott, 2010, p. 13). Therefore, student achievement of HE involves experience engaging in historical thinking through source analysis, and making affective connections to documents without the influence of presentism or egoistic drift.

Conflating HE with sympathy is an especially troublesome concern. Scholars caution that HE is not sympathy, especially for the “wrong” people in history (Ashby & Lee, 2001, p. 22). Noddings (2002) identifies Nazism and the Hitler Youth as examples of how being a part of a “bad” or “evil” group raises responsibility issues with atrocities such as the Holocaust (pp. 42,

43). Although scholars who advocate for the promotion of HE in social studies do not suggest that students sympathize with individuals or groups who perpetrated atrocities and crimes against humanity, it is important for students to investigate the influence of communities and motives of people who do bad things (Noddings, 2002). Seixias and Peck (2004) state, “meaningful history cannot entertain a relativism that disallows our condemnation of brutal slave owners, enthusiastic Nazis, and marauding conquistadors” (p. 113). Hence, teaching HE does not involve sympathizing with oppression, genocide, racism, and crimes against humanity. Instead, HE entails teaching with multiple sources with different perspectives in order for students to deepen their understanding of how and why people’s decisions in the past impact their conceptualizations of the past and relevancy of historical content to their lives, community, and world.

Factors that Promote Historical Empathy

Student demonstration of HE is a combination of cognitive and emotive acts achieved through source analysis, perspective taking, and making affective connections to content. Moreover, the application of CRT can highlight how students’ social identities impact displays of HE and CRC. These acts involve students in the examination of human systems, the decisions and actions of past peoples, and applying information from sources to historical inquiry, feelings, and life experiences. The following section reviews how students are capable of demonstrating HE, and the impact social studies teachers have on promoting HE.

Student Capability of Historical Empathy

There are several studies that measure whether students are capable of achieving HE. One example is the Project CHATA (Concepts of History and Teaching Approaches) Study. Lee and Ashby (2001) cite the Project CHATA data as evidence of the empathetic abilities of students. Data was collected by the Economic and Social Research Council in the United Kingdom

with the goal of investigating how students ages seven through 14 from the mid-1970s and mid-1980s demonstrated a progression of historical understanding, inquiry, and explanation in the United Kingdom (Lee, Ashby, & Dickinson, 1993). According to Lee and Ashby (2001), the Project CHATA evidence “suggest that a few very young children already work with ideas more closely approximating historical assumptions about the past and how we may understand it” (p. 46). Children are historical novices, meaning “they have had few opportunities to learn to think historically in a deep way” (VanSledright, Kelly, & Meuwissen, 2006, p. 212). Consequently, the historical knowledge and skills of an elementary school student will be different from a middle school or a high school student as exposure and experience with historical thinking and research tends to increase throughout a child’s school career.

Although many students may not have a lot of experience engaging in historical thinking, children in elementary, middle, and high school are capable of engaging in historical thinking and demonstrating historical empathy. Booth (1983) states that students are capable of “adductive historical thinking in the fourth and fifth years of secondary school” when the teacher designs lessons that weave “knowledge, concepts, cognitive skills, empathy, interest, personal experience...to produce adductive thought...that is appropriate for the pupils they teach” (p. 115). Studies conducted by Foster (1999), Jensen (2008), Brooks (2011), and Barton (1996) highlight that upper-elementary school and middle school students are capable of engaging in perspective taking through source analysis, narrative writing, and structured debate. Kohlmeier (2005) and Endacott’s (2014) research show that adolescents are capable of achieving historical empathy through source analysis, narrative writing, and Socratic seminars. Therefore, factors such as students’ reading levels, grade level, community influences, prior knowledge, cultural backgrounds, and experience engaging in historical thinking can impact students’ abilities to exhibit HE.

The highlighted studies in this literature review demonstrate that student achievement of HE may not happen immediately. Developing HE is a process that may take several months or years in a child's life to attain, which also contributes to the difficulties of assessing students' acquisition of historical empathy. As a result, Brooks (2009) notes there is a need for further longitudinal studies of historical empathy that extend beyond "isolated interventions" and "shed light on the process by which students' ideas and skills change and evolve" (p. 230). Future research that focuses on how students' unique lived experiences, prior knowledge, experience engaging in historical thinking, and cognitive skills over a prolonged period of time will provide great insights as to how students develop HE social studies.

Historical Empathy in Social Studies Instruction

HE is an important aspect of historical thinking and inquiry. Although there are concerns with regard to the pedagogical and curricular merits of HE in social studies instruction, it is a sub-goal of an inquiry-based, active learning curriculum aimed at instilling critical thinking, historical inquiry, and an appreciation of the past. The benefits of teaching social studies to promote HE involve fostering student engagement, democratic education, and raising CRC through investigation of "official" histories in the mainstream social studies curriculum.

Historical Empathy and Engagement

HE can be an effective pedagogical tool to foster student engagement in social studies. Students learn how to "do" history by modeling the job of the historian by using primary sources to "formulat[e] historical problems, locat[e] relevant information, grappl[e] with evidence, weigh...alternative explanations, and reach... justified conclusions for themselves" (Thornton, 1997). Wineburg (2001) notes that empathy as a means to promote historical thinking "is neither a natural process nor something that springs automatically from psychological development" be-

cause this type of thinking goes “against the grain of how we ordinarily think” (p. 7). Many students learn history through teacher-centered methods that are characterized by lecture and rote memorization of names, dates, and stories from a textbook. Consequently, instruction that “lacks relevancy and application of historical knowledge to students’ life experiences” can prevent the promotion HE in social studies (Perrotta & Bohan, 2013, p. 51).

Colby (2009) asserts that “shifting classrooms from traditional lectures” can better foster HE through source analysis and verbal-linguistic protocols (p. 81). Among these protocols include narrative writing, Socratic questioning, class discussion, and debate. Teachers who differentiate instruction by activating students’ prior knowledge with real-life situations, delivering “enhanced lectures” with discussion prompts and visuals (Marcketti, 2011, p. 75), and using multiple texts that present various perspectives encourages students to engage in historical and empathetic thinking (Yeager & Foster, 2001, p. 14). In other words, social studies teachers who implement active learning strategies are likely to promote HE and “motivate [students] to learn” (Kincheloe, 2001, p. 58).

Historical Empathy and Democratic Education

Teaching to promote HE fosters principles of democratic education. VanSledright (2001) states that HE is “essential to pluralistic democracies” as students take into consideration historical contexts as to how and why people behaved the way they did (p. 57). Furthermore, promoting HE can deepen students’ understandings of the consequences and actions of a nation’s past (VanSledright, 2001, p. 57). Teachers who promote HE cultivate democratic enlightenment and political engagement in which students participate in active citizenship through deliberations, debates, and discussions of multiple perspectives of peoples and events through intellectual and affective thought (Parker, 2001). Furthermore, HE can foster democratic education through in-

formed social criticism and greater personal development. Through analysis of oppression, social injustice, and power struggles through student-centered pedagogies, students engage in problem solving and critical thinking that can raise a greater sense of freedom, democracy, and self-efficacy in social studies (Vinson & Ross, 2001, pp. 45, 46).

As the United States demography changes, the place for HE in social studies as a means to facilitate democratic education is of as great importance now as it was a century ago. According to Nelson (2001), HE encourages democratic education by allowing students to “access...and examin[e]... knowledge, freedom to explore ideas, development of critical thinking skills, [and] liberate students from ignorance on social topics and decision making (Nelson, 2001, p. 30). Student engagement in the source method and document analysis of underrepresented historical figures such as Elizabeth Jennings highlights the interdependent nature of HE as it relates to pluralism in a democracy through problem solving, critical thinking, and enlightened political engagement (Parker, 2001, pp. 108. 109).

Historical Empathy and Care Theory

Historical empathy also relates to pedagogies of care theory. According to Barton and Levstik (2004), “without care, we [educators] could not possible engage them [students] in humanistic study” (p. 229). The conditions that are conducive to promoting historical empathy from a care perspective include the use of “powerful literature” that “problematize[s] ethical decisions” and facilitates “moral motivation...within the agent or within interactions” (Noddings, 2002, p.1, 2). Brooks (2011) notes “students...display the subjective component of historical empathy...when they care that something happened” (p. 170). Pedagogies and curricular materials designed to provoke students’ care about historical figures from document analysis can pro-

mote HE through historical thinking, personal reflection, self-efficacy, and enlightened political engagement (Vinson & Ross, 2001).

Promoting HE from a care theory perspective can encourage students to deliberate feasible ways to address historical issues that are relevant in their lives and communities. Barton and Levstik (2004) outlined four major tenets of how care theory applies to both the cognitive and emotive aspects of HE. First, *caring about* refers to historical interests and topics that someone wants to learn. Second, *caring for* refers to the desire to help people in the past, such as Elizabeth Jennings, even if such assistance is impossible. Additionally, caring for can be an important incentive to encourage others to engage in historical study.

Third, *caring that* refers to the moral judgments and reactions to the consequences of historical events. Fourth, *caring to* refers to the willingness to apply what was learned in history to problems in the present. *Caring to* most relates to how democratic education promotes HE as students “deliberate over the common good, listen carefully to people with varied perspectives and backgrounds, and engage in reasoned judgments” (Barton & Levstik, 2004, pp. 241-242). These four tenets of care theory can foster HE in social studies by marrying grasping historical contextualizations, engaging in perspective taking, and making affective connections through literacy strategies such as narrative reading and writing.

Barton and Levstik’s tenets of care theory and HE derives greatly from Noddings’ work on moral education. Noddings (2002) outlines three ways in which care theory can promote HE through stories and conversations in secondary schools. She identifies three forms of conversation that can “combat the complaint of boredom [that is often used to describe the climate of secondary schools], increase moral sensitivity, and add to cultural literacy” that can foster HE and CRC (Noddings, 2002, p. 131). Formal conversation refers to the “serious” content of an issue

that is discussed according to procedural rules. An example of formal conversation is a class debate, an activity used in the EJP to measure HE, where students engage in logical applications of facts and information processing to make objective arguments and conclusions (Noddings, 2002, p. 135).

Immortal conversation is characterized by philosophical discussion about what constitutes a “good” life. Topics such as “birth, death, cruelty, pain, misfortune, love, good fortune...are interest to people everywhere (Noddings, 2002, p. 136). Examples of a “good” life include examination of material items, aspects of personal development and recognition, acquisition of friends, and meeting needs and wants. Noddings (2002) explains that this type of discussion is rare in secondary schools because of the “obsess[ion] with short answers and the accumulation of information” (p. 136). The purpose of immortal conversation is to provoke students into critically thinking about how “cultural literacy and human feeling need not be mutually exclusive” (Noddings, 2002 p. 138). The EJP promotes HE through immortal conversation as students evaluate documents to discuss when, if ever, is it acceptable for someone to break a rule or a law.

Ordinary conversation relates to the “teachable moment” when students engage in discussion with their teachers that is not “businesslike” (Noddings, 2002, p. 132). In other words, ordinary conversation takes place when students and teachers talk to each other like “real people” who connect a topic of study to something in their life, such as a movie or a personal experience (Noddings, 2002, p. 144). Noddings (2002) argues that ordinary conversation is a critical element of care theory because these types of discussions promote care, trust, and “remembrance” between students and teachers. This study investigates how teacher modeling of ordinary con-

versation, as well as implementing the EJP to foster formal and immortal conversation, contribute as conditions that foster HE in a middle school social studies class.

Historical Empathy and Counterstories

Promoting HE can be effective in highlighting the achievements of underrepresented historical figures, such as Elizabeth Jennings, by analyzing the counterstories of “unofficial” histories (VanSledright, Meuswissen, & Kelly, 2006). Counterstories challenge the mainstream, Eurocentric narratives of United States history that “invariably render African Americans” as well as Latino/as, Asians, Native Americans, and women insignificant and “powerless” (Tyson, 2006, p. 42). Counterstorytelling can be an effective method to facilitate HE. Students can tackle issues regarding multiculturalism, such as race, to evaluate what is the “truth” or “facts” in United States history. Students who engage in HE through analysis of counterstories are encouraged to confront biases in order to “use historical knowledge to take action in the present” (Brooks, 2011, p. 170). Therefore, without HE, “students remain essentially ignorant of the contributions of a major portion of the world’s people” (Asante, 1991, p. 172).

The EJP is designed to highlight the contributions of lesser-known figures in the continuum of civil rights struggles in United States history through primary and secondary source analysis of Elizabeth Jennings’ ejection from the streetcar and her court case. Moreover, the EJP encourages students to connect their prior knowledge and thoughts on issues of equality, social justice, and discrimination by analyzing how Jennings’ ordeal poses an ethical and legal dilemma through narrative writing and debate over whether it is ever acceptable to break a rule or law. Therefore, counterstorytelling fosters HE as students tackle their social identities or autobiographical considerations with regard to race, as well as other personal experiences and prior

knowledge, in order to evaluate what is the “truth” or “facts” in the “official” narratives of United States history.

Frameworks for Measuring Historical Empathy

Existing research frameworks are designed to measure student demonstration of HE in social studies. Given the difficulties in assessing student displays of HE, Endacott (2010) asserts that effective methods for measuring HE must evaluate how students use historical evidence to “cognitively shape empathetic responses.” Endacott and Brooks (2013) provided an updated theoretical conceptualization for teaching historical empathy through narrative writing. Their theoretical conceptualization outlines “three interrelated and interdependent endeavors” that combine the psychological and cognitive acts of historical contextualization, perspective talking, and affective connection (p. 43; Endacott & Sturtz, 2014). Brooks and Endacott (2013) contend that this updated theoretical conceptualization for promoting HE in social studies by setting proximate goals (immediate curricular aims) and ultimate goals (developing understandings that can benefit an individual for a lifetime) can deepen students’ engagement and understanding of historical content (p. 44). Endacott (2014) cautions that an imbalance between student emotive responses to source materials “may result in failure to ground the empathetic process in the proper historical context; give proper consideration to a historical figure’s perspective, or consider the affective dimension of thinking, deciding, acting, and living with the consequences of those actions” (p. 29).

Frameworks that evaluate students’ HE stress that student demonstration of HE is a progression of thinking, reflection, and skills mastery that are gained over time. Endacott (2014), and Lee and Shemilt (2011) argue that successful frameworks should focus on the process in which students demonstrate HE. Cunningham’s (2009) research emphasized that most teachers

“envisioned empathy as a kind of stepped-achievement, not all or nothing” (p. 692). Shemilt’s (1987) progression model of understanding procedural historical concepts was one of the first models that identified four stages of achieving HE. At Stage 1, students take historical knowledge “for granted” and tend to offer imaginative or “bizarre and inappropriate answers” to the question “how do we know?” about the past (Shemilt, 1987, p. 44). Students at Stage 2 recognize that answering the question “how do we know?” about the past must be answered using evidence (Shemilt, 1987, p. 50). Stage 3 refers to students who realize that historians draw conclusions about the past by making inferences based on sources (Husbands, Kitson, & Pendry, 2003, p. 26; Shemilt, 1987, p. 52). Lastly, students who reach Stage 4 realize that “written history is a reconstruction of past events [that] involves methodological difficulties...and multiple perspectives” (Husbands, Kitson, & Pendry, 2003, p. 26).

Dulberg (2002) identified three levels of student progression and achievement of HE in her framework. Level 1 refers to the most restrictive of students’ HE in which students’ lack personal connections to a historical concept. Level 2 refers to a less restrictive demonstration of HE where students connect personal or lived experiences to a historical concept. Level 3 refers to the least restrictive show of students’ HE in which students apply information from historical documents to understand what living in the past was like and acknowledging the feelings that come with that understanding. Dulberg’s (2002) findings indicate that content knowledge and “a personal connection of some kind was necessary at all levels” (p. 13) are necessary for students to exhibit in HE.

Foster’s (2001) criteria for measuring students’ attainment of HE involves appreciation of historical context, analyzing historical content with the benefit of hindsight, the use of multiple forms of evidence that offer different perspectives, student examination of their own perspec-

tives, and drawing tentative conclusions that are not governed by the scientific process or absolute truth (pp. 165-179). Foster's criteria mirror Portal's five steps of student displays of HE. Portal's (1987) steps include students projecting their thoughts and feelings into a particular historical context, distinguishing the historical time period of study from their own, reading multiple primary and secondary sources, identifying a person or event's situation, and considering multiple perspectives of a historical person or event in a two-sided narrative (pp. 83-133).

Lee and Ashby's framework outlines student cognitive and emotive progression of achieving HE. According to Lee and Ashby (2001), HE is not a "special kind of mental process" that is based on feelings (p. 24), but making sense of students' "ideas about how the world works, including the past world" (p. 47). Level 1 refers to students who believe people in the past were defective or dysfunctional. Level 2 refers to students whose understandings of people's actions in the past are based upon generalized stereotypes. Level 3 refers to students who engage in "everyday empathy" by understanding actions of others, but do so from a presentist lens. Level 4 of Lee and Ashby's study showed that students at this stage expand on everyday empathy by recognizing the actions of past peoples are in a historical context and differ from the actions of people in the present; however, this understanding is narrow with regard to the beliefs, values, and conditions of past people and societies. Level 5 students expand upon everyday empathy by placing the actions of past peoples in broader historical contexts in which differences in beliefs, values, and conditions within historical societies are considered (pp. 62-88).

Lee and Shemilt (2011) provide a Five-Level Framework for the process of HE. Level 1 students view the past as dysfunctional and prior knowledge based on distortions about past peoples and events. Level 2 students do not view the past as an "inferior present" and but use generalizations to explain the past as being dysfunctional to the present. Level 3 students also make

generalizations but are based on stereotypes, not a view that the past was defective. Level 4 students can reciprocate positions of the past by explaining what they could have done given the context. Level 5 students operated at the highest level of HE as they not only recognize that the past was different from the present, but that people in the past made decisions based upon the times while not viewing the past in a presentist lens (pp. 45, 46).

The frameworks by Shemilt (1987), Foster (1999), Portal (1987), Dulberg (2002), Lee and Shemilt (2011), and Lee and Ashby (2001) have commonalities. Each framework recognizes that historical empathy involves cognitive acts of critical thinking, activating prior knowledge and making connections with personal experiences to content, and making inferences about past peoples' motives, actions, and decisions based upon the application of historical context and hindsight. The frameworks also highlight the importance of using multiple texts to expose students to different perspectives of historical actions and events in order to facilitate historical understanding about the choices, decisions, and actions of people in a particular historical context. Additionally, these frameworks emphasize students' progression of historical thinking is a vital aspect for assessing development of HE.

Furthermore, these frameworks for measuring students' HE skills stress avoiding the influence of presentism on historical inquiry. Although presentism is not necessarily a negative experience for students, it can cloud the students' perspectives with regard to how the past differs from the present. Student determination of how the past differs from the present is important to achieving HE in order to prevent forming misconceptions that past peoples were defective or dysfunctional. In summation, the frameworks dictate that social studies curricula designed to promote HE must include protocols that allow students to engage cognitively, intellectually, and

emotionally in the process of analyzing documents, formulating hypotheses, using evidence to support theses, and identifying with people from a historical context.

Existing Studies on Historical Empathy Pedagogies

Historical empathy is an aspect of historical thinking and understanding that is complex and varies among students. As a result, teachers must differentiate instruction in a manner that “enables students to enter the foreign world of the past- to the extent that retrieval is possible- and to demonstrate understandings from the viewpoints of the historical agents” (Colby, 2009-2010, p. 71). Foster (1999) provided a comprehensive criterion for effective pedagogies for teaching HE that stresses that attentions should focus on the process in which students engage in historical understanding. His criteria of best practices include student questioning about why people did what they did; developing an appreciation of historical context and chronology; cultivating an awareness of key events, personalities, and cultures; analyzing historical evidence; appreciating the consequences of actions; acknowledging that the past is different from the present; and recognizing that study of human actions, behaviors, and culture is complex and does not have an absolute truth (Foster, 1999, p. 19). The following are examples of scholarship on best practices for promoting HE in social studies.

Process Pedagogies

Research on process pedagogies focuses on how students develop HE from engagement with source analysis and active learning strategies. Endacott’s (2014) case study of a high school United States history class stresses a four-step approach for teaching historical empathy as a process. The first step is the introduction in which the historical situation and context is presented with an essential question or motivation activity that “help[s] students identify the human dilemma within the topic being studied” (p. 6). The second step is the investigation where students

analyze primary and secondary sources that align with the essential question and promotes perspective taking and recognition (p. 7). The third step is the display phase where students “exhibit their engagement in historical empathy,” typically in a written narrative (p. 8). Lastly, the fourth step is the reflection in which students “conceptualize and apply their newfound historical knowledge and knowledge of relevant historical antecedents” to reflect upon their thoughts, feelings, emotions, and actions about the past and connections to their lives (p. 8).

Endacott (2014) argues that although students in this case study achieved HE as evidenced in their understanding of historical content, “historical empathy never stops being a process, one that leads students beyond proximate curricular goals toward the ultimate goal of developing skills, enduring relationships, and dispositional appreciation for the complexities of life” (p. 30). This study emphasizes that student narratives and writings provide a “snapshot” of achievement of HE in the particular case of Truman’s decision to deploy the atomic bomb. However, Endacott (2014) notes that further studies are needed to evaluate the dispositional affects of HE on students, and the relationship between achieving HE and historical thinking skills that include cause and effect, change over time, significance, agency, and judgment (p. 29).

Narrative Writing

Narrative writing is important to assess students’ development of HE due to the various ways students can apply curricular skills and content learned to prior knowledge and lived experiences. Brooks (2008) found in her study that first-person narratives that were based on multiple primary and secondary source research “can empower students to speculate and make inferences in order to explain the events of the past” (p. 144). However, the first-person narratives showed that students relied more on their imaginations instead of historical evidence when making inferences in their writing, hence “fall[ing] prey to presentism” (Brooks, 2008, p. 144).

Brooks (2008) found that the students exhibited “a lesser tendency toward personal identification with the mindsets of past agents” (p. 145) by citing more sources and applying historical evidence when writing in third-person narratives. Brooks’ study indicates that students relied on a presentist contextualization of historical events when they wrote first-person narratives as opposed to third-person narratives. Brooks’ research demonstrates that narrative writing fosters HE by showing how students need to distinguish the present-day from the past while using historical evidence to draw conclusions in order to fully exhibit historical empathy.

Verbal-Linguistic Protocols

Analyses of students’ written and oral skills are important for measuring and assessing HE. Colby studied the impact of verbal communication and primary source analysis on HE pedagogy. Colby (2009) used read-aloud and think-aloud protocols with primary source analysis to “ascertain how students thought during their readings of the documents” (p. 74). According to Colby’s (2009) study of a fifth grade class’ analysis of the Alamo, students’ contextual representations of the primary sources included students’ literal comprehension of the meaning of the text as in sentence structure; students’ literal comprehension of the meaning of whole texts as in drawing inferences, thoughts, and feelings from the document; and students’ understanding of the argument in the text through inferences of language, symbols, author point of views, biases, etc. (p. 75). Colby’s (2009) findings demonstrate that teachers need to differentiate instruction to accommodate diverse learning styles that engage students in primary source analysis in order to measure for empathetic achievement (p. 80).

Jensen (2008) facilitated in-class debates in a fifth grade class to assess for HE. Jensen established three parameters for the student debates to measure for HE. First, she examined how students distinguished how the past is different from the present. Second, she observed how stu-

dents differentiated various perspectives in the past. Third, she analyzed how students used historical evidence to display understanding of the context in which historical events took place. The students in Jensen's study were placed in heterogeneous groups based upon classroom achievement. Students were assigned a perspective to debate about the United States' 19th century Westward expansion using primary and secondary sources to give a speech that outlined major arguments of the affirmative and negative sides of their perspective.

Jensen's (2008) study revealed that upper elementary students were able to demonstrate understandings of people from the past and past events, but experienced difficulties expressing how the past is different from the present (p. 35). She also concluded that by assigning students to take a perspective, whether the students agreed with it or not, students were able to become "experts" on that side of the debate, and therefore were confident in vocalizing thoughts, opinions, and perspectives supported by evidence (p. 63).

Kohlmeier (2005) used a three-step approach to ascertain insights about students' HE through the use of in-class discussions with Socratic seminars. The Socratic seminars that emphasized critical thinking and questioning about past peoples' actions, decisions, and consequences included assessing students' evaluation of the value of documents for historical significance; historical knowledge as an epistemological understanding of the interpretive nature of historical inquiry; and historical empathy as a means to move beyond imagination to appreciate the perspectives of past peoples and understanding their behaviors, motives, and decisions. "How" and "why" questions were asked in order to elicit students' perspectives from reading primary sources connect new information to prior knowledge. The students were assigned to use primary and secondary source evidence to support arguments in a third-person essay. Kohlmeier's (2015) study showed that consistent use of "how and why" questioning protocols through the use

of Socratic seminars promoted HE because the students experienced the process of “interpreting documents and select[ing] information to shape a historical narrative” (p. 513), as evidenced in class discussions and writing.

Films, Simulations, and Visuals

HE can be fostered through the use of film, simulations, and visuals. Bryant and Clark (2006) point out that the use of film can promote HE by “humanizing history” (p. 1045). Buchanan (2014) notes “the emotional pull of documentary film has the capacity to encourage empathy among viewers...by engaging students’ reasoning about and emotional involvement with historical individuals or groups and their experiences” (p. 91). Films, documentaries, and moving images are stimulating apparatuses that can motivate students to engage in historical thinking and empathy.

There are some concerns with the use of films, documentaries, or television series when teaching to promote HE. Teachers need to be aware of how a particular movie dramatizes of people and events, which characters are portrayed as heroes and villains, the role of the narrator, and whether the film’s goal is to promote historical or emotive empathy. Bryant and Clark (2006) note in their examination of the television series “Canada: A People’s History” that emotive empathy focuses more on affective responses, acceptance of facts at face value as presented in the film, identification with characters, and an understanding of the past through a contemporary or presentist lens; while historical empathy stresses cognitive responses, the interpretation facts as presented by evidence, making connections between content and context, and acknowledging that interpretations of the past change over time (p. 1044).

Buchanan (2014) notes in her analysis of four documentaries about the 1950s civil rights movement that the limitations of HE through the use of film involve “moving past perspective

talking to affective engagement, analyzing available sources rather than engaging with those who experienced an event or era, and seeking to understand external factors and their impact on a historical individual's or group's actions" (p. 91). Buchanan's research aligns with Bryant and Clarke's (2006) that the use of film must be supplemented with other sources such as primary sources, graphic organizers, and discussion prompts to activate prior knowledge and content knowledge.

Moreover, Metzger's (2012) study of HE through studies of the Holocaust by showing the film *The Pianist* also revealed that a careful balance must be struck between emotional responses to material and using sources to exhibit HE. Metzger's (2012) research showed that some students "over-empathized" with the characters in the film, which evidenced that too much affective responses to the film could overshadow other goals of HE such as using evidence to support claims and understanding perspectives. The use of film and documentaries to promote HE must include the use of primary and secondary sources to put the film into context for students to study, critical analysis of the authenticity of sources used in the film, and reflection of prior knowledge and personal beliefs and biases (Bryant & Clark, 2006, p. 1058).

Commonalities and Implications on Future Research

There are some important commonalities between the pedagogies highlighted in the mentioned studies with regard to promoting HE in social studies. Teacher activation of prior knowledge through discussions based on primary and secondary source readings are necessary to lay strong contextual foundations for students to connect prior knowledge and new content learned in order to promote HE. Active learning strategies grounded in developing literacy skills including speech writing, debates, identifying author point of view, asking questions, and engaging in class discussion showed to be effective methods in promoting students' historical empa-

thy. The sources that the instructors used in the mentioned studies were deliberately chosen in order for students to interact with multiple texts, including primary and secondary documents and film, in order to identify perspectives, historical context, and meaning.

Each of the pedagogies for teaching HE had a verbal-linguistic component in which students wrote narratives and essays that synthesized information from primary and secondary sources as a means to demonstrate historical inquiry, understanding, and empathy. The use of deliberation, discussion, and questioning indicates the emphasis on cultivating a democratic classroom where multiple perspectives are shared is an important factor in fostering HE among elementary, middle school, and high school students. The existing studies on promoting HE focuses on students' perceptions and interpretations of famous figures and events in United States and world history. Among the topics include the Alamo, Truman's decision to drop the atomic bomb (Endacott, 2014), and Neville Chamberlain's appeasement of Hitler (Foster, 1999). Moreover, the existing HE studies do not address how students' efficacy towards race and their social identities impact demonstration of HE. The findings of this literature review reveals the need for future research on how student analysis of primary sources about an underrepresented historical figure promotes HE, as well as how tenets of CRT relate to how and why students display HE in social studies. Promoting HE as a tool for teaching historical thinking skills may be well suited for local history studies about the counterstories of underrepresented historical figures such as Elizabeth Jennings. Investigations of lesser-known historical figures may contribute to the field of HE as a vehicle for heightening students' awareness of "official" versus "unofficial" history narratives, particularly of minorities and disenfranchised groups in United States history.

Historical Empathy and Critical Race Consciousness

Historical empathy is an important aspect of historical thinking that can foster students' historical thinking skills and affective connections to content through analysis of counterstories. Aside from Ladson-Billings' (2003) book *Critical Race Theory in Social Studies*, there is a lack of literature on race and the applicability of CRT in the historiography of social studies education. Scholarly attention is growing with regard to how CRT can be used to examine matters of school inequality, standardized testing, education funding, and how the representation of historical figures in the social studies curriculum can raise students' critical race consciousness (CRC). In this section, the researcher analyzes the tensions and overlaps between HE, and CRT and CRC in social studies research in order to highlight how race has been depicted and taught in the curriculum, and provide new avenues of research opportunities to the social studies education lexicon.

Critical Race Consciousness Defined

Promoting HE can be an effective approach to fostering CRC in social studies. However, CRC cannot be applied to epistemologies and pedagogies of HE without grasping its roots in CRT. Critical Race Consciousness is defined in CRT literature in several ways. According to Litowitz (2009), CRT "elevates our sensitivity to racial issues and gives us a heightened awareness of what it is like to experience the sting of racism" by "seeing the world through a new set of eyes" (p. 308). Litowitz (2009) does not use the term "critical race consciousness" in his essay; he alludes to CRC by stating how CRT can enhance "sensitivity" to issues of race and racism by recognizing the "brutal history of racial prejudice and exclusion" (p. 308). Furthermore, Litowitz (2009) asserts that CRT can raise awareness of "race-consciousness by discrediting as-

sumptions that people of color are the ‘other’ and are in fact humans who deserve equal treatment” (p. 308).

CRC can also be defined in context of the development of racial identity and power constraints in society. Carter (2008) defines CRC as “a critical understanding of the symmetrical power relations that exists between Blacks and Whites in America” (p. 14). Carter’s (2008) research on students’ CRC shows that most children are aware of White supremacy and how asymmetrical power hierarchies can hinder future success with regard to school admission and job interviews (pp. 19, 20). Carter (2008) contends that students, particularly those of color, who develop a positive CRC also develop a “pragmatic attitude about the utility of schooling,” which aids in minority student achievement (p. 14).

Peller (1995) uses the term “critical race consciousness” in the context of CLS. He refers to CRC mainly as the struggle between race and racism among black and white integrationists and Black Nationalists during the 1960s and 1970s. According to Peller (1995), integrationists viewed racism as “rooted in consciousness, in the cognitive process that attributes social significance to the arbitrary fact of skin color” (p. 129) that could be remedied by integrating the races to “overcome prejudice based on skin color” (p. 129). Black nationalist definitions of race consciousness varied with regard to Booker T. Washington’s accommodationist approach to acquiescence to segregation and W.E.B DuBois, Marcus Garvey, and Malcolm X’s separationist approach that advocated for black institutions that “dismantl[ed] the power relations between white and black communities” (Peller, 1995, pp. 145-147). Peller’s definitions of race-consciousness are situated in the historical context of the socio-economic, political and legal struggles of the mid-20th century civil rights movement.

After evaluating Litowitz, Carter, and Peller’s definition of CRC, Carter’s definition best aligns with the applicability to this study on HE. Carter specifically uses the term CRC in her research with regard to African American students’ attitudes towards their racial consciousness and how CRC impacts student achievement and success in school and careers. Litowitz’ definition of CRC is adequate, but he uses the term “sensitivity,” not CRC, with regard to race consciousness in the social studies curriculum. Therefore, it is unclear if Litowitz was referring to CRC with regard to sensitivity towards race in social studies education. Peller discusses race consciousness in context of tensions within the CRT/CLS academic circles with regard to integrationist and Black Nationalist approaches to desegregation and civil rights since the 1960s; however, he does not specifically relate these approaches of CRC to education.

Although literature on CRT and CRC often “focuses on how students of color experience and respond to the U.S. educational system” (Buras, Randels, Salaam, *Students at the Center*, 2010, p. 1); promoting CRC and HE in social studies can also benefit Caucasian students. White students can learn about the experiences of disenfranchised peoples and stand in solidarity with students of color while challenging traditional official histories as seen in the dominant narratives in the social studies curriculum (Buras, Randels, Salaam, *Students at the Center*, 2010, p. 1). Since Carter’s definition of CRC was developed specifically in context of education, her terminology of CRC will be used to refer to the tensions and overlaps between HE and CRC, and how students’ social identities impact displays of HE and CRC.

Key Elements of Critical Race Consciousness

Critical Race Consciousness is situated in critical race methodologies of CRT. West (1995) states that CRT in education “is a gasp of emancipatory hope that law can serve liberation rather than domination” (p. xii). Solorzano and Yosso (2009) define critical race methodology as

“a theoretically grounded approach to research that...foregrounds race and racism in all aspects of the research process,” and “offers a liberatory or transformative solution to racial, gender, and class subordination (p. 131). Critical theory research and critical race methodologies promote CRC by addressing racial oppression through emancipatory and liberatory epistemologies in social studies education.

Emancipatory and liberatory epistemologies are key elements of CRC. Tyson (2006) defines emancipatory research as inquiry that focuses on commitment to social change, particularly for racially oppressed peoples (p. 47). Liberatory epistemologies acknowledge the presence of white privilege in education research, which allows teachers and students to engage in historical empathy and dismantle assumptions of black pathology in the existing educational research (Tyson, 2006, pp. 48, 49). Therefore, critical race methodologies contribute to fostering HE by focusing on social justice and equity in the classroom as well as in the social studies curriculum through analyses of counterstories.

As stated in Chapter 1, counterstories are the alternative histories of racial, class, and gender minorities that function “as a means of analysis to examine the epistemologies of racially oppressed peoples” (Tyson, 2006, p. 47). Counterstories are important as they can reveal how African American students negotiate sociocultural discourses that contribute to identity formation of the “raced” self (Stinson, 2008). Counterstorytelling has its roots in African oral traditions that “can help strengthen traditions of social, political, and cultural survival and resistance” of those whose voices were silenced (Solorzano & Yasso, p. 138-139). Counterstories can be personal student narratives, recordings of other people’s experiences, oral histories, and stories that use source data to reconstruct a person’s experiences.

Many mainstream narratives of United States history “invariably render African Americans” as well as Latino/as, Asians, Native Americans, and women insignificant and “powerless” (Tyson, 2006, p. 42). Teaching social studies with counterstories and other instructional techniques that include, but do not exclude, narrative writing, historiography, source analysis, and debate, allows students to critically assess what constitutes “official” and “unofficial” histories and perspectives. For instance, the Students at the Center program in New Orleans engaged in counterstorytelling about their experiences with race and social justice as connected to local history, United States history, and contemporary issues facing their community, particularly in the wake of Hurricane Katrina (Buras, Randels, Salaam, & Students at the Center, 2010, p. 1). Similarly, the students who participated in the EJP pilot study, which is discussed in Chapter 3, engaged in personal narrative writing, document-based question analysis, and debate using counterstories in order to discuss how Elizabeth Jennings connects to the continuum of civil rights struggles in New York and United States history.

Narratives are important with regard to students’ knowledge construction, voice, and perception of reality, especially in social studies. Knowledge that is expressed through narrative writing is “heavily influenced by their [students’] interpretations of their experiences and their positions within a particular social, economic, and political systems and structures of society (Banks, 1993, p. 5). Asante (1991) notes for “education to have integrity, [it] must begin with the proposition that that all humans have contributed to world development and the flow of knowledge and that most human achievements are the result of a mutually interactive, international effort” (p. 172). Therefore, counterstorytelling fosters CRC and HE as students tackle issues regarding race through document analysis, as well as connecting personal experiences and

prior knowledge to content learned, in order to evaluate what is the “truth” or “facts” in United States history.

Tensions

The majority of HE research address how students acquire curricular skills in social studies. These existing HE studies (Barton, 1996; Kohlmeier, 2005; Jensen, 2008; Endacott, 2014) show that student development of HE involves several cognitive acts including critical thinking, activating prior knowledge, making inferences about past peoples’ motives, actions, and decisions based upon the application of historical context, personal experiences, and prior knowledge. These studies demonstrate that prevalent research on HE focuses on student acquisition of curricular skills in social studies. However, current research does not address how HE can foster CRC with regard to depictions of race, counterstories, and unofficial histories in the content of the social studies curriculum.

Literature on CRC mostly addresses matters of race in the context of CRT scholarship and content of the social studies curriculum. Dixon and Rousseau (2006) assert, “race [and racism] remains a significant factor in society in general and in education” (p. 31, 32), particularly how race and people of color are represented in social studies textbooks. Loewen (1995) and Gay’s (2003) research on popular social studies textbooks show that many teachers use resources that present history in a race-neutralized fashion that downplays the impact of race and racism in official and unofficial narratives of United States history. Consequently, a lack of research exists on how the use of counterstories can promote HE and CRC through the development of content knowledge and curricular skills in social studies.

Overlaps

Although there are tensions relating to promoting HE and CRC in social studies, these approaches overlap in several ways. While the National Council for Social Studies (NCSS) Thematic Strands and the CCS for social studies do not specifically refer to race and racism, these standards are “broad enough to allow for the academic freedom and ingenuity of teachers” to address matters of race and racism that tend to not be present in the social studies curriculum (Ladson-Billings, 2003, p. 7). For example, the NCSS Thematic Strands highlight change over time; culture; civic ideals and practices; individuals, groups, and institutions; and power, authority and governance as major curricular goals in social studies (<http://www.socialstudies.org/standards/strands>). Analysis of slavery, race, and discrimination can fit in any of those strands, especially for teachers whose curriculum covers United States history.

Moreover, the CCS for social studies involve “doing history” by engaging students in citing textual evidence from sources, integrating knowledge and ideas from texts, comprehending complex texts, and identification of author perspective from sources (<http://www.corestandards.org/ELA-Literacy/RH/6-8/>). The broad scope of the NCSS and CSS social studies standards seem to provide teachers with the opportunity to engage students in instruction that promotes historical empathy and CRC through source analysis and counterstory-telling that fosters curricular skills and content knowledge in social studies.

Furthermore, HE and CRC overlap by contributing to students’ identity-formation with the use of counterstories and “unofficial” narratives of United States history in the social studies curriculum. According to Wineburg (2001), “by tying our own stories to those who come before us, the past becomes a useful resource in our everyday life” (pp. 6-7). The process of identity-

formation refers to how students, particularly minority students, determine their place in their community and American society. Kelley (2002) states, “we know what [today’s young activists] are fighting against, but what are they fighting for?” (pp.7-8). The overlap of HE and CRC with the use of counterstories can serve as an “alternative frame of reference” for students that fosters identity development and dispels the notions of whiteness that “others” marginalized peoples within the social studies curriculum. (Buras, Randels, Salaam, Students at the Center, 2010). The EJP was designed to marry the overlaps between HE and CRC by encouraging student awareness of depictions of race in the social studies curriculum, as well as prevalence of civil rights issues in the continuum of United States history, through primary and secondary source analysis, counterstory telling, narrative writing, and debate.

Historical Empathy and CRC: Is There a Reconciliation?

The tensions between HE and CRC are emblematic of the rifts in the field of social studies education with regard to purpose and inclusion of official histories in the curriculum. Currently, there are debates over what states should include in the official narratives of the social studies curriculum. For instance, teachers, parents, and students in a Colorado suburb protested proposed changes to the social studies curriculum by its newly elected school board that “promote patriotism, respect for authority and free enterprise and to guard against educational materials that ‘encourage or condone civil disorder’” (Healy, 2014). Proponents of the curriculum changes cite concerns over student achievement, but critics assailed the Board for its political agenda and association with conservative groups such as the Koch Brothers (Healy, 2014). Although many schools across the country adopted cooperative learning and hold multicultural “celebrations of diversity,” debates over the inclusion of race and counterstories in the curricu-

lum, as in the case of Colorado, may hinder HE and CRC from entering “the mainstream” (Ladson-Billings, 2009, p. 33) of social studies education and instruction.

Issues of standardization and testing also pose serious issues with the inclusion of historical empathy and CRC in the social studies curriculum. Current laws and policies, such as No Child Left Behind (NCLB) and the CCS, focus on mandated testing in STEM and ELA to measure student achievement and school funding. Although the CCS history/social studies standards, which are situated in the ELA standards, involve student acquisition of historical skills such as source analysis, narrative writing, identifying point of view, and conducting research (<http://www.corestandards.org/ELA-Literacy/RH/introduction>), HE is not included in the history/social studies standards.

Moreover, states are making changes to the social studies curriculum in order to focus instruction towards achievement on CCS exams. For instance, the New York State Board of Regents made significant changes to the state’s social studies testing. According to Singer (2014), “the [Board of]Regents, as part of their effort to promote new national Common Core standards...voted unanimously that students did not have to pass both United States and Global History exams in order to graduate from high school.... The Global History exam will also be modified so that students will only be tested on events after 1750, essentially eliminating topics like the early development of civilizations, ancient empires, the rise of universal religions, the Columbian Exchange, and trans-Atlantic Slave Trade from the test.” The issue of the New York State Regent’s exam highlights serious concerns with regard to the impact of standardization on promoting whiteness in the social studies curriculum and education policy.

According to Leonardo (2009), NCLB, albeit maybe unintentional, has “articulated with whiteness within the conjuncture known as the Color-Blind Era” as accountability, rewards, and

punishments for failing schools are generally in urban areas with high minority populations (p.135). As standardized testing in ELA and STEM becomes more prevalent in determining public school accountability and student achievement, social studies will be pushed to the margins of “a core curriculum in the liberal arts” (Reese, 2007, p.156), as evidenced in the changes being made to the social studies exams in New York.

Although there is discord between educators, administrators, legislators, and other stakeholders in public education with regard to testing and inclusion of race and counterstories of figures such as Elizabeth Jennings in the social studies curriculum, reconciliation of HE and CRC is not impossible. The EJP was designed to be an example of how to promote both the curricular skills and content knowledge in social studies through student analysis of Elizabeth Jennings as an underrepresented historical figure. However, if a consensus is not reached by researchers, scholars, policy makers, curriculum developers, and teachers with regard to the inclusion and depictions of race in the curriculum, a full-fledged reconciliation of the tensions and overlaps between HE and CRC may not be achieved.

Summary

This literature review encompasses an overview of scholarship about the controversies, frameworks, and pedagogies of HE in social studies education. Additionally, this literature review highlights the tenets of CRC in the context of CRT literature by evaluating the tensions and overlaps between pedagogies of HE. There are rifts with regard to the tensions and overlaps to teaching social studies through implementation of HE and CRC. HE and CRC overlap in social studies instruction with the use of source evidence and counterstories to determine historical significance, particularly with regard to depictions of race and “unofficial” histories in the mainstream curriculum. The tensions that exist between these approaches involve whether social

studies instruction that fosters HE and CRC should focus on acquisition of curricular skills or analysis of depictions of race in content.

Currently, these rifts are deepening in schools across the country as recent policies and initiatives impact social studies education. These initiatives include the Every Student Succeeds Act, which Congress passed to reauthorize NCLB (<http://www.ed.gov/essa>). As more states, such as New York, adopt CCS testing, instructional time and resources for social studies are waning as emphasis is being placed on ELA and STEM testing. Consequently, the de-emphasis of social studies may have detrimental effects on student learning, development of political engagement and democratic enlightenment, and displays of HE and CRC. Although reconciliation between HE and CRC may not happen immediately, there are ways that these approaches can be implemented to promote HE and CRC in social studies. The EJP is one pedagogical example of how HE and CRC approaches can be married to foster students' historical thinking skills, citizenship education, and awareness about issues concerning discrimination and race that still impact our nation today.

HE is an important aspect of historical thinking; however, there are controversies with the merits of HE as a curricular goal in social studies education. These controversies stem from 1) the need for a consensus over the use of the term *historical empathy*, 2) whether HE is an intellectual or emotive act, 3) assessing student demonstration of HE, and 4) conflating of HE with sympathy, especially for the “wrong” people and groups in history. Although these controversies exist, HE needs to be promoted and included as a curricular goal of social studies education. HE can foster greater student engagement in historical inquiry and thinking through active learning, democratic education, and care theory perspectives through verbal-linguistic protocols, narrative writing, process pedagogies, and use of films, digital images, and simulations.

Existing scholarship shows that existing criterion and frameworks to measure student displays of HE exist; however, these studies focus more on how students demonstrate HE through analysis of famous events and people in history. This review of the frameworks and pedagogies of teaching historical empathy highlights the need for future longitudinal studies designed to analyze the process in which students demonstrate HE to analyze whether an underrepresented historical figure promotes HE, and to determine the curricular and pedagogical conditions that foster student displays of HE in social studies. The EJP is designed to fill these gaps in the literature. The researcher sought to find how an instructional unit about Elizabeth Jennings as an underrepresented historical figure impacts student demonstration of HE, as well any curricular and pedagogical conditions that may or may not promote HE in middle and high school social studies classes.

3 METHODOLOGY

Several factors are involved in measuring how and why students exhibit HE and CRC in social studies. For instance, the researcher must take note of the classroom environment, curricular and content aims, resources used, pedagogies, and student responses to materials that may or may not elicit HE. Therefore, a research methodology that involves detailed analysis of these various levels of students' intellectual and affective complexities is needed to investigate the conditions that may or may not promote HE in social studies. Hence, case study in the tradition of qualitative research design was chosen for this study on whether pedagogical and curricular factors in the EJP, as well as students' social identities, fosters HE in middle and high school social studies classes.

Qualitative Research Defined

Qualitative research is an all-encompassing term referring to lines of inquiry aimed at “understand[ing] and explain[ing] the meaning of social phenomena with as little disruption of the natural setting as possible” (Merriam, 1998, p. 6). Unlike quantitative research, which is based on the assumption that knowledge consists of explanations and predictions proven to be certain through empirical study of phenomena, qualitative research is predicated upon the assumption that knowledge consists of tentative understandings of phenomena (Fraenkel & Wallen, 1991, p. 67; Preissle-Goetsz & LeCompte, 1991, p. 56, 59) and “that meaning is embedded in people's experiences and...mediated through the investigator's own perceptions” (Merriam, 1998, p. 6). In other words, qualitative research involves investigation and interpretation of human experiences, perspectives, and insights not reliant on the scientific method in order to gain new insights into phenomena. In this case, the researcher is conducting qualitative research to identify what factors may or may not promote HE with the EJP.

Characteristics of Qualitative Research

Qualitative research has several essential characteristics. One characteristic is to elicit meaning, which refers to how people make sense of the world and the experiences they have in the world (Merriam, 1998). A main question that is asked when conducting qualitative research is “what is happening here?” (Preissle-Goetz & LeCompte, 1991, p. 56). This type of question is designed to garner deeper understandings of phenomena with rich descriptions of human behavior. The researcher will be asking “what is happening here” during the implementation of the EJP in order to evaluate what curricular and pedagogical factors may or may not promote HE.

A second trait of qualitative inquiry is that the research itself is the primary instrument for data collection and analysis. In contrast to quantitative research in which “inanimate inventory, questionnaire, or computers are used to collect and analyze data,” (Merriam, 1998, p. 7), the instruments used in a qualitative study are artifacts collected throughout the research process. These artifacts include documents and interview transcripts that record what people do, say, produce, or write (Preissle-Goetz & LeCompte, 1991). The researcher of this study will collect student writing samples, take observational notes, and gather survey data in order to analyze for evidence about what factors, if any, promote HE in the EJP.

A third element of qualitative research involves fieldwork. The researcher typically goes to the study site in order to observe participants in their natural setting. Participant observations are an important aspect of qualitative research. Meyer (2001) identifies four types of observations for qualitative research. Participant-as-observer observations involve the researcher participating with study participants in activities while not concealing the purpose of his or her presence at an organization. Observer-as-participant observations involve the researcher having limited contact with the study participants. The complete participant is actively involved with the

participants, but conceals his or her intentions of conducting a case study. The complete observer does not interact with study participants (Meyer, 2001, p. 340). Although Yin (2009) explains that participant-observations are often used as data collection for ethnographies, this type of fieldwork is often necessary for qualitative researchers to “gain understanding of the most fundamental processes of social life” (DeWalt & DeWalt, 2002, p. 2). The researcher conducted field work in one middle and two high school social studies classrooms at Shore Institute in order to take observational notes about what factors, if any, promote HE with the EJP.

A fourth feature of qualitative research is the development of an inductive or deductive research strategy. An inductive research strategy means that a theory is built from the observations and data collected in the field, not a predetermined hypothesis that can be proven or disproven through statistical analysis and the scientific method. The process of gathering and analyzing rich descriptive data—which can include words, pictures, and vivid imagery of research context and the participant guides—is a hallmark of qualitative research that takes on either or both inductive and deductive (Merriam, 1998, pp. 7-8). However, qualitative researchers can implement deductive research strategies to craft a theory and collect data to prove or disprove the theory. Deductive research “involves moving from a general principle to understanding a specific case” in which theories are built based upon tested hypotheses (DePoy & Gitlin, 2016, p. 3). The researcher implemented an inductive research strategy for this study because she collected artifacts from fieldwork to determine factors that may or may not promote HE with the EJP.

Epistemology

This qualitative study on factors that may or may not promote HE in secondary social studies classes is situated in the epistemology of constructionism. According to Crotty (1998), constructionism “is the view that all knowledge, and therefore all meaning reality as such, is con-

tingent upon human practice, being constructed in and out of interaction between human beings and their world, and developed and transmitted within an essentially social context” (p. 42).

Crotty (1998) states, “all reality, as meaningful reality, is socially constructed” (p. 54). Reality derives from how one constructs the meaning through social interactions to uncover a truth or many truths. Several factors including, but not excluding, personal experiences and prior knowledge, may influence the cognitive and affective responses of HE a child may have towards historical content being studied. These factors can impact what a person believes is “true” (Singer, 2005, p. 4). Therefore, a constructionist epistemology applies to this qualitative study because the manner in which students display HE derives from how they interpret texts and make meaning from texts that are impacted by their social identities—their CRC, prior knowledge, life experiences, and exposure to interpreting historical texts.

Case Study Research Design

Studying the development of HE in middle and high school students is complex with regard to what factors promote students’ grasp of historical contextualizations, engagement in perspective taking, and ability to make affective connections to content. The sought to understand how middle and high school social studies students display HE through analysis of antebellum civil rights activist Elizabeth Jennings. What makes this researcher’s study unique is that unlike the majority of HE research that focus on how students demonstrate HE through analysis of famous historical figures and events, she is looked for how the study of a lesser-known figure in United States history impacted students’ development of HE or lack thereof. A case study methodology was chosen for this study in order to capture a snapshot of what pedagogical and curricular factors, if any, promote HE with the EJP in four secondary social studies classes.

Case Study Research Defined

A case study is “a detailed examination of one setting, or a single subject, a single depository of documents, or one particular event” (Bogdan & Biklen, 2011, p. 59). The objective of a case study is to glean new understandings about real-world situations (Yin, 2012). Prior (2011) posits that case studies “have been used to study organizations and events as well as people” (p. 153). Bogdan and Biklen (2011) use the metaphor of a funnel to describe what a case study is. According to the authors, a case study starts out as a broad project as researchers seek out possible sites and people that serve as the study data sources, and instruments that measure the feasibility of a study (p. 59). As the case study commences, the researcher’s thesis and focus narrows as questions are better defined and directed based upon what data is collected and patterns and trends that are identified.

Case studies are typically used when the research is undertaking a study that deals with a descriptive or explanatory question (Yin, 2012, p. 5). A descriptive question generally asks “what is happening?” or “what happened?,” and an explanatory question asks “how or why did something happen?” (Yin, 2012, p. 5). Case studies are appropriate for pursuing answers to these types of qualitative research questions due to the fact case studies are highly descriptive of an organization, place, setting, and subjects involved with a particular real-world phenomenon. With regard to this study, both descriptive and explanatory research questions are asked in order to glean whether or not an instructional unit about Elizabeth Jennings as an underrepresented historical figure promotes HE, and if factors such as pedagogical techniques, curricular conditions, and students’ social identities fosters HE among middle and high school students.

Yin (2012) states that a case study can be implemented in qualitative research that aims at examining a unique or extreme event or subject (p. 7). Additionally, case studies can be con-

ducted on a common or everyday phenomenon in which a novel and compelling framework is used to contribute new knowledge and information to a field (Yin, 2012, p. 7). Existing HE scholarship indicates that elementary and secondary students who engage in source analysis, narrative writing, and other active learning strategies, such as class discussion and debate, can exhibit HE. However, the majority of HE research focuses on how students demonstrate HE through analysis of famous historical figures and events. Therefore, case study methodology is appropriate for this study in order to provide rich descriptions and contribute revelatory insights to the growing field of HE scholarship by analyzing what factors, if any, promote HE and CRC in middle and high school social studies classes through implementation of the EJP.

Strengths of Case Study Research

There are advantages and disadvantages to embarking on a case study design. Among the benefits of case study research are the potentially rich descriptions a researcher can provide from observations, interviews, and document analysis from studying a group or organization. Case studies, whether they address unique cases or common phenomena, can provide different and new insights to existing knowledge about a group or organization. Researchers can provide recommendations based upon data analysis and findings to address an issue. Merriam (1998) states that the “predictive nature” of a case study is a merit to this type of qualitative research design as the “tightly controlled conditions, random sampling, and statistical probabilities [makes it] theoretically possible to predict behavior in similar settings” (p. 40, 41). The nature of the rich, descriptive elements of a case study of real-life situations make case study research “a means of investigating complex social units of multiple variables of potential importance in understanding the phenomenon” (Merriam, 1998, p. 41), particularly in education.

The importance of clear methodology, protocols, and procedures of case study research design, data collection, and analysis cannot be understated. An effective case study must have clear questions or protocols in order to accurately and objectively report data findings. In addition, multiple sources such as observational notes, interview data, and document/artifact collection strengthens a case study database that establishes valid results. Logical and clear data analysis steps must be employed. Among these strategies include pattern-matching in which the data matches with a predicted protocol, explanation building when the researcher explains the implications of data in an analytical manner, time-series analysis when data is presented in a chronological order, and an interrupted time-series when something intervenes in a chronological sequence of events as presented in the data. Through the process of triangulation of multiple data sources, the researcher can find patterns and discrepancies in the data, which establishes the integrity of a study.

Furthermore, member checks are important in case study research. These checks are needed in order to clarify data results, or to address rival findings or explanations for phenomena from peers and colleagues (Merriam, 1998). The inclusion of rival findings and explanations are important in order to maintain skepticism throughout the data gathering and analysis process as a way to avoid assumptions about the generalizability of study outcomes (Yin, 2012). Given the majority of existing studies involve student demonstrations of HE through analysis of well-known historical topics and people, frequent member checks provided the researcher with feedback with regard to instructional methods and content in the EJP that may or may not foster HE in middle and high school social studies classes. For example, the researcher conferred with the school administrator on several occasions for insights about the students' written and verbal responses to assignments in the EJP.

Limitations of Case Study Research

Case study research has limitations. First, the researcher must conduct a feasible study in which he or she has access to subjects and data. Merriam (1998) cautions that the cost of travel and/or time to conduct a case study can be a detriment for researchers (p. 42). The researcher of this study conducted her research in a school in the Northeast, which is approximately 800 miles from where she lives. A major limitation to this case study is the distance between where the researcher lives and where the study took place. As a result, the researcher had limited time to spend at the research site with study participants and had to rely on electronic messaging and telephone communication to coordinate scheduling aspects of this study.

Second, if a study is too broad, or too much data is collected, data saturation and cognitive overload becomes a problem. Cognitive overload occurs when a researcher may be reporting redundant findings or time constraints prevent a study from concluding (Bogdan & Biklen, p. 69). Since the EJP consisted of five lesson plans with several reading and writing activities for students to engage in, the researcher has to be discriminatory with regard to what sources are relevant to the findings of this study about what conditions, if any, promote HE through analysis of an underrepresented historical figure. Therefore, internal sampling was necessary for the researcher to keep on point with research questions, modify questions if new information arises, and decide which data is used for a study (Bogdan & Biklen, p. 68).

Additionally, a case that is too broad or one in which documents are scarce may make the study findings difficult to validate (Bogdan & Biklen, p. 65, 67; Yin, 2009, p. 41). For example, there are limited primary sources written by or about Elizabeth Jennings. As a result, important historical data, such as Jennings' own sentiments and beliefs relating to her life and court case, are not available. The lack of historical documents could lead students to make inferences about

Jennings' life that may or may not have occurred, which could also impact whether or not students demonstrate HE through engagement in the activities of the EJP.

Third, ethical issues are concerns with case study research. Since the researcher is the "primary instrument of data collection and analysis," authors must be aware of biases that can influence the outcome of a study (Merriam, 1998, p. 42). For instance, the researcher in this study was a former middle school social studies teacher in the Northeast with an academic background in secondary education and historical methods. She did thorough research on Elizabeth Jennings over the course of many years. As a result, the researcher's biases, as well as her scholastic and professional investment in her research on Jennings, could impact the outcome of this study. By acknowledging her involvement in creating the EJP and researching Jennings' life story, the researcher strives to maintain as much distance from her research interests and personal feelings about Jennings and the EJP in order to accurately report on findings from this study about what conditions may or may not promote HE.

Rationale of Case Study Research Design

The case study method is used for this investigation of whether an instructional unit about an underrepresented historical figure does or does not promote HE in secondary social studies classes. The case study method was executed in this study for several reasons. First, four classes in one school was chosen for study because of its small class sizes and to an extent diverse student body. HE studies by Barton (1996), Foster (1999), Kohlmeier (2005), Jensen (2008), Endacott (2010, 2013), Brooks (2011), and Endacott and Sturtz (2014) reported on conditions that promote HE in one social studies class; however, this study included four cases to examine conditions that may or may not promote HE. One school was chosen in order for the researcher

to provide rich descriptions of what instructional, curricular, and social dynamics did and did not contribute to students' demonstration of HE with the EJP.

Second, the students in this study served as a sample of the demographics of the school and neighborhood in which the students lived. The classes were ethnically and racially diverse. Therefore, an emerging question in this case study involved looking into how students' ethnic and racial backgrounds influenced their development of HE through analysis of sources about Elizabeth Jennings. Third, the case study method was implemented in this study because the class sizes at this school are very small. With 8-10 student participants in each class, the researcher was able to record detailed observations of whether students demonstrate HE from engaging in in-class discussions, writing narratives, analyzing DBQs and participating in a debate.

The case study methodology was appropriate for this research because the researcher was able to focus on specific instructional and social conditions that may or may not foster HE. A case study provides "theoretical insight, and for examining the fine detail of social life" (Prior, 2011, p. 153), such as a classroom. Yin (2012) states that a case study can either be about a unique, extreme event or subject; or something that has not been explored before or not in great detail (p. 7). However, a case study can also be conducted to gain new knowledge about a common or everyday phenomenon (Yin, 2012, p. 7). This study on conditions that may or may not promote HE is unique and revelatory because the researcher sought to find whether conditions, such as students' social identities and the curricular conditions in the EJP, foster HE in secondary social studies classes.

Instrumentation

The instrumentation of this study includes the resources and tools used for data collection, and the procedures for data analysis. The instrumentation includes standards-based lesson plans from the EJP that use primary sources in the form of document-based questions for students to respond to, student narratives as artifacts of what curricular conditions may or may not demonstrate HE, and a rubric to evaluate student display of HE using an existing protocol as seen in the Appendix. Clear research protocols for data collection and analysis must be established for case study research. The case study protocol “contains the instrument but also contains the procedures and general rules to be followed,” especially for a multiple-case study (Yin, 2009, p. 79). Protocols establish the study’s reliability by outlining the agenda for the researcher’s line of inquiry with the research questions, hypotheses, theoretical framework, data collection procedures, and evaluation of data (Yin 2009).

Phases of Historical Empathy

The lessons and measurement protocols of the EJP were students assess a historical situation or figure for historical context. The investigation phase involved student utilization of source evidence to 1) grasp historical contextualization, 2) engage in the practice of perspective taking, and 3) make affective connections to content. The display phase occurred when students demonstrated or failed to demonstrate HE through the synthesis of information. Examples of displays include debates, discussions, narratives, illustrations, or any modeled upon the four phases of HE that are outlined by Brooks (2011), and Endacott and Sturtz (2014). The introduction phase took place when the showed or failed to show cognitive and emotive elements of HE. The reflection phase happened when students contextualize new knowledge gained from the previous three phases and use this knowledge to inform their thoughts, emotions, actions, and ques-

tions in the present. Each of these phases were present in the EJP in order to elicit whether student analysis of Elizabeth Jennings as an underrepresented historical figure promotes HE in middle and high school social studies students.

Historical Narrative Inquiry Model

The EJP was modeled upon Colby's (2007) Historical Narrative Inquiry Model (HNIM). Colby developed this model in order to evaluate middle school students' development of HE in social studies through primary and secondary source analysis, discussion, questioning, and narrative writing. Although the HNIM was designed primarily for analyzing students' display of HE through narrative writing, the EJP was designed around Colby's model because it encompasses the four phases of HE with multiple pedagogical methods for students to elicit cognitive and affective responses to content.

The first phase of the HNIM involves the activation of contextual beginnings that captures students' interest and prior knowledge through in-depth questioning to probe students' interests and historical understandings. Second, students read an array of secondary and primary sources in order to deepen their contextual understandings of content. Third, students write narratives using evidence from primary and secondary documents to explain conclusions and perspectives. Fourth, students engage in philosophical and argumentative reflection about their conclusions, considering the perspectives of others, and identifying other questions and opportunities for research (Colby, 2008, p. 61).

The HNIM is inclusive of the essential curricular skills students need to develop HE through primary and secondary source analysis and narrative writing. Colby's model was used in the EJP in order to demonstrate how the use of verbal-linguistic protocols fosters HE, as well

to formulate generalizable findings with regard to using the HNIM to promote HE with an instructional unit about an underrepresented historical figure.

Objectives of the EJP

The EJP has three key objectives with regard to pedagogical factors that may promote HE in secondary social studies classes. First, the lessons in the EJP were designed for students to think critically about the heroification myth (Loewen, 1995) that slavery and segregation did not exist in the North. Foner (2000) contends that traditional narratives of United States history tend to “gloss over” the North’s participation in the institution of slavery. Additionally, Singer (2014) notes that New York City was involved in slave trading throughout the 1850s, even though the U.S. government banned the trans-Atlantic slave trade in 1808. Therefore, the lessons of the EJP were created to engage students in source analysis of how slavery impacted the socio-economic and political climate of the Antebellum North, as well as the struggles of underrepresented historical figures such as Elizabeth Jennings.

Second, the curricular materials in the EJP were designed to gauge which factors, if any, promote HE by allowing students to debate the overarching question, “is it ever O.K. to break a law?” with regard to whether Jennings’ actions were justified. The researcher chose this question in order to spark students’ “affective empathetic arousal” (Endacott, 2010, p. 8) and to measure how students discern differences between the past and present, particularly with regard to the historical context of when laws were passed. Student ability to determine these differences is critical for evaluation of historical thinking and empathetic skills.

Students used source evidence to achieve four goals of the EJP. The first goal was students to debate the circumstances surrounding the passage of segregationist ordinances in antebellum New York City. The second objective was for study participants to evaluate the reasons

why the conductor ejected Jennings from the streetcar. The third aim of the EJP was for students to examine the actions of the free African American community in response to her ordeal. The fourth intention of the instructional unit was for students to examine Arthur's motives for taking Jennings' case, as well as how opinions of judges and juries impact the outcome of court cases. Jennings' verdict might have turned out differently if another judge heard her case, if a different attorney represented her, if she did not come from a prominent abolitionist family, or if her ejection from the streetcar happened in another part of New York or the country. Therefore, the EJP aimed at highlighting what pedagogical, curricular, and social factors may or may not foster HE by engaging students in critical analysis of the subjective nature of the interpretation and enforcement of laws, due process, and the legal system.

Third, the instruments of EJP were intended to analyze whether or not students demonstrate HE through examination of official and unofficial histories with regard to race and civil rights. For instance, the first lesson of the EJP asked students to brainstorm what they knew about civil rights in United States history and what they would like to learn. This particular exercise was included in the curriculum as a formative assessment for the instructor to gauge students' prior knowledge about race, those involved in civil rights struggles, outcomes of major civil rights movements throughout United States history, and how certain people come to be considered "important" in history. Collins (2003) notes:

Lots of black women...were standing their ground against conductors, ticket takers, and cabdrivers. Harriet Tubman was injured in New Jersey by a railroad conductor who dragged her out of her seat and threw her in the baggage car, and Sojourner Truth waged a successful legal war to integrate streetcars in Washington. But...Jennings came first (np).

The EJP was designed to evaluate whether or not student analysis of Jennings as an example of an underrepresented historical figure promotes HE. According to Stinson (2008) and Stovall (2006), the praxis of analyzing counterstories engages students in “critical reflection on the policies and structures that shape the educational system...as we help students develop these same critical perspectives” (Stovall, 2006, p. 232). The EJP was intended to measure if and how students demonstrate HE through primary and secondary source analysis of Elizabeth Jennings’ experiences with civil rights violations, how she resisted racial discrimination, and the impact of her actions in context of the continuum of civil rights struggles in United States history.

Lesson Design of the EJP

There were five lessons in the EJP. Each lesson was designed to scaffold students’ prior knowledge and provide new information about civil rights in United States history and contemporary society. The steps of the HNIM are intentionally included in each of the EJP lessons in order to promote students’ demonstration of HE and/or CRC through reading documents, writing narratives, and verbal-linguistic protocols including discussion and debate. Moreover, the lessons were created in alignment with NCSS themes, CCS curricular goals, and the state social studies standards for social studies where this study took place.

Lesson One began with a class discussion about four essential items. These issues are 1) what civil rights are, 2) what students think civil rights are, 3) the people who are associated with civil rights in United States history, and 4) any personal experiences students may have had with civil rights. Students brainstormed in a collaborative manner through small group and whole class discussion about what they know and want to learn about issues pertaining to civil rights, Elizabeth Jennings in particular, in a three-column K-W-L- Chart and Mind Map (Appendices A and B). These protocols were designed as an introduction to the EJP to measure students’ prior

knowledge about civil rights issues in United States history, as well as preliminary attitudes towards HE.

Lesson Two involved students' in-depth secondary source analysis of Elizabeth Jennings. Articles from the *New York Times*, *Newsday*, *Highlights Magazine*, and newsletters from the National Parks System African Burial Ground and New York Metropolitan Transportation Authority (MTA) that featured stories about Jennings were organized into a packet and distributed to the students. These sources were chosen to give students historical context of Jennings' ordeal and analyzing Jennings' historiographical significance during the antebellum period in United States history (Appendix C). Lesson Three built upon students' secondary source reading about Elizabeth Jennings with a packet of document-based questions (DBQs) in Appendix D. The researcher compiled the DBQs to engage students in the three phases of HE, which include grasping the historical context in which Jennings' case occurred, engaging in perspective taking with regard to the actions and motives of the people involved in Jennings' case, and applying information learned from primary and secondary source analysis to make affective connections to content (Endacott, 2010; 2013). Students completed the DBQs and used information from the documents to write a first-person narrative discussing the events surrounding Jennings' ordeal from the perspective of a person involved with her ordeal (Appendix E). The DBQ packet and narrative writing activity was assigned as homework to evaluate students' demonstration of HE by analyzing primary sources about Jennings' ordeal. Student responses to the DBQs and first-person narrative were discussed and reviewed in class.

Lesson Four involved students' use of primary and secondary source evidence from Lessons Two and Three to discuss Jennings' ordeal in historical context, and to evaluate whether she was justified in her actions challenging segregation ordinances in a document-based essay (Ap-

pendix F). The students wrote the essay in third person in order for the researcher to evaluate how students used source evidence to explain the historical context and significance of Jennings' ordeal to local and United States history. The students wrote part of the DBQ essay in class, and part of it as a homework assignment.

The Lesson Five is the culminating activity of the EJP in which students use the primary and secondary sources from Lessons One through Four to debate the overarching question, "is it ever O.K. to break a rule or a law?" with regard to whether Jennings was justified in her actions of challenging her ejection from the streetcar. After reviewing the main points of the DBQ essay in a class discussion, the researcher arranged students into two groups for the debate. One group that argued that they agreed with the overarching question, and the other group argued they disagreed with the question. The groups were chosen by the researcher by combining students who demonstrated high and low levels of HE based upon discussion and narrative writing data, not by students' personal beliefs on Jennings' case.

Students worked in their respective group completing a graphic organizer template to record their arguments for the debate using evidence from the primary and secondary sources (Appendix G). The researcher moderated the debate by determining which group gave opening and closing statements with a coin toss, and timing each side when presenting their evidence arguing whether they agreed or disagreed with the overarching question of the EJP. To conclude the unit, the researcher facilitated a review discussion with the students by asking them to explain what they learned from the activities in the EJP in the "L" column from the K-W-L chart in Lesson One. This post-assessment was designed to gauge whether students' beliefs, attitudes, and efficacy with regard to Elizabeth Jennings evolved or remained the same at the end of the implementation of the EJP.

Procedures

Clearly defined procedures for the data collection and analysis are critical in case study research. The researcher executed several qualitative methods to gather and examine data in order to paint a comprehensive picture of the conditions that may or may not foster HE through student source analysis of Elizabeth Jennings.

Data Collection: Archival Research

Typically, researchers who engage in historical or organizational qualitative studies rely on collecting documents as data. Examples of documents include letters, diaries, films, photographs, articles, official documents, yearbooks, deeds, etc. that highlight the popular culture, as well as socio-economic-political climate at a particular time in history (Bogdan & Biklen, 2011). Researchers gather documents from archives, libraries, groups or study participants, and public records accessible in brick and mortar repositories or the Internet. Documents are important in order to provide context to a study (Prior, 2011).

The primary sources in the EJP and historiography of Elizabeth Jennings were found through Internet searches of scholarly journals, particularly Hewitt's (1990) article that was published in *New York History*. The researcher located several primary sources written by Frederick Douglass and articles published in the *Brooklyn Daily Eagle*, *The New York Times*, and *The New York Tribune* that documented the circumstances surrounding Jennings' ejection from the street-car and the verdict in her lawsuit. Additionally, she found these articles from the digital archives of the Brooklyn Public Library (<http://www.bklyn.newspapers.com>), the California Digital Newspaper Collection (<http://cdnc.ucr.edu/cgi-bin/cdnc?a=d&d=PA18630516.2.10&e=-----en-20--1--txt-IN----->), the Library of Congress Chronicling America Collection (<http://chroniclingamerica.loc.gov/lccn/sn83030214/>), and *The New York Times* digital archive

(<http://www.nytimes.com/ref/membercenter/nytarchive.html>). The researcher found some documents dating to the mid-19th century about Jennings in Board of Education directories at the New York City Municipal Archives. Additionally, the researcher visited the Jennings-Graham family plot in Cypress Hills Cemetery in Queens, New York. The information gathered from the burial site provided the researcher with information about the extended family Elizabeth Jennings was interred with.

Data Collection: Focus Group

Another data collection method employed in this study is semi-structured interviews of study participants in focus group sessions. Crotty (1998) notes that interviews focus on studying the point of view or perspectives about an everyday experience of a subject. Researchers must be cognizant of asking “good” questions that require expanded responses on the part of the interviewee and follow-up questions on the part of the researcher (Yin, 2009).

In addition to asking good questions, researchers must employ “active listening” and “sensitive silence” when conducting interviews (DeWalt & DeWalt, 2002). Depending upon one’s culture, the researcher should make eye contact in order to indicate to the interviewee he or she is engaged in what they are saying. Giving enough time for an interviewee to speak or think is important, particularly with pauses in between asking questions and receiving answers. Repeating a question or summarizing what an interviewee says are effective ways for the researcher to record the study participant’s responses accurately (DeWalt & DeWalt, 2002).

There were 29 participants in this study. As a result, interviewing each child was not feasible due to time constraints during the school day, and the researcher and students’ schedules. Consequently, the researcher facilitated in-class discussions and focus group sessions with the study participants to check for understanding of the EJP content material and to detect instances

of whether discussion promotes HE and CRC (Appendix I). The students were arranged in a circle where the researcher asked the questions about the readings. The researcher moderated the discussions as students raised their hands to ask questions, and eventually, interjected their responses to the researcher and classmates. She also created seating charts to accurately record the students' responses to the class discussion questions.

Data Collection: Participant Observations

Participant observations are critical methods of data collection while conducting fieldwork in a generic qualitative study. According to DeWalt and DeWalt (2002), participant observations are conducted in order to gain understandings of phenomena and experiences in a social system. In essence, participant observations involve the researcher engaging in observations at a particular research site. While in the field, the researcher must record what he or she observes in order to have an accurate recollection of phenomena studied. Researchers can take jot notes, which are the raw notes taken in the field, that include observations of social interactions, events, settings, and objects. Jot notes are then translated into expanded notes, or meta-notes. Researchers make comments about methodology, patterns observed, research questions, hypotheses, theoretical frameworks, and findings based upon the observations and information from a literature review or document analysis in meta-notes (DeWalt & DeWalt, 2002). Having clearly established protocols for data collection is extremely important in order for a case study to have validity.

The researcher took an emic role as observer-as-participant in this study. She watched how students engaged in source analysis, as well as their interactions with peers, in order to glean what aspects of the EJP promote or do not promote HE. In order to achieve this goal, the researcher revealed her role as researcher and guest teacher to the students to avoid being a dis-

traction while in the classroom. The researcher recorded evidence of student displays of HE by taking jot notes and expanding this information into meta-notes in a spiral notebook with five sections dedicated to each participating class. She recorded what she saw and heard during the lessons in a notebook designated for the sole purpose of taking field notes. She used a separate section in her jot note notebook while conducting the student focus groups sessions. Moreover, the researcher expanded her meta-notes immediately after conducting her classroom observations on her word processing program on her computer in order to accurately record what she observed with regard to evidence of whether or not students demonstrate HE and CRC through engagement in the EJP.

Data Analysis

Once protocols are established for collecting data, the information that resulted from interviews, observations, and archival research must be examined. Merriam (1998) identifies four elements of logical data analysis. Pattern matching refers to matching trends that emerge from the study's protocols. Explanation building involves the researcher interpreting the data by constructing analytical narratives on the implications of the patterns and results of the study. The importance of clear data analysis protocols cannot be understated in order for a case study to maintain credibility and validity.

Data Analysis: Historical Empathy Measurement Rubric

As discussed in Chapter 2, Lee and Shemilt's (2011) framework is the most recent instrument available to measure student demonstration of HE. As a result, the researcher created the Historical Empathy Measurement Rubric (HEMR) using Lee and Shemilt's framework as the performance indicators to evaluate students' work in the five lessons of the EJP for demonstration of HE, or lack thereof (Appendix H). The researcher created the HEMR in order to analyze

the extent in which students did or did not display HE while doing the assignments in the EJP. Student responses to the curricular activities in each of the lessons will be plotted on the HEMR, then averaged to determine generalized results with regard to students' overall HE score on the EJP assignments, as well as for whole-class data. Whole class data was used to not only discern pedagogical factors that may or may not promote HE, but whether students' ages impact demonstration of HE and CRC. Furthermore, frequent member checks were conducted with the school administrator to review the researcher's HEMR scores to provide perspectives on how students performed on the assignments in the EJP.

The researcher's HEMR has not been applied to other HE studies. However, variations of Lee and Shemilt's (2011) framework exist. For example, Endacott and Brooks (2013) implemented an updated theoretical and instructional HE model that analyzed how students 1) understood of historical context, 2) identified authors' perspectives, and 3) showed affective connections to content. Endacott and Brooks (2013) contend that "research-based conceptualizations and classroom tested strategies" are needed in order to evaluate effective instructional methods that evaluate the intellectual and emotive elements of HE (p. 55). Furthermore, their findings show that further studies are needed to examine how instructional methods promote the "dual-dimensional" elements of HE, which include the academic understandings and affective responses to content (p. 55). Therefore, the researcher chose Lee and Shemilt's (2011) framework to determine whether this form of HE evaluation could adequately measure student's cognitive and emotive responses to the EJP.

Two independent reviewers also analyzed the student data and recorded HE scores on the HEMR to enhance the validity to this qualitative case study. These reviewers are colleagues of the researcher, and were purposefully chosen due to their backgrounds and experiences teaching

history and social sciences in secondary grades. Reviewer A was a middle school social studies and science teacher in a private Catholic school on a Native American reservation located in the Southwest. Reviewer B was a veteran elementary and middle school teacher in metropolitan regions of the Northeast and Southwest. According to Lub (2015), the use of independent reviewers for peer debriefing “is a form of external evaluation in the qualitative research process...[where peers] ask difficult questions about the procedures, meanings, interpretations, and conclusions of the investigation” (p. 2). The independent reviewers’ HEMR scores provided the researcher with revelatory insights with regard to the students’ demonstration of HE on the EJP assignments.

Data Analysis: Focus Group Sessions

As mentioned previously, the researcher asked questions to students in two focus group sessions. One focus group was conducted with the seventh and eighth grade students, and another with the eleventh and twelfth grade students. The students were split into two focus groups in order for the researcher to determine whether social identity factors, such as students’ age, impacted their displays of HE and CRC. The purpose of the focus groups was to elicit rich and detailed student feedback about what factors, if any, fostered CRC and HE in the EJP. Currently, a specific rubric or tiered cognitive and/or emotive scale to evaluate how students demonstrate CRC and HE through source analysis of an underrepresented figure is not available. The researcher deferred to Carter’s (2008) protocols to develop instrumentation for this study on factors in the EJP that may or may not promote HE and CRC among middle and high school social studies students. She used Carter’s (2008) scholarship because hers was one of the few contemporary case studies that addressed CRC in an educational setting.

Carter (2008) used Sellers, Smith and Shelton, Rowley, and Chavous' (1998) Multidimensional Model of Racial Identity (MMRI) to gauge for CRC in her study. Sellers, et. al. (1998) developed the MMRI to "provide a conceptual framework for understanding both the significance of race in the self-concepts of African Americans and the qualitative meanings they attribute to being members of that racial category" (p. 19). There are four dimensions of the MMRI. First, *racial salience* refers to someone's self-racial identification at a given point in time, but can change given one's social situation. Second, *racial centrality* is "the extent in which a person normatively defines himself or herself with regard to race" (Sellers, et.al, 1998, p. 25). Racial centrality, unlike saliency, is stable and rarely changes given someone's social situation. Third, *racial regard* addresses the extent to which someone bears positive or negative feelings about their race in the private and public realms. Fourth, *racial ideology* refers to the extent in which someone's attitudes, opinions, and beliefs shape their views about how those of their race should act.

Sellers, et. al (1998) urge contemporary scholars to use the MMRI "to conceptualize ethnic identity to incorporate both the significance and meaning of ethnic group membership" (p. 19). However, the authors note that whether the MMRI can be used to examine other groups to evaluate racial and social identity is to be determined, stating "it is imperative that any application of the MMRI to other groups can only be done after careful assessment of the model's compatibility with the historical and cultural experiences of the group in question" (p. 35). Although using the MMRI would be a novel approach to assessing what factors, if any, promote CRC and HE through study of an underrepresented historical figure, the application of this protocol to measure for HE in the EJP is not appropriate for this study. The MMRI is designed to elicit the efficacy and racial identity of African American students. The participants in this study came

from diverse socio-economic, racial, ethnic, and religious backgrounds. Therefore, the researcher adapted the four dimensions of the MMRI into questions to pose to students in focus group sessions in order to assess whether or not racial salience, centrality, regard, and ideology impacts students' demonstration of CRC and HE through engagement of primary and secondary source analyses in the EJP (Appendix J).

Qualitative Research Analysis Procedures

The researcher engaged in other qualitative research analysis procedures to gain insight on conditions that may or may not promote HE and CRC in the EJP. She conducted field observations and recorded field notes of the students' reactions to the document-based questions, and interactions with their peers and teacher during in-class activities. She collected student work samples from the worksheets, narratives, document-based questions, essays, and debate prompts to compare and contrast whether or not students demonstrated HE through oral and written protocols as per the HEMR.

Moreover, the researcher triangulated her findings with the school administrator's feedback, and Reviewer A and Reviewer B's HEMR assessments in order to gain insights and understandings about factors that promoted HE in the EJP from these multiple data sets. Furthermore, the researcher conducted member-checks with the school administrator for feedback during the focus group sessions to examine for evidence of CRC. She engaged in these measures to ensure the accuracy of the students' responses to the curricular materials with regard to whether or not the EJP promoted HE and CRC. The students' regular teachers and a school administrator were present during the implementation of the EJP lessons. The administrator also took observational notes to accurately identify students' levels of HE as per the HEMR.

Role of the Researcher, Subjectivities, and Ethics

Researchers who engage in qualitative research can either become emic, or an insider of the organization or group he or she is researching, or etic, or an outsider to the case that is researched. The researcher was an active participant in this study. According to DeWalt and DeWalt (2002), active participation is when the researcher engages in almost every aspect of the cultural group that is being studied. The researcher taught the lessons in the EJP to the participating classes in this study due to the fact she developed the curriculum and is seasoned in implementing the lessons. Therefore, having these instructors implement the EJP may not have yielded accurate results due to their lack of experience teaching a curriculum to assess whether student investigation of an underrepresented historical figure promotes HE and CRC in secondary social studies classes.

Transparency and subjectivities with regard to the role of the researcher is critical to the study's validity and credibility. The researcher was introduced to the students as a guest teacher of the EJP in the child assent forms that were distributed to students prior to the implementation of the study. The regular teachers were present during the implementation of the EJP in order for the researcher to observe how students interact with their peers and teacher to acquire a sense of how students' social identities may or may not impact demonstration of HE. Moreover, the researcher of this study was directly involved in the primary and secondary source research on Jennings' historiography and designing the curricular materials of the EJP. Consequently, she ran the risk of observing student behaviors that she expected to see that are evidence of demonstration of HE and CRC. As a result, the researcher conducted frequent member-checks and consulted the independent reviewers' HEMR scores in order to curtail her subjectivities from influencing her data analyses.

The researcher in this study, as other qualitative researchers and historians, faces the “objectivity question” with regard to conducting qualitative and historical research. The objectivity question deals with whether historical researchers should be as detached from their subjectivities and social influences as possible, hence written for “its own sake,” or if researchers are responsible for disseminating historical research with “intellectual conscience” to the public from the lens of relativism (Novick, 1988, pp. 374, 410). As stated previously, the researcher spent almost a decade researching Elizabeth Jennings’ life and career, and created the EJP. As a result, her personal feelings and academic work on Jennings could hinder her intentions of being totally objective. Although the researcher strived to prevent personal dispositions with regard to Elizabeth Jennings to cloud her judgment with regard to evaluating what conditions, if any, promote HE through the implementation of an instructional unit about an underrepresented historical figure, her proximity to designing and executing this study may not make being completely objective possible.

Study Participants

The participants in this study were students at “Shore Institute.” Shore Institute is a private co-educational school in a large metropolitan region in the Northeast. This school was chosen to be the research site for this study for several reasons. First, the school is one of the oldest private schools in the Northeast with a tradition of college preparation and liberal arts curriculum that dates back to the mid-19th century, which was the time period in which Elizabeth Jennings was alive. The researcher theorized that the school’s proximity to where Jennings’s ejection and court case occurred could warrant a condition that promotes HE.

Second, Shore Institute has a student population with some diversity with regard to race, gender, and ethnicity. The demographics of Shore Institute, which do not reflect the influx of foreign students from China since the pilot study, are illustrated in Table 1:

Table 1. Demographics of Shore Institute (Based on 2014 School Data)

Demographic	Rate
Asian*	1 (1%)
Black	21 (5.8%)
Hispanic	8 (6.56%)
Native American	3 (2.46%)
White	89 (72.95%)
Female	57 (47)%
Male	65 (53%)

The school is situated in one of the most populous urban areas in the Northeast. According to the 2010 U.S. Census, 2,504,700 people or 30% of the city population in which this school is located live in Shore Institute's neighborhood. The demographics of the neighborhood of Shore Institute are highlighted in Table 2:

Table 2. Demographics of Shore Institute Neighborhood (based on 2010 U.S. Census Data)

Demographic	Rate
Asian	10.5%
African American	34.3%
Hispanic or Latino Origin	19.8%
Native American Indian or Alaskan Native	0.5%
White (non-Hispanic or Latino)	36.8%
Others	10.1%
Two or more races	2.8%
Male	48%
Female	52%

The participating students in this study were intended to represent a sample of the demographics of Shore Institute and the neighborhood the school is located. However, the racial and gender identification of the students did not reflect the demographics of the school's neigh-

borhood. The majority of students enrolled at the school were white males, whereas women and racial and ethnic minorities are heavily represented in the neighborhood where the school is situated. As a result, there is a lack of gender and racial diversity that may impact students' demonstration of HE and CRC while completing the lessons in the EJP. There is diversity, however, with regard to school choice in Shore Institute's neighborhood. In addition to the local public middle and high schools, there are several religious and secular private schools in the neighborhood, which could affect the demographics of Shore Institute's student population. However, Flores and Lobo (2013) find that the majority of neighborhoods in the city where this study took place have experienced "a three-fold increase in the share of integrat[ion]...with a mix of whites, Hispanics, Asians, but few, if any, blacks" (p. 256). Therefore, there may be evidence to suggest that the white male student enrollment at Shore Institute is a result of white flight.

Third, Shore Institute was chosen to be the research site of this study because of the researcher's access to its small classes. At the time of this study, there were a total of 127 students enrolled in the school from pre-kindergarten through 12th grade. There were 14 teachers on staff, and a 6:1 student-to-teacher ratio. The average class size was 10 students. In order to record accurate data of student verbal and written responses to measure HE, the researcher sought a small classroom environment conducive for intense analysis of empathy by establishing rapport with students and their teacher. Building trust is a major component of measuring HE in order to gauge students' connections between life experiences, prior knowledge, new content learned, and comfort sharing opinions and thoughts with the teacher and classmates (Noddings, 2002). Therefore, having access to small classes was beneficial for the researcher to garner appropriate data to determine whether the EJP fostered HE and CRC in secondary social studies classes.

Fourth, the researcher had ready access to conduct observations of the implementation of the EJP and interviews with students and teachers at Shore Institute. She was acquainted with the principal and related to one of the history and ELA instructors. Therefore, she was able to request conducting the study at this school with relative ease, thus the research sight was a sample of convenience. Shore Institute was not a randomly sampled research site; it was selected via purposeful selection due to the fact the researcher sought to find diverse and small class sizes to implement the EJP. The purposeful selection of Shore Institute was determined largely due to the researcher's ability to access students and teachers to participate in the study.

The students received assent forms that they and their parents had to sign in order to participate in this study. The assent forms outlined the role of the researcher with regard to teaching, conducting interviews and observations, and collecting and analyzing student artifacts to assess for demonstration of HE. The forms explicitly stated that participation in this study was voluntary, that there would be minimal risk no greater than daily activities to students who participated in the study, that the names of the school and students would be changed to protect confidentiality, and that students could withdraw from the study at any time without penalty. Moreover, the teachers of the participating classes were also given a consent form outlining the same parameters of the study that were provided to the students and parents with regard to data collection, confidentiality, and risk. Although the teachers were not counted as participants in this study, the impact of their instructional styles are discussed as an additional factor of conditions that promote HE and CRC in middle and secondary school social studies classes in Chapter 6.

Limitations

There were limitations to this study. A major limitation of this study was that the researcher was acquainted with administrators, faculty, and staff at the school where the study took

place. She contacted other secular, co-educational private schools with comparable demographics in a metropolitan region in the Southeast to conduct this study, but she was turned down. Had this study been conducted at a different school where the researcher did not know faculty or staff, she may not have been accommodated to the extent Shore Institute did for her to teach the lessons of the EJP.

The fact that Shore Institute was a private school presents a significant limitation to this study. Although the school had a primarily white student body, this study could yield different results if it were conducted in a public school with greater diversity with regard to race, ethnicity, and socio-economic status. The yearly tuition of Shore Institute is over \$20,000. There are students who receive scholarships and private funding to attend the school; however, the majority of children who are enrolled in Shore Institute come from Caucasian and Asian upper-middle class and affluent homes. The median annual income of the neighborhood where Shore Institute is located was \$57,479 as compared to the average median income of the city where the school is located, which was \$55,246 in 2011 (<http://www.city-data.com/neighborhood/>). Statistics with regard to the median income of families enrolled at Shore Institute were not available to the researcher. Since there is a nominal difference between the median income of the neighborhood in comparison to the rest of the city where the school is located, issues of white privilege and socio-economic status may or may not be a condition that influenced student displays of HE through source analysis of Elizabeth Jennings.

Time constraints presented limitations to this study. The lessons were modified to conform to the limited time the researcher had to teach the EJP during designated class periods, which were about 45-minutes long. Moreover, the researcher had to ensure that the EJP adhered to the cooperating teachers' curriculum pacing guides and aligned with the state's core curricu-

lum and CCS standards. Although the middle school students did not take a state standardized social studies exam, the high school students were required to pass a state standardized history exam. Consequently, the researcher only had five days to observe conditions that did or did not foster HE without deviating too much from the teachers' mandated curriculum.

Pilot Study

A pilot study was conducted in the Upper School of Shore Institute to gauge the effectiveness of the EJP in promoting HE the week of March 10, 2014. A seventh-grade middle school social studies class was chosen as the participating class for this pilot study. The principal of the participating school chose a seventh grade social studies class to participate in the pilot study because of its small size; diversity with regard to race, ethnicity, and learning needs; and the alignment of the EJP to the state social studies core curriculum.

Data Collection and Analysis

Several data collection methods were employed in this pilot study. The researcher conducted field observations and recorded field notes of the students' reactions to the document-based questions, and interactions with their peers and teacher during in-class discussions and the debate activity. She collected student work samples from the worksheets, narratives, document-based questions, essays, and debate prompts to compare and contrast how students demonstrated HE through oral and written linguistic protocols. The researcher also conducted member-checks with the cooperating teacher to ensure accuracy of the students' responses to the curriculum materials and exhibition of HE from in-class discussions and debate.

The researcher took a moderate to active role as researcher in the research process. She revealed her role as a researcher to the class and intended on being an etic participant-observer with regard to the execution of the lessons in order to observe the students without promoting or

influencing their responses to the protocols. However, she taught some of the lessons and helped facilitate small group and whole-class discussions when the cooperating teacher needed her assistance, particularly with the documents about Elizabeth Jennings. As a result, she ended up taking on an emic researcher role in the pilot study. She did not interview the students because she wanted to observe students' affective and intellectual responses to the EJP without prompts or cues from their teacher or the researcher.

Discussion

The data from the pilot study revealed interesting insights with regard to how middle school students demonstrated HE. According to Lee and Shemilt's (2011) Five-Level Framework of HE, the students demonstrated mid to high levels of HE through in-class discussion, questioning, and debate ranked at a Level Three or Four. The students had a rapport with each other and their teacher, which allowed many of them to express their opinions and perspectives based on their prior knowledge and source evidence. The students were very proficient in drawing connections between prior knowledge and new content learned. For example, they drew comparisons between Jennings' ejection and Homer Plessy's arrest, citing how they were surprised that Jennings' ejection happened 30 years prior to the *Plessy v. Ferguson* case, and that her ordeal did not happen in the South.

Naturally, there were some limitations with the pilot study. Time constraints were a problem with the pilot study that the researcher accounted for when the official study was conducted. There were some activities, such as identification worksheets of prominent figures in civil rights history and some document-based questions were cut from instruction because the lesson plans were too long. The students seemed to be rushed when completing the document-based questions, essay, and in-class debate. Therefore, the researcher condensed the lessons in

the EJP to focus on whether specific pedagogical factors, particularly narrative writing, DBQ essay research, and discussion and debate, do or do not promote HE.

Summary

This study on whether student source analysis of Elizabeth Jennings as an underrepresented historical figure in the EJP promotes HE aligns with qualitative research design. Case study methodological approaches were employed in this study in order to glean insights about what factors in an instructional unit about an underrepresented historical figure promotes HE in secondary social studies classes. Data collection included archival research of primary sources about Jennings, student focus sessions, in-class discussion, and application of Lee and Shemilt's (2011) criteria for measuring HE through analysis of student writing samples and narratives.

Taking a constructionist epistemology, this study emphasizes that student demonstration of HE may or may not involve the subjective nature of perspective taking and making affective connections to content. Crotty (1998) states that researchers must be able to “adopt the stand point of others” in order to emerge into “personhood” (p. 74). Demonstrating HE involves the objective and subjective ability to engage in grasping historical contextualizations and engaging in perspective taking in order to make affective connections to content based upon grasping the historical context of a particular case. Therefore, the researcher explored whether or not students' social identities impact their interpretations of documents about Jennings in order to glean deeper understandings as to the curricular and pedagogical conditions that foster or detract from HE.

The objective of this study is to contribute to the growing body of scholarship on HE by investigating whether the EJP instructional unit fosters pedagogical and curricular conditions that promote HE in secondary social studies classes. Moreover, the researcher sought to find whether students' social identities—which include racial and religious affiliation—impacted interpreta-

tions of primary sources about Elizabeth Jennings and overall demonstration of HE (Epstein & Shiller, 2005). She elicited data with regard to whether or not the EJP promotes CRC and HE through analyzing student writing samples, observational notes, teacher questionnaires, and conducting student focus group sessions. Modifications to the EJP based upon the findings from the pilot study include reducing the amount of content in each of the lessons in order to give students more of an opportunity to analyze documents and engage in deep discussion about Jennings' case within the timeframe of class periods the students have to work with their teacher.

The aim of this study was to contribute to the growing body of literature on the conditions that may or may not promote HE and CRC. Among the realms of this new territory include analysis of how student investigation of an underrepresented historical figure, and how students' social identities impact displays of HE. Qualitative research methodology and case study methods affords the researcher the ability to garner revelatory insights about what conditions do or do not foster HE and CRC in a secondary social studies classes.

4 BIOGRAPHY OF ELIZABETH JENNINGS

African American historian John H. Hewitt published one of the first and most comprehensive research about Elizabeth Jennings in his article “The Search for Elizabeth Jennings, Heroine of a Sunday Afternoon in New York City.” Hewitt (1990) argued “by and large, historians and writers have not dealt adequately with the story of Elizabeth Jennings” (p. 387). At the time of his publication, Hewitt (1990) noted that the “popular surveys of African American history, such as John Hope Franklin’s (1967) *From Slavery to Freedom* and Lerone Bennett’s (1975) *The Shaping of Black America* ignore her completely” (p. 387). Aside from mentioning Elizabeth Jennings in Vincent Harding’s (1981) book *There is a River* and James Weldon Johnson’s (1930) *Black Manhattan*, Hewitt (1990) lamented that there have not been any biographies or research papers that amounted to more than “a thumbnail sketch” about Elizabeth Jennings (pp. 387, 388).

Scholarship on Elizabeth Jennings’ ejection from the streetcar and her lawsuit has grown over the past twenty years since Hewitt’s article was published. Historians, legislators, museums, and educators have acknowledged her as a “nineteenth century Rosa Parks,” and “torch-bearer” and “heroine” of civil rights in Antebellum New York City (Singer, 2005; Harden-Cole, 2005, p. 2; Lovell, 2005, p. 4; Perrotta & Bohan, 2013). Elizabeth Jennings’ legal victory against segregation on streetcars was a remarkable achievement. However, that ordeal only accounts for a snapshot of her life. Therefore, the aim of this chapter is two-fold. First, a historical biography about Jennings’ life, career, and court case against the Third Avenue Railway Company is provided in order to contribute to the body of literature about slavery, abolition, and segregation during the antebellum era in United States history. Second, this historical analysis highlights why she is an effective example of an underrepresented historical in which to evaluate

whether students demonstrate HE and CRC in middle and secondary school social studies classes.

“Good Old New York Stock:” Elizabeth Jennings’ Family Roots in New York City

Frederick Douglass wrote most of the primary sources that document aspects of Elizabeth Jennings’s life. Douglass (1855) noted that she came from “good old New York stock.” Her family was highly involved in the abolitionist movement in New York City since the British colonial era, starting with her grandfather Jacob Cartwright. According to Douglass (1855), Cartwright was a “Native African” and “soldier in the Revolutionary War” (np). During the American Revolution, many freedmen and slaves fought with the British in exchange for their freedom. It is unknown whether Cartwright was a slave or if he fought for the Patriots or Loyalists during the war, but one can infer Cartwright was at one point he was a freedman because Douglass (1855) noted he “took active part in city politics until the time of his death in 1824.”

Elizabeth Jennings’ father, Thomas L. Jennings, who was an accomplished and respected entrepreneur and abolitionist, was born in 1791. There are conflicting accounts about whether Thomas was born a slave or freedman. Hewitt (1990) wrote that he was born a free man (p. 389), but Douglass (1859) indicated that he was born a slave. Nevertheless, Thomas volunteered with colored regiments during the War of 1812 (Douglass, 1859). According to Alexander (2008), the War of 1812 “signaled a temporary victory of moral uplift advocates and reflected the desperate hope that patriotism and military service would bring true freedom and equality” (p. 27) to African Americans as Congress approved of Black service in the army. After his military service, Thomas apprenticed with a tailor and received a patent for an invention for dry cleaning clothes. The patent recognized him as “a black man of ‘African descent’” and “‘citizen of the United States’” (Alexander, 2008, p. 27). According to the 1850 U.S census entitled “Free

Inhabitants in [the] Fifth Ward in the County of New York,” Thomas was listed as a boarding house owner.

Harris (2003) notes that Thomas was a part of a growing middle class in the free African American community in New York City after the War of 1812 (p. 128). The free African American community was “dedicated to constructing institutions and creating a lasting Black presence in New York City” by supporting in churches and private schools (Alexander, 2008, p. xxi; Hodges, 1999, p. 221). Because freedmen were denied the right to vote, hold public office, testify in court, enter interracial marriages, or have full access public facilities, many members of the free African American community joined abolitionist organizations that aimed at education, colonization, suffrage, emancipation, and equal access to public facilities (Harris, 2003, p. 128; Alexander, 2008, p. 78; Hodges, 1999, p. 243). Thomas was a member of several abolitionist organizations aimed at the “benefit and elevation of the colored people” including the National Colored Convention Movement, Wilberforce Benevolent Society, the Legal Rights Association of New York, the Abyssinian Baptist Church, and New York African Society for Mutual Relief (Hewitt, 1990, p. 390; Douglass, 1855).

The free African American community also supported Black activists who used political and social strategies to achieve full-fledged equality after slavery was abolished in New York State in 1827. According to Alexander (2008):

Black leaders grappled with the reality of their ‘defective’ freedom. Although they had recently celebrated the end of chattel slavery... discrimination, the persistence of Southern slavery, and the denial of suffrage were only a few of the problems confronting them (p. xxii).

Black leadership used the argument of “moral improvement...[as] a ‘strategy for racial activism’ rather than a ‘capitulation’ to White standards of respectability” in order to gain full equality in post-slavery New York (Alexander, 2008, p. xiv). Gellman (2006) notes that the use of the “*African* moniker” symbolized how Black New Yorkers grappled with “racial modernity,” in which “race replaced slavery as a marker of inferiority to be acknowledged and enforced” (p. 190, 192). In short, Black organizations and free African American communities, which Thomas L. Jennings and his family were greatly involved in, “served as tributes to [the activists’] African heritage and their efforts to build a Black nation in America (Alexander, 2008, p. xvii).

“A Most Learned Teacher:” Elizabeth Jennings’ Life, 1830-1854

Thomas L. Jennings was also a devoted family man. According to the 1850 U.S. Census, he was married to a woman named Elizabeth. The 1870 New Jersey Monmouth County Census indicates that she was born in New Jersey. Much of Elizabeth Jennings Sr.’s life is unknown with regard to whether or not she was born a free woman or enslaved. However, she was a respected figure and activist in the New York City free community. According to White et. al, (2013), she was a member of the Ladies Literary Society of New York, an organization that “promoted self-improvement through reading, discussion, and community activities” for the city’s elite Black women (p. 299). One of the few documents about Elizabeth Jennings’ mother is a speech that she delivered speech about education at a Society meeting in 1837:

It is now a momentous time, a time that calls us to exert all our powers, and among the many of them, the mind is the greatest...It is certain we were formed for society, and it is our duty and interest to cultivate social qualities and dispositions to endeavor to make ourselves useful and pleasing to others...but alas! Society too often exhibits a far differ-

ent scene, and this is in consequence of neglect of cultivation, which certainly is much more fatal than we can imagine (Foner & Branham, 1998, pp. 454-456).

Prior to the publication of this speech in White et. al.'s textbook, Hewitt attributed this speech as a discrepancy in Elizabeth Jennings, Jr.'s birth date. He stated if "the Federal Census reports of her era are accurate" she would have been seven years old (Hewitt, 1999). However, White et. al. (2013) credit Jennings' mother with giving this speech, which echoed the tactics and goals of her husband and the various abolitionist organizations that foster black education was essential for African American prosperity and progress in post-emancipation New York.

Thomas and Elizabeth Jennings had two sons and two daughters, one named Elizabeth. According to Hewitt (1990), Elizabeth's brothers were working professionals and her sister was a seamstress. There is conflicting evidence about Elizabeth Jennings' birth year. According to the 1850 Census, she was born in Manhattan's Fifth Ward in 1830, which presently extends from Broadway to Reade and Canal Streets (http://thehistorybox.com/ny_city/nyc_divided_into_17_wards_1837_article1566.htm). Jennings' Freedman's Bank Records from 1871 indicate she was 40 years old, meaning she would have been born in 1831. The Freedman's Savings and Trust Company, also known as the "Freedman's Bank," was established as part of the Freedman's Bureau in 1865 by Congress to aid in former slaves' transition to freedom after the Civil War (<http://www.archives.gov/research/african-americans/freedmans-bank.html>). However, her gravestone (see Figure 2) indicates that she was 74 years old when she died in 1901, which would mean she was born in 1827.



Figure 2. Elizabeth Jennings Graham Burial Monument, Cypress Hills Cemetery. Photo Credit, Katherine Assante Perrotta, January 5, 2016.

The discrepancies in Jennings' birth year indicate the haphazard way vital records were kept in the United States during the early 19th century. According to Cerny (2006), pre-modern birth records prior to 1910 were maintained by the states; however, many of these recordings included scant information listing the child's name, mother's name, and date and place of birth (p. 621). Other problems with examining old birth records include faulty indexing and the misspelling of names. Cerny (2006) notes that often times families that were literate would record births and other vital records in bibles. Given the Jennings family was involved in education and the church, if such a bible exists, perhaps Elizabeth Jennings' birth date was recorded in it. To date, the researcher has not recovered a family bible or other vital records that would corroborate her correct birth date.

Elizabeth Jennings pursued her career in education. According to Douglass (1859), she was "the most learned of our female teachers in the city of New York, having obtained mainly through her own labor, the honor of a diploma from the Board of Education of said city" (np). Hewitt (1990) noted that Elizabeth attended a "Colored Normal School" where she learned English, Grammar, Astronomy, United States History, Algebra, Geometry, and Philosophy (pp. 404, 406). She earned her diploma from the New York Board of Education and was hired as an ele-

mentary schoolteacher in the New York City African Free Schools (Douglass, 1859; Ovington, 1911, p. 18).

Although private institutions operated schools in New York during the late-eighteenth and mid-nineteenth century, blacks were often excluded from attending. Ravitch (2000) contends that “New York City did not have free public education at this time...[which] was in large measure due to the religious heterogeneity of the populace” (p. 6). The New York Manumission Society and the Society of Friends founded the AFS in 1787 in order to prepare freed black children for life as freedmen. According to Ravitch (2000), the AFS was also the first nonreligious public school in New York City (p. 6).

The Manumission Society’s goal for the AFS aligned with the African American leaders’ strategy of focusing on the moral uplift of black children to achieve racial equality and dispel the notion that blacks were damaged by slavery. According to Charles C. Andrews (1830), a white teacher at the AFS, the mission of the School was to:

Ameliorate his sufferings, and ultimately to free him from bondage...by imparting to them the benefits of an education, as seemed best calculated to fit them for the enjoyment and right understanding of their future privileges, and relative duties, when they should become free men and citizens (p. 7).

Black children between the ages of five and fourteen were eligible for admission; however, a child’s enrollment was contingent upon an interview the prospective student’s family had with the school’s governing committee (Gellman, 2006, p. 73). The teachers strove to instill in students, the males in particular, “the values and discipline that would keep them from ‘running into practices of Immorality or Sinking into Habits of Idleness” (Burrows & Wallace, 1999, p. 286).

Students “had to stay sober, not associate with slaves, and live clean lives” (Ovington, 1911, pp. 15, 19).

The majority of teachers and administrators who worked in the AFS were white. During the 1830s, parents in the African American community became increasingly involved in operational matters of the AFS. Ovington (1911) contended “Negroes had begun to assert themselves regarding the method and place of instruction for their children. They clamored for colored teachers and succeeded in displacing Charles Andrews himself” (pp. 15, 19). Andrews was dismissed after an incident in 1832 in which he caned a student for referring to an African American visitor to the school as a “colored gentleman” (Hewitt, 1990, p. 402).

Jennings also recounted this incident in a letter to the editor she wrote in *The New York Age* newspaper, writing that “in consequence of punishment and insult meted to a pupil... a number of parents became indignant, and withdrew their children (p. 2; Graham, 1890). She indicated that a new school was opened shortly after, which became “the nucleus of colored teachers in the city of New York” (Graham, 1890, p. 2). By 1833, “virtually all of the teachers in the African Free Schools were black” (Hewitt, 1990, p. 403). Approximately nine hundred students attended the AFS, which expanded to seven schools, by 1834 (Burrows & Wallace, 1999, p. 501).

By the time Elizabeth Jennings began her teaching career in 1848 or 1849, the AFS were co-opted by the New York City Board of Education when the Manumission Society ended its involvement in public education (Hewitt, 1990, p. 403). Two of the schools where Jennings taught were co-founded by Underground Railroad conductors Charles B. Ray and Charles L. Reason (Greider, 2006). She taught in the “female department” of “Colored Public School No. 2,” which was operated by the Public Schools Society in 1848, and in the “male department” of School No. 2 managed by the New York Society for the Promotion of Education among Colored

Children in 1849 (Hewitt, 1990, p. 403). Jennings was transferred to School No. 1 as the acting principal when principal Samuel Vreeland Berry resigned in 1850. She returned to School No. 2 two years later, which was renamed “Colored School No. 5,” teaching in the “Boy’s Department” (Hewitt, 1990, pp. 404-406).

Jennings must have been also musically trained because she was an organist at the First Colored American Congregational Church on Sixth Street near the Bowery. Johnson (1968) noted that “the coloured churches of the city played an important part” in fighting against slavery and segregation in New York City (p. 24). The Church “was a place of worship spiced with sharp political commentary” (Hewitt, 1990, p. 404). Assemblies and programs with themes such as “Elevation of the African Race” and “The Duty of Colored People towards the overthrow of American Slavery” often featured “Miss Jennings at the Organ” (Greider, 2006, p. 12). Thus, education, religion, and abolition were important aspects of Jennings’ life and career.

“A Wholesome Verdict:” Elizabeth Jennings v. The Third Avenue Railway Company

On Sunday July 16, 1854, Jennings and her friend Sarah E. Adams walked to the corner of Pearl and Chatham Streets to catch a streetcar to attend church services. Although African Americans could ride on any streetcar in New York City, the customary practice in the city was that Blacks were to leave the car if any passenger objected to their presence (Lovell, 2005, p. 4). Some streetcars explicitly affixed signs to the cars that read “Colored People Allowed in this Car” (Hewitt, 1990, p. 391). When Jennings and Adams attempted to board a car that did not have a sign indicating Blacks were permitted to ride, the Irish conductor told Jennings to wait for the next car “reserved for her people” (Ovington, 1911, p. 22). Jennings refused to wait and tried to board the car again. The conductor and a nearby police officer forcibly ejected her from the streetcar, causing her physical harm (Greider, 2005).

Jennings recounted her ordeal to her father and church parishioners. Her statement was read on her behalf at her church on July 17, 1854. Those in attendance at the meeting expressed their “reprehension” over Elizabeth’s treatment and unanimously passed resolutions to “bring the whole affair before the legal authorities,” demanding “at the hands of the proprietors, as colored citizens, the equal right to the accommodations of ‘transit’ in the cars” (*New York City Tribune*, 1854). Jennings’ statement and the resolutions were reported with the headline “OUTRAGE UPON COLORED PERSONS” on July 19, 1854 in Horace Greeley’s newspaper *The New York Tribune* and on 28 July 1854 in the *Frederick Douglass’ Paper* (Hewitt, 1990, pp. 392-393).

According to Kelley (2010), the fact that Jennings was a part of the “educated black middle class,” she was “fortuitous” because she had the backing of influential abolitionist organizations within her community to aid in her legal defense (pp. 15-19). Moreover, Jennings (1890) stated in her op-ed that she belonged to “the many public spirited men” of the early abolitionist community in antebellum New York City (p. 2). Unfortunately, the Jennings family had experience dealing with racial discrimination in the antebellum North. One of their two sons was ejected from a segregated streetcar in Massachusetts a decade before Elizabeth’s ordeal in New York City (Volk, 2014). As a result, the family had the means and motivation to pursue Elizabeth’s case. Future president Chester A. Arthur, a 24-year old partner with the firm, was chosen by Culver to handle Jennings’ case (Howe, 1959).

Thomas declared Elizabeth’s case was a class-action suit for all African Americans that would “bring up the whole question of our right...in public conveyances” (*San Francisco Appeal*, 1863). Douglass (1859) stated that “His suit [Thomas] against the Third Avenue Railroad Company for ejecting his daughter from one of its cars on Sabbath day, led to the abolition of caste in cars in four out of the five city railroads” (np). Sources about Elizabeth Jennings’ law-

suit are unclear as to whether or not she was comfortable with being the example of agitation within the African American community against racial discrimination in New York City. Her case, however, was seen by those within the African American community as a way to set a legal precedent for common carriers to accommodate blacks in public facilities.

Jennings (1890) recalled that Arthur was “spirited” when he presented her case against the Third Avenue Railway Company in New York Supreme Court. Hewitt (1990) stated that Arthur pursued the case “with vigor,” suing the company for \$500 (pp. 394, 396). When the trial began on February 22, 1855, Arthur argued that the company was in violation of New York State common carrier laws. According to Welke (1995), common carrier laws stipulated that all paying passengers on public conveyances had an expectation of punctual and safe accommodations (p. 273). Arthur contended that the Third Avenue Railway Company was liable for the behavior of its employees and responsible for Jennings’ physical and emotional injuries (Hewitt, 1990, p. 396). Judge William Rockwell delivered his verdict in favor of Jennings, stating “that colored persons, if sober, well-behaved, and free from disease, had the same rights as other; and could neither be excluded by any rules of the company, nor by force of violence; and in case of such expulsion or exclusion; the Company was liable” (*Frederick Douglass’ Paper*, 1855; *Brooklyn Daily Eagle*, 1855; *New York Tribune*, 1855).

Jennings was awarded almost half the monetary compensation she sued for as her settlement. According to *The New York Tribune* (1855), “The plaintiff claimed \$500 in her complaint, and a majority of the Jury were for giving her the full amount; but others maintained some peculiar notions as to colored people’s rights and they finally agreed on \$225, on which the Court added ten per cent, besides the costs.” Although discriminatory sentiments were apparently held among jurors with regard to her settlement, Jennings’ case was seen in the eyes of the African

American community as an important precedent for private transit companies to uphold common carrier laws. Several abolitionist newspapers, including Horace Greely's *New York Tribune* (1855), *Frederick Douglass' Paper* (1855), and the *National Anti-Slavery Standard* (1855) celebrated her verdict as a victory for the affirmation of African American citizenship and equal rights.

An 1880 *New York Times* article about Chester A. Arthur reported that after the "Lizzie Jennings" verdict, "other car companies quickly followed the...example" of the Third Avenue Railway Company to allow blacks to ride." However, Harris (2003) argued that Judge Rockwell's ruling "did little to discourage other streetcar companies from segregating black passengers" (p. 271). The outcomes of cases that did go to trial depended greatly upon the judge's opinions, which revealed "the limits of legal desegregation" in terms of using common carrier laws to argue against segregation (Alexander, 2008, p. 127).

Additionally, Welke (1995) explained that the legal opinions in cases like Jennings' were not widely published outside of the cities in which these cases occurred (p. 267). Hewitt (1990) noted that "other New York City dailies ignored the case" (p. 397), which may indicate that Jennings' case was probably not known in other parts of Manhattan or the surrounding counties. As a result, other plaintiffs who sued for damages in common carrier cases had difficulties citing Jennings' case as a legal precedent for upholding such laws. Jennings' verdict did not lead to the widespread end of streetcar segregation in New York City, as other African American men and women were ejected from streetcars shortly after her case in 1855 (Alexander, 2008, pp. 127-129; Harris, 2003, pp. 270-271; Woodson, 1945, pp. 156-157; Burrows & Wallace, 1999, pp. 855, 857; Hewitt, 1990, p. 406). Scholars concur that Jennings helped lay the groundwork for others to use the legal system to fight racial discrimination on public conveyances.

Elizabeth Jennings' Life After the Case

Elizabeth Jennings continued to teach and advocate for African American rights in New York City after her court case. According to Hewitt (1890), she taught at Colored School No. 5 until she retired, and married Charles Graham in 1860 (p. 408). Despite New York City Board of Education by-laws that stated “if a woman teacher should marry, charges might be preferred against her by reason of such marriage,” Jennings continued to teach under her married name with no apparent objections from school administrators (*Board of Education Manual*, 1860, p. 303; *The Anglo-American*, 1860).

Furthermore, Elizabeth and Charles had one son named Thomas. According to Hewitt (1990), Jennings' son may have been adopted because he could not find record of the child's birth certificate. Hewitt also found that the Manuals of the Board of Education indicated she did not miss a day of work before the child was born (Howell, 2007). Given the physical toll child-birth has on the female body, the fact that Jennings was not absent from work after the birth of her son may confirm that he was adopted. Typically, large cities “protected women's rights more assiduously than did smaller towns” because female teachers and city dwellers “tended to be more diverse in terms of religious, ethnic, class, race, and education backgrounds and, as a result, more tolerant of liberal thinking” (Carter, 2002, p. 99). The fact that Jennings remained employed under her married name with a child is an example of how the New York City Board of Education upheld the Greater New York State Charter Section 1117 that affirmed teachers would be “protected against removal during good behavior and competency,” particularly where marriage was concerned (Longsdorf, 1915, p. 1375).

Jennings suffered great sorrow in the years after her court case. Her father Thomas L. Jennings died on 11 February 1859 at the age of 68. He was buried in the family plot in Cypress Hills Cemetery in Queens, New York as seen in Figure 3:



Figure 3. Thomas and Elizabeth Jennings, Sr.'s Burial Monument, Cypress Hills Cemetery, Photo Credit Katherine Assante Perrotta January 5 2016.

Among the prominent abolitionists who mourned Thomas L. Jennings' passing was Frederick Douglass. Douglass (1859) eulogized Thomas in *The Anglo-American*, stating, "He upheld society by an active, earnest, and blameless life ... Mr. Jennings was one of that large class of earnest, upright colored men who dwell in our large cities. He was not an exception, but a representative of his class, whose noble sacrifices, and unheralded labors are too little known to the public." Clearly, Thomas' contributed greatly to the advancement of African American civil rights in New York and across the nation. He is recognized as a notable burial in Cypress Hills Cemetery as seen in Figure 4:



Figure 4. Thomas Jennings Notable Burial Marker, Cypress Hills Cemetery, Photo Credit Katherine Assante Perrotta January 5, 2016.

Elizabeth Jennings survived further racial violence in July of 1863 when the New York City Draft Riots erupted. Many New Yorkers “were consistently pro-slavery, pressing during the 1840's and 1850's for one concession to the South after another in order to maintain their lucrative access to cotton” which fueled the city’s commercial success (Foner, 2000). Democratic Mayor Fernando Wood even proposed secession in response to many New Yorkers’ opposition to the war. For three days, poor whites, mostly Irish immigrants, revolted throughout the Bowery section of Manhattan against the Union Conscription Act. The mobs lynched freedmen, burned the Colored Orphan Asylum, and drove blacks out of the city carrying signs stating, “We won’t fight to free the nigger” (Hewitt, 1990, p. 409; Davis, 2006, p. 310). Moreover, transit companies reinstated their segregationist policies.

As Union soldiers returning from the Battle of Gettysburg subdued the riots, Elizabeth and Charles’ one-year old son died of “convulsions” on 16 July 1863 (Hewitt, 1990, p. 409). With the assistance of a white pastor and undertaker, the family left Manhattan and buried the child in Cypress Hills Cemetery in Long Island avoiding mob violence (Hewitt, 1990). A few years later, Charles Graham died; however, sources are unclear about when he passed away. There are some discrepancies with regard to when Graham died. Hewitt (1990) claimed no death certificate could be found, but discovered that Jennings was listed as a widow in 1876 New York City directories (p. 410). Alexander (2008) indicated Charles Graham died in 1867 (p. 218). According to his grave marker (see Figure 5) located in the Jennings family plot, Graham was “a Native of St. Croix” born October 3, 1833 and died June 11, 1868.



Figure 5. Charles Graham Burial Memorial, Cypress Hills Cemetery, Queens, NY. Photo credit: Katherine Assante Perrotta, January 5, 2016.

At some point after the death of her husband, Jennings moved to New Jersey. The 1870 Federal Census of Monmouth County listed her, her mother, and sister as residents of Eatontown; Charles was not included. Eventually, Jennings moved back to New York City, residing at 48 Bleeker Street, most likely after the death of her mother in 1873 (see Figure 3). Jennings lived in relative obscurity until Chester A. Arthur became President of the United States in 1881. Arthur was praised as “the champion among colored people” due to his reputation as the lawyer in the “Lizzie Jennings” case (Hewitt, 1990, p. 411). The New Orleans pro-Republican black newspaper *The Louisianian* praised Arthur’s “virtues and patriotism” and expressed the expectation he would “protect the humblest Negro as he will to protect the greatest man in the land” (Hewitt, 1990, pp. 410-411). Arthur was later criticized for not executing federal laws that ensured civil rights for African Americans as ex-Confederates and Democrats regained political control from Republicans in the post-Reconstruction South (Hewitt, 1990, p. 411).

Among the little evidence of Jennings’ public writings with regard to her case against the Third Avenue Railway Company and sentiments about civil rights matters is a letter to the editor she wrote to *New York Age* magazine in 1890. In response to a previous article about the “the lack of public spirit” in the African American community, she responded that despite the public opinion to her 1854 case, only “seven dollars were resulted from her appeal” (Jennings, 1890, p.

2). Furthermore, she stated, “it may not be inopportune to call attention to one or two other acts in which New York has not been backward” with regard to racial discrimination, mentioning the successes of the AFS and the black Episcopal Church, as examples “owing to our increased cosmopolitan population, education progress, and change of public sentiment, no comment is offered” (p. 2). Clearly, Jennings believed that the black education contributed to racial progress and changes in public opinion about desegregation in New York City towards the end of the 19th century.

Jennings’ legacy as a teacher and civil rights activist in New York City was encapsulated by her involvement in co-founding the first Free Kindergarten Association for Colored Children on the lower level of her home at 237 West Forty-First Street in 1895 (Hewitt, 2000, p. 119). According to Ray (1895), Jennings was the Secretary of the Association for Colored Children, which was constituted by “colored women, mainly teachers” (p. 251). The school operated under the support of black and white benefactors, including Jacob Riis and W.E.B. DuBois (Weisenfeld, 1997, p. 47), with funding provided from “annual subscriptions” and “cooperation of many friends of the cause well known for their humanitarian principles” (Ray, 1895, p. 252).

Ray (1895) featured the kindergarten in an article she wrote for *American Woman’s Journal*, describing the “Graham Library,” named in “honor of the Secretary of the Association,” as a place “where the children are developing sense-knowledge, and learning to exercise that self-activity which lies at the root of this admirable system” (pp. 251-252). She also explained how the classrooms were adorned with pictures of wildlife, children’s work, and shelves of books with “many volumes of standard literature, the gift of patrons of the school” (p. 251-252). Ultimately, the goal of the school “commends itself to the thoughtful of both races and is in touch with the educational advancement of the age” (Ray, 1895, p. 252).

Elizabeth Jennings died on 5 June 1901 in her upstairs bedroom. According to Hewitt (1990), she died of a uremic coma brought on by Bright disease, which is “an acute form of nephritis” or inflammation of the kidneys (p. 414). She was buried in Cypress Hills Cemetery with her family in Figure 6:



Figure 6. Jennings-Graham and Family Burial Monument, Cypress Hills Cemetery, Photo Credit Katherine Assante Perrotta, January 5, 2016.

Moreover, Elizabeth Jennings is recognized as a notable burial in Cypress Hills Cemetery along with her father as seen in Figure 7:



Figure 7. Elizabeth Graham and Thomas Jennings Notable Burial Markers, Cypress Hills Cemetery, Photo Credit Katherine Assante Perrotta, January 5, 2016.

A year before her death, Governor Theodore Roosevelt passed a bill banning the denial of admission to public schools based on “race or color” in New York State in 1900 (Ovington, 1911,

pp. 15, 19). Elizabeth Jennings left a legacy championing for the equal rights of African Americans in New York and the United States.

Elizabeth Jennings and Connections to Historical Empathy & Critical Race Consciousness

In almost all instances that Elizabeth Jennings has been written about, researchers focused on her significance as a “Rosa Parks” figure for her resistance to segregation on public transportation (Theoharis, 2013). Collins (2003) states she was an example of “black women in America [who] repeatedly stood their ground against conductors, ticket-takers, and cabdrivers who tried to turn them into second-class citizens” nearly a century “before Rosa Parks” (p. 180). Singer (2005) argues that Jennings, “New York’s Rosa Parks,” led an act of “civil disobedience...[that was] the first successful challenges to racial segregation laws” (p. 104). The comparison of Jennings to Rosa Parks has been repeated in articles by Howell (2001) in *Newsday*, Greider (2005) in the *New York Times*, Samuel (2016) in the *New York Daily News*, as well as in Internet blogs, a short documentary film produced by the New York Historical Society (<http://www.nyhistory.org/node/62850>), and the newsletters of municipal agencies such as the African Burial Ground and Metropolitan Transit Authority (MTA).

Legislators, teachers, and students are also making strides in giving credence to Elizabeth Jennings’ legacy as a civil rights pioneer in Antebellum New York. The Henry Highland Garnett Society and Councilwoman Tonya D. Payne set forth a proposal to the City Council of Pittsburgh commemorating 18 May 2007 as “Elizabeth Jennings Day” to remember the struggle of Jennings and other activists who showed “courageous fortitude as exhibited both within their own lives and within their respective communities” (legistar.city.pittsburgh.pa.us/attachments/4989.doc). Teacher Miriam Sicherman and her students at P.S. 361 in Manhattan successfully petitioned the New York City Council to honor Jennings with

a street sign in 2007 (Alexander, 2012). The sign, which reads “Elizabeth Jennings Place,” is located at the corner of Spruce Street and Park Row, which is across the street from New York City Hall as seen in Figure 8:



Figure 8: “Elizabeth Jennings Place” Street Sign, Lower Manhattan, Photo Credit Katherine Assante Perrotta, March, 2013.

Despite the growing body of literature about Jennings, several historiographic questions remain—why is she an important historical figure? How can she serve as an example of an underrepresented historical figure to promote HE and CRC in social studies? As seen in Figure 1, grassroots activism in New York City public schools led for recognition of Elizabeth Jennings by the New York City Council with a street sign commemorating her contribution to civil rights in the city. Students in this particular class took action in the present to recognize Jennings’ achievement. However, she still remains an obscure local and national historical figure. Since the progressive era, there have been strides “to advance a . . . pluralistic interpretation of the American past, one that acknowledged the contributions of women, African Americans, Hispanics, Asian Americans, and . . . that added new heroes to the national pantheon” (Ravitch, 2003, p. 136). Although primary sources written by or about Jennings are scarce, this historiography raises the issue over why she is still a relatively underrepresented historical figure in narratives of United States history and subsequently the social studies curriculum.

Jennings' omission from the mainstream historical narratives and social studies curriculum is not surprising. According to Webb (2016), "textbooks have become a battleground for the invested parties to control what—or whose—information is presented to schoolchildren" (p. 142). The inclusion of minorities and issues of race in the social studies curriculum has been contentious in many states over the past fifty years. Interpretations of cultural pluralism have led to intense debates over whose history counts as "official" knowledge. Similar to the controversies surrounding the National Endowment of the Humanities (NEH) National History Standards during the 1990s, legislatures in states such as Colorado, Texas, Oklahoma, and Georgia are deliberating banning the revised Advanced Placement United States History (APUSH) exam. Howard (2015) reports that critics of APUSH "accused the authors of the framework of creating a far more negative image of America's founding. Too much focus is placed on issues like American expansionism and displacement of indigenous peoples over the concept of American exceptionalism."

Proponents of APUSH argue that the exam promotes critical thinking. The AHA (2014) issued a statement in support of the revised APUSH, stating that it "will help teachers achieve these goals without introducing partisanship, dictating content, or ignoring important aspects of US history." American Federation of Teachers (AFT) President Randi Weingarten (2015) states that supporters of a "conservative ideology" of United States history would prefer that "people would rather forget the lessons from events like American slavery... How could we teach the true bravery of great Americans like President Lincoln or Rosa Parks if we're unwilling to honestly face the overwhelming horrors of slavery or the Jim Crow South?" The controversies over APUSH highlight how determining official knowledge in the social studies curriculum depends upon "the group that wins the battle over definitions [and] gains power for itself and silences the

voices of others” (Smith, Miller-Kahn, Heinecke, & Jarvis, 2004, p. 210). In other words, those in positions of power tend to dictate who and what is considered the facts and “correct” history students should learn.

The APUSH controversy highlights a recent example in the context of a long history of controversy over what is considered “official” histories of the United States. However, inclusion of underrepresented historical figures, such as Elizabeth Jennings, to the narratives of United States history would add new perspectives on the experiences of African Americans, women, and other oppressed groups with regard to education, civil rights activism, and segregation in the Antebellum North. The historiography of Elizabeth Jennings can be used to promote HE in social studies by engaging students in the opportunity to consider the counternarrative of Jennings in context of her ejection, outcome of her court case, and why despite her achievements is an underrepresented figure in United States history.

Angles for Future Research

Jennings’ story with regard to her ejection from the streetcar and outcome of her court case has been told in context of her race. However, focus on just her race may lead to neglect of other factors that render her historically significant in the social studies curriculum and United States historical narratives. There are four possible research angles that can be pursued to build upon the historiography of Elizabeth Jennings and further add to the scholarship of black education and civil rights activism during the antebellum era.

Social Class and Court Opinions

For instance, Jennings’ social class can be seen as a major factor with regard to her verdict. According to Kelley (2010), Jennings was “fortuitous” because she had the backing of influential abolitionist organizations within her community to aid in her legal defense (pp. 15-19).

Jennings was aware of her class status as evidenced in her testimony. She told the conductor, “I am a respectable person born and raised in New York...[and] that I had never been insulted before while going to church, and he was a good for nothing impudent fellow for insulting decent persons” (Ripley, 1993, p. 60).

Analysis of Jennings’ case against the Third Avenue Railway Company also highlights how court opinions were predicated greatly upon the decisions of judges and whether the plaintiff was considered a “decent” person. Judge Rockwell stated in his ruling that “colored persons, if sober, well-behaved, and free from disease, had the same rights as others” (*Brooklyn Eagle*, 1855). Shortly after Jennings’ verdict was delivered, Reverend W.C Pennington was ejected from a Sixth Avenue Railway Company car after leading his congregation onto a trolley in 1855; he sued the company but Judge John Slosson ruled in favor of the company a year later (Alexander, pp. 127-129). An unnamed African American woman was ejected from a streetcar and insisted she had the “right” to ride because of the “judicial” decision reached in Brooklyn [referring to Jennings’ case] (Hewitt, 1990, p. 399). Little is known about this unnamed woman’s ordeal or if she was successful in filing a lawsuit against a streetcar company. The fact that the woman is unnamed in her ordeal indicates how one’s reputation, class, actions, and appearance impacted a judge’s ruling.

Moreover, Jennings’ case was a legal victory challenging segregation policies on public conveyances, but did not lead to widespread desegregation of streetcars in New York. Her case did not set major legal precedents for others who were ejected from streetcars, perhaps due to the fact others who faced ejection from streetcars were unsuccessful in arguing Jennings’ case as a precedent for upholding common carrier laws for African Americans. Therefore, investigation of the subjective nature of the court opinions in cases such as these is warranted to better under-

stand the disparities and implications of enforcement of discriminatory policies in antebellum America.

The Role of the Church

Another angle that could be pursued about Elizabeth Jennings' historical significance was her active membership in the church. Later in her life, Hewitt (1990) indicated that Jennings joined St. Philip's Church due to its "abolitionist stance." She was the treasurer of the church's Sunday school and Dorcas Society, whose goal was to provide clothing to poor schoolchildren. According to a *New York Times* article published May 2, 1880, she was elected as the church's assistant secretary after celebrating "the seventh anniversary of St. Philip's Parish Home...in the building used as an asylum for the poor." Additionally, Peterson (2011) notes that Jennings and her friend started the Women's Missionary Association of St. Philip's with the purpose of "sending aid to churches in Haiti and Africa" (p. 338). Given the churches played critical roles in the abolitionist movement in Antebellum New York City, a more in-depth study of Elizabeth Jennings' involvement in the church may stress of how the role of women in fulfilling the mission of moral uplift through Christianity and public education was used to achieve equal rights among black New Yorkers throughout the antebellum and post-antebellum Era.

Jennings' Teaching Career and Black Education

The second research angle that could be pursued about Elizabeth Jennings is her teaching career. After her lawsuit, Jennings returned to teaching until her retirement. She continued to teach in the former AFS and co-founded the first Black kindergarten on the lower level of her home. Charles C. Andrews' book *The History of the New York African Free-Schools* and John L. Rury's article "The New York African Free School, 1827-1836: Conflict over Community Control of Black Education" are the most comprehensive works on the schools during their operation

under the Manumission Society. A deeper investigation of Jennings' teaching and administrative duties may paint a broader picture of the faculty, alumni, curriculum, and role the AFS had in the free community's fight to end racial discrimination in New York City. Aside from Charles C. Andrew's book and John Rury's article about the history of the African Free Schools from 1787-1836, very little has been written about the schools.

Deeper investigation of Jennings' teaching career may shed light on the structure, design, purpose, and legacy of the AFS. The New York Historical Society houses the archival sources from AFS, which would provide the necessary documents to build a strong piece of literature about the school's faculty, students, curriculum, and role in the emancipation movement in New York and the education of black children until 1900 when then-Governor Theodore Roosevelt banned segregation in schools. Although primary sources on Elizabeth Jennings, particularly the kindergarten she helped co-found in 1895, are scarce, documents about the AFS are available. As a result, this research angle may serve as an effective way to bring credence to Jennings' historical significance in mainstream narratives of civil rights with regard to black education in United States history.

Intersectionality of Race and Gender

The intersectionality of Jennings as a woman of color is key aspect of her life that deserves more attention. According to Crenshaw (1995), "the concept of intersectionality...denote[s] the various ways in which race and gender interact to shape the multiple dimensions of black women." (p. 358). Analysis of intersectionality can be expanded to explore "multiple grounds of identity when considering how the social world is constructed" and "the various ways in which race and gender intersect in shaping structural, political, and representational aspects of violence against women of color" (Crenshaw, 1995, p. 358). Analysis of Jennings' role

as an African American woman who filed such a lawsuit challenging segregation may reveal greater insight to the integral role black women played in civil rights struggles in United States history.

Jennings' intersectionality reflects aspects of African American women's feminism during the Antebellum Era. African American female employment was critical to "the economic survival of the black community over the course of the nineteenth century when black men were experiencing staggering unemployment" (Carter, 2002, p. 99). However, Hewitt (1990) emphasized several times in his research about Jennings that despite her education, stellar reputation, and experience, she was paid significantly less than male teachers and school administrators. Analysis of the Jennings' gender may strengthen curricular aspects of the EJP by providing additional aspects of her life that can be critically examined for student demonstration of HE.

Additionally, analysis of intersectionality and issues of abuse are other aspects of Jennings' story that have not been addressed in articles written by Hewitt (1990), and Perrotta and Bohan (2013), as well as the secondary sources in the EJP. According to Crenshaw (1995), violence against African American women, as well as subsequent problems with prosecuting acts of violence against African women, stem from racist and sexist attitudes "entrenched" in American culture due to "sexualized" images of "bad" black women (p. 369). Jennings stated in her testimony that the conductor "took hold of me and I took hold of the window sash and held on; he pulled me until he broke my grasp...I screamed murder with all my voice" (Ripley, 1993, pp. 60-61). The conductor physically assaulted Jennings as a nearby police officer helped to forcibly eject her from the car (Ripley, 1993, pp. 60-61). Arthur argued in court that the Third Avenue Railway Company violated "common carrier laws" (Welke, 1995) by refusing Jennings service as a paying customer on the streetcar. Her lawsuit did not address damages due to any injuries

sustained from her assault. Consequently, further analysis of Jennings' intersectionality with regard to her gender and ejection can shed new light on how "manifestations of power" exerted through violence have impacted African American women's identity (Crenshaw, 1995, p. 375, 376).

Summary

With more attention about Elizabeth Jennings' life, career, and legal victory against the Third Avenue Railway Company emerging in mainstream and grassroots publications, perhaps she will be brought out of the recesses of the "unofficial" histories of the United States and put into a prominent place in the CCS, NCSS Standards, and states' social studies curricula. The historiography of Elizabeth Jennings can challenge notions of race, racism, and whiteness that permeates mainstream social studies curricula in state and national standards. The data from this research aims to show whether students display HE and CRC through analysis of primary sources, deliberating issues of race and who is considered a prominent historical figure in United States history, and how recognition of civil rights issues throughout United States history continues to impact present-day American society. Hewitt's (1990) concluding remarks about Elizabeth Jennings were poignant: "if only because she started something far larger than herself and laid the groundwork for the further progress that was to come, she deserves a place of honor in the history of civil rights in New York City." Elizabeth Jennings and her relatives were indeed heroes and civil rights activist pioneers. Their lives and legacies should not be forgotten.

5 FINDINGS: PEDAGOGICAL CONDITIONS

As stated in Chapter 1, the purpose of this study was to identify what factors, if any, in an instructional unit about an underrepresented historical figure promotes HE in secondary social studies classes. The instructional unit focuses on Elizabeth Jennings' ejection from a streetcar in New York City, and her lawsuit against the Third Avenue Railway Company, in 1854. The findings of this study are organized in two chapters. Chapter 5 provides data analysis of whether certain pedagogical factors employed in this study fostered HE with the EJP. Chapter 6 provides an examination of the focus group interview data to determine whether or not students' social identities impacted demonstration of HE and CRC through engagement of the activities in the EJP. Additional factors that emerged from this study conducted about conditions that may or may not promote HE through implementation of the EJP are discussed in Chapter 6.

Findings

The lessons of the EJP were designed in alignment with the Chapter 2 literature review with regard to best instructional practices that may or may not elicit HE in secondary social studies classes (Jensen, 2008; Kohlmeier, 2005; Foster, 1999; Endacott, 2010; Endacott & Sturtz, 2014; Colby, 2008; Brooks, 2011). The pedagogical factors that were implemented in this study included analyses of: 1) student responses on a brainstorming K-W-L Chart and Mind Map Graphic Organizer; 2) a first and third person narrative writing assignment; 3) a DBQ essay; 4) an in-class debate; and 5) in-class discussion about the content of the EJP. The researcher found that there were some instructional methods in the EJP that worked well with regard to creating conditions conducive for student demonstration of HE. However, other pedagogical factors were not as effective as per the Historical Empathy Measurement Rubric (HEMR) findings.

Overview: Study Participants

Four grade levels organized in three social studies classes were chosen by Shore Institute's principal and administrator to participate in this study. There were 29 student participants in this study. Thirteen students were in a combined 7th and 8th grade class. Nine students were enrolled in the 11th grade class. There were 12 students in the twelfth grade class. The summarized demographic information of the study participants at Shore Institute are shown in Table 3:

Table 3. Summarized Study Participants' Demographic Information

Total # of Student Participants	Male	Female	Asian*	African American	White (Non-Hispanic or Latino)**	Native American Indian or Alaskan Native	Oth-ers	Two or More Races
29	78.57%	21.42%	25%	17.85%	39.28%	0	0	0

*** Students who identified as Indian, Bangladeshi, Pakistani, or the Asian Subcontinent were counted as Asian in the demographic information**

**** Students who identified as being of Middle Eastern descent were counted as White (non-Hispanic or Latino) in the demographic information.**

Disaggregated demographic information for each participating class are in Tables 4 through 6:

Table 4. 7th and 8th Grade Study Participants' Demographic Information

Demographic	# of Students	Rate
Asian**	2	22.22%
African American	2	22.22%
Hispanic or Latino Origin	3	33.33%
Native American Indian or Alaskan Native	0	0
White (non-Hispanic or Latino)*	2	22.22%
Others	0	0
Two or more races	0	0
Male	9	100%
Female	0	0

*** Students who identified as Indian, Bangladeshi, Pakistani, or from the Asian Subcontinent were counted as Asian in the demographic information**

**** Students who identified as being of Middle Eastern descent were counted as White (non-Hispanic or Latino) in the demographic information.**

Table 5. 11th Grade Study Participants Demographic Information

Demographic	# of Students	Rate
Asian*	1	2.5%
African American	2	5%
Hispanic or Latino Origin	3	7.5%
Native American Indian or Alaskan Native	0	0%
White (non-Hispanic or Latino)**	2	5%
Others	0	0
Two or more races	0	0
Male	4	50%
Female	4	50%

* Students who identified as Indian, Bangladeshi, Pakistani, or the Asian Subcontinent were counted as Asian in the demographic information.

** Students who identified as being of Middle Eastern descent were counted as White (non-Hispanic or Latino) in the demographic information.

Table 6. 12th Grade Study Participant Demographic Information

Demographic	# of Students	Rate
Asian*	6	50%
African American	1	8.3%
Hispanic or Latino Origin	0	0
Native American Indian or Alaskan Native	0	0
White (non-Hispanic or Latino)**	5	41.6%
Others	0	0
Two or more races	0	0
Male	9	75%
Female	3	25%

* Students who identified as Indian, Bangladeshi, Pakistani, or from the Asian Subcontinent were counted as Asian in the demographic information

** Students who identified as being of Middle Eastern descent were counted as White (non-Hispanic or Latino) in the demographic information.

The demographic information was provided by the students' parents in the Shore Institute census that was included in the back to school packet distributed at the start of the school year. As stated in Chapter 3, although the majority of the student body is white and male, the study participants represented a sample of the population at Shore Institute, as well as the neighborhood in which the school is located. These findings are indicative of Flores and Lobo's (2013) findings of the "mixed integration" of neighborhoods in this urban area of the Northeast in which the African American population is significantly smaller than white, Asian, and Hispanics.

There were two cooperating teachers who were present during the facilitation of the EJP. Teacher A, who was a white female between the ages of 22 and 35, was the instructor for the 7th and 8th, and 11th grade participating classes in this study. Teacher B, who was a white male teacher between the ages of 22 and 35, taught the 12th grade class. Moreover, the school administrator and two independent reviewers evaluated the students' HEMR scores as member checks for validity and accuracy of the data reporting for this study. Discussion of the teachers' roles with regard to whether they impacted student demonstration of HE and CRC, as well as the school administrator and independent reviewers' assessments of the HEMR scores are highlighted in Chapter 6.

Summarized Findings: Pedagogical Factors of the EJP

The researcher scored each of the students' assignments from the EJP based on Lee and Shemilt's (2011) Five-Level Framework in the HEMR (Appendix H). Once this data was ascertained from the HEMR, the researcher averaged the class scores on the five EJP assignments to find how students' social identities, such as grade level and age, impacted demonstration of HE and CRC, which is discussed in Chapter 6. A summary of the students' HEMR scores on these five instructional methods is shown in Table 7:

Table 7. Summarized Pedagogical Factors Findings (Scores out of 5- HEMR)

Grade	KWL Graphic Organizer & Mind Map	1st or 3rd Person Narrative Writing	DBQ Essay	Debate	Class Discussion	Overall Score
7th & 8th	2.64	2.6	2.77	2.77	3	2.752
11th	2.8	2.5	2.57	2.9	2.89	2.732
12th	2.45	2.3	2.3	2.27	3.075	2.479

Based on Table 7, the students in the 7th and 8th grade class, and 11th grade class demonstrated mid-levels of HE based on the HEMR. In particular, these students showed proficiency in identifying historical context, author perspectives, and affective connections to EJP content in

class discussion and debate. The middle grade class yielded lower scores on the K-W-L, Mind Map, and narrative writing assignments as compared to the 11th grade, which may suggest that the older students have more academic experience using primary and secondary sources for writing historical narratives as compared to historical novices (VanSledright, Meuwissen, & Kelly, 2006). Surprisingly, the 12th grade study participants scored lower on the written and verbal assignments in the EJP, and overall on the HEMR compared to the younger students in this study. The middle school students scored an overall score of 2.75 out of 5 on the HEMR. The 11th grade students scored a 2.732 out of 5, and 12th graders scored 2.479 out of 5 on the HEMR. Based on the classroom observations, the researcher noted some differences with regard to how the middle school students and the high school students arrived at their conclusions about the historical context, author perspectives, and emotive connections to the content of the EJP.

Student that reflected a Level 1 or 2 on the HEMR showed vague prior knowledge and critical thinking, and little to no affective connection to content. For example, one student who received a 1.5 out of 5 on the K-W-L Chart showed little evidence of grasping historical contextualizations and identifying different perspectives on civil rights because he noted that he knew about when the Civil War took place and wanted to know who won the war (Field Notes, January 4, 2016). Additionally, there were reflection questions that asked questions to elicit emotive responses to content. These questions included “why have people been denied their civil rights? Have you or someone you know ever had an experience where you felt your civil rights were denied? Explain.” This student did not provide responses to these questions.

Contrarily, students who scored a 3 or above on the HEMR demonstrated deeper content knowledge, awareness of differing perspectives on historical content, and provided some personal connections to content. Another student who received a 4 out of 5 on the HEMR on the K-W-

L Chart indicated he had prior knowledge about the 13th, 14th, and 15th amendments, reconstruction, and John Brown. Furthermore, he wanted to learn more about “Nelson Mandela, the Black Panthers, Jim Crow, NAACP, and Martin Luther King, Jr. (Field Notes, January 4, 2016). This student evidenced some affective connections to the content, noting “People have been denied civil rights purely because of race and skin color. I haven’t [been denied my rights] because I live in a neighborhood that is heavily (sic) populated with people that have the same skin color and religion” (Field Notes, January 4, 2016). As a result, the HEMR was applied to the assignments in the EJP to find evidence of students’ intellectual understandings of historical content and perspectives, and emotive connections to content.

The 7th and 8th grade students were proficient in demonstration of HE by referring to evidence from the secondary sources and DBQs to explain the historical context of Jennings’ ejection from the streetcar, identifying the perspectives of the people involved in her ordeal, and debating circumstances in which breaking a rule or a law was acceptable in society. However, the middle school students lacked display of HE by not comprehending instances in which themselves or others faced racial discrimination and inequality in present-day. The Teacher A attributed these sentiments to the fact that these students did not understand why people would not like others because of their race or nationality. Even the students stated on several occasions throughout the implementation of the EJP that “racism is stupid” and that “hating people because of what they look like doesn’t make sense” (Field Notes, January 5, 2016).

The high school students held similar beliefs about the “illogical” nature of “hating someone because of their race;” however some students were able to apply personal experiences and awareness of current events to discussions about Jennings’ ordeal. In particular, students in the 11th and 12th grade identified the inflammatory remarks about Hispanics and Muslims made

by some candidates during the Republican primary debates for the 2016 presidential nomination (Field Notes, January 6, 2016). Wineburg (2001), VanSledright, Meuwissen, and Kelley (2006), Barton and Levstik (2006), and Endacott (2010, 2014) note that students' age-level and exposure to engaging in historical research and inquiry contributes to their ability to demonstrate historical thinking, and ultimately HE, in social studies. Although younger children lack the life experiences older adolescents and adults have with regard to coping with positive or negative socio-economic and political issues, Barton (1996) contends that young children are capable of displaying HE. The data from these overall findings complement the scholarship in the Chapter 2 Literature Review that children of all ages possess the ability to demonstrate some levels of HE by identifying historical context, author perspectives, and connections to prior knowledge and life experiences.

Pedagogical Factors of EJP Protocols

The researcher examined student work samples from the EJP protocols for evidence of HE using the HEMR. Two independent reviewers used the HEMR to evaluate student HE scores on the EJP assignments. Moreover, the researcher conducted regular member checks with the school administrator to review hers and the independent reviewers' HEMR scores. The findings from this study show that verbal protocols, such as class discussion and debate, yielded higher levels of HE than the narrative writing protocols.

K-W-L Chart and Mind Map Graphic Organizer

Students began their studies of Elizabeth Jennings by completing two brainstorming activities. The K-W-L Chart and Mind Map Graphic Organizer were designed to prime students' prior knowledge about civil rights issues in United States history and contemporary times. Moreover, these activities were meant to provide students the opportunity to express what they

knew and wanted to learn about civil rights and Elizabeth Jennings. The middle school students' level of HE on the K-W-L Chart and Mind Map showed a 2.64 out of 5 on the HEMR. These results were consistent with Lee and Shemilt's (2011) Level Two of their Framework, as respondents identified differences between the past and present, but had limited experience with connecting historical civil rights issues to present-day issues in their lives or current events. Several of the participants believed that civil rights challenges were historical problems, and that they never had an experience when they believed their civil rights were denied. For example, one of the reflection questions on the K-W-L chart asked students "have you or someone you know ever had an experience where you felt your civil rights were denied?" Most 7th and 8th grade students stated no, because all people are "equal" and that they "live in a neighborhood that is heavenly (sic) populated with people that have the same skin color and religion" (Field Notes, December 9, 2015). Another student stated, "as a Muslim living in New York have not felt my civil rights being denied. There are many foreners (sic) in New York so I kind of fit in. I do not judge or treat people by how they look, or what race/religion they are. We are all humans" (Field Notes, December 9, 2015).

Furthermore, the middle school students consistently reported that they "have their rights" but that "people in history did not...which was wrong" (Field Notes, December 9, 2015). Their sentiments about the historical context of discrimination were grounded in their "factual" knowledge of cases such as *Plessy v. Ferguson*, *Brown v. Board of Education*, and the Rosa Parks' arrest as examples of how racial segregation once existed in United States history; their HE scores were on the low-end of the HEMR because the students could not connect these cases to contemporary issues or personal experiences (Field Notes, January 4, 2016).

The 11th grade scored a 2.8 out of 5; however, the 12th grade scored a 2.45 out of five, demonstrating their activation of prior knowledge was based on “generalizations to explain the past as being dysfunctional to the present” (Lee & Shemilt, 2011). As opposed to the middle school students, the 11th and 12th graders demonstrated levels of HE that were shaped more by personal experiences, vicarious experiences, and current events. Some 12th grade students stated “I don’t have the right to decide when I can hang out with my friends,” “I’m not allowed to have my phone in school,” and “I feel like I cannot say some things in school” (Field Notes, December 11, 2015) with regard to unequal treatment they faced in their lives. When the researcher asked what were some examples of “things” students could not say in school, some students said, “well we have to wear uniforms, so no expression there. Some topics like race are sensitive and may offend people” (Field Notes, January 4, 2016). The experiences of these students showed that they perceived parental and school policies as hampering their ability exercise free speech rights.

Overall, the middle and high school students lacked in demonstration of HE with regard to explaining the historical context of instances of racial discrimination and inequality, as well as the contextualization of present-day civil rights issues. Barton and Levstik (2004) found in their research that many students struggle with identifying historical context, contending, “we can easily recognize and accept that the behavior of others is influenced by their culture...but we have more difficulty thinking of our behavior as culturally and historically situated” (p. 219). For instance, the majority of students initially expressed that they never faced a denial of their rights or treated unfairly based. However, once the researcher prodded the students during class discussion, they displayed higher levels of HE with regard to the denial of civil rights and Elizabeth Jennings by thinking about ways in which they are and are not allowed to do certain things in

school or their home lives due to their age. Barton and Levstik (2004) state “history education might be able to play a role in developing students’ facility with this component of empathy by alerting them to the origins of contemporary beliefs” (p. 219). Therefore, the K-W-L Chart and Mind Map activities seemed to establish a foundation for the study participants to think about how the historical context of the EJP sources could connect to contemporary issues and personal experiences.

First and Third Person Narrative Writing

Students were assigned to write several narratives in order to examine if these activities fostered HE in the EJP. A third person narrative was assigned for students to write a newspaper article reporting on Jennings’ ordeal and trial after reading the secondary sources. A first-person narrative was assigned for students to take the perspective of a person involved in Jennings’ ordeal and subsequent court case (Appendix E). The researcher allowed the students to choose between writing a first or third person narrative. Due to time constraints, the researcher and cooperating teachers decided to assign the first or third person narrative for students to complete for homework. Foster (2001) states that narrative writing is “an important, if difficult, assignment for young people...some students will find this task problematic without guidance” (pp. 177-178). The researcher thought that giving students a choice about which assignment to select might impact efficacy and yield more accurate results with regard to demonstration of HE. The students’ DBQ essays were evaluated with the HEMR in order to determine whether student citation of source evidence elicited demonstration of the three main elements of HE— 1) perspective recognition; 2) identification of historical context; and 3) expressing affective responses to content.

The majority of students wrote a first-person narrative using the primary and secondary sources from the perspective of a person involved in Elizabeth Jennings' ordeal and case. The students who wrote first-person narratives took the perspectives of either Elizabeth Jennings, a trolley car passenger, the conductor, and the judge in the court case in diary or journal format. Furthermore, students were not required to formally cite sources in the first person narrative, but they were required to use examples from the documents to support their engagement in perspective recognition of someone involved in Jennings' case. In alignment with Brooks' (2008) findings, the students used evidence from the DBQs to provide details about Jennings and her ordeal to shape the perspective of the narrative. However, the focus of the narratives differed slightly between the high school and middle school students. According to Table 7, the average HEMR score for the 7th and 8th grade students on the narrative writing assignment was a 2.6 out of 5. The 11th grade scored a 2.5 out of 5 on the HEMR, and the 12th grade scored an average of 2.3 out of 5 on the narrative writings.

The 11th and 12th grade students focused their narratives on the legal or social climate for the enforcement of segregation policies in the North. In contrast to their summarized scores in the K-W-L chart, the high school students grounded their narratives in the factual information from Jennings' case from the primary and secondary sources. For example, a student in the 11th grade read his or her narrative from the perspective of a bystander on the trolley stating he/she "didn't want only certain skin tone people going on transports...I am outraged that this [Jennings' ejection] could happen here in [New York] in 1854!" (Field Notes, January 4, 2016). During a sharing session during class, the researcher asked the student what he/she thought was so "surprising" about Jennings' ejection from the streetcar. The student remarked, "I'd think since slavery was outlawed in New York, then why wouldn't blacks and whites ride a train to-

gether” (Field Notes, January 5, 2016)? The researcher pressed, asking why would people be surprised by racial segregation during the antebellum era, by opening the question to the class. One student writing from Jennings’ perspective to her father wrote, “Don’t worry Pa, I will fight for my rights and freedom and make sure that things will change and I get justice” (Field Notes, January 5, 2016). When the researcher asked how Elizabeth Jennings could seek justice, the student explained, “she could’ve fought, then she’d get in trouble for assault. So she sued. I think that’s justice because she won” (Field Notes, January 5, 2016). Overall, the high school students focused on the legal ramifications and social mores that influenced how racial segregation and discrimination laws were upheld and challenged when Northern states were “free not slave” (Field Notes, January 7, 2016).

Contrary to their identification of historical cases of civil rights discrimination, the middle school students honed in on the feelings of the people involved in the Jennings ordeal. One student wrote from Elizabeth Jennings’ perspective stating, “Here it comes! Phew, I’m saved...why isn’t this man letting me on, I just want to go to church. I haven’t done anything wrong. Ow! Ow! I swear this man will pay for hurting me” (Field Notes, January 6, 2016). Another student took the point of view of Judge Rockwell, writing “Wow, I can’t believe this had happen (sic) to this poor girl...I hope this never happens again” (Field Notes, January 6, 2016). One student wrote from the conductor’s perspective, speculating that he was regretful for his actions against Jennings. He wrote, “I am very sorry for my actions and I realize I am really wrong” (Field Notes, January 6, 2016). The younger study participants highlighted details about the sights, smells, sounds, and feelings of the people involved in Jennings’ ordeal and case as compared to the third person narrative, using the source evidence to speculate how those involved in the case felt about the laws and actions. These findings align with Brooks’ (2011) re-

search that middle school students tended to find first-person narrative assignments more “interesting” and “conducive to self-expression” (p. 139).

The middle and high school students who chose the third-person narrative wrote their newspaper article more as a summary of the readings about Elizabeth Jennings’ trolley car ejection and court verdict. There was less evidence of HE in this narrative writing assignment as compared to the first person narrative assignment. One observation the researcher gleaned from this assignment was that non-native English speakers wrote the majority of third person narratives. The researcher asked these students why they chose this option; one student stated that she could “explain material easier” as a summary of the EJP readings in this format (Field Notes, January 6, 2016). Although students were not required to formally cite sources in this assignment, the third-person narratives did not contain as much detailed information about Jennings’ ordeal and court case as the students who selected the first-person narratives. These responses support Brooks’ (2008) findings that students who write the third-person narratives believed this format of stating “facts” was a more effective way to demonstrate understanding of a topic “objectively” (p. 139; Field Notes, January 6, 2016).

DBQ Essay

The DBQ essay was assigned to students to apply primary and secondary source evidence (Appendices C, D, and K) to evaluate Jennings’ historical significance and unlike the first or third person narrative assignment, citing sources was required for the DBQ essay in order to gauge how students used historical evidence “to construct an explanatory account out of past action [is] the ultimate tasks of any historian” (Foster, 2001, p. 177). Despite the fact the majority middle school students focused their narrative writing assignments more so on the emotions and feelings of those involved in Jennings’ case, they yielded the higher scores on the HEMR for the

DBQ essay as compared to the high school students. The average middle school score on the DBQ essay was 2.77. The average score for the 11th grade was 2.57, and the 12th grade scored an average score of 2.3 on the DBQ essay. Contrary to Barton and Levstik (2004), Wineburg (2001), and VanSledright et. al.'s (2006) research that older students tend to demonstrate higher levels of historical inquiry due to greater experience conducting historical research and writing, the middle school students cited sources more effectively than the high school students in this assignment.

The middle school students were more apt to reference the sources as evidence to explain whether they believed Jennings was justified in her decision to sue the Third Avenue Railway Company. One student wrote, "In article 4, it states 'they tugged her, injured her, and ruined her cloths but she stayed aboard until the irate conductor summoned a police officer...' She was getting abused in a type of way because of her race" (Field Notes, January 5, 2016). Another indicated "in Document #2...you can only kick someone out or deny them from coming in to the bus if they are notoriously and unequivocally bad...this document says nothing about turning away a passenger if they are black" (Field Notes, January 6, 2016). With regard to Jennings' actions, one student asked, "I disagree not with what she [Jennings] did it's what she didn't do because she never sued the cop who helped the driver in document 3" (Field Notes, January 6, 2016).

In contrast, the high school students addressed the legal grounds of racial segregation in Jennings' case in their narrative writing assignments, but situated their assessments of Jennings' actions based on opinion instead of source evidence in the DBQ essay. For instance, several high school students wrote that Jennings was someone who "was courageous for standing up for her rights," that she "rais[ed] awareness of something wrong," and was a "forgotten hero" (Field Notes, January 5, 2016). Moreover, another student noted that she "could not wrap my head

around this concept [of racial discrimination]” (Field Notes, January 6, 2016). The major differences between the middle and high school students HEMR scores on the narrative writing assignments indicated how content knowledge, experiences working with DBQs, and making connections to life experiences may have influenced their interpretation of documents to recognize perspectives of those who were involved in Jennings’ ordeal.

The researcher discussed these findings with the school administrator. He stated that several students in the 11th and 12th grade transferred from other private or public schools that did not offer daily or block-scheduled social studies classes like Shore Institute does. The administrator also suspected those students did not have as much experience working with DBQs as the middle school pupils, whom mostly attended Shore Institute since preschool and consistently completed DBQ essays and writing assignments in social studies. As a result, some of the high school students lacked the formal skills of interpreting and citing sources to demonstrate comprehension and HE in comparison to the middle school students.

Debate

The culminating activity in the EJP for students to apply prior knowledge and new content about Elizabeth Jennings, as well as to demonstrate HE, was the in-class debate. The debate took place in two class sessions, as Teacher A and Teacher B chose the “agree” and “disagree” groups to work together in completing the debate template (Appendix G). In order to encourage students to ask questions and speak during the debate, the researcher designed the debate template to delegate specific jobs to each student including 1) writing and reading the opening statement; 2) providing supporting evidence during the debate; 3) asking the opposing side questions; and 4) reading the closing statement. The debate was the instructional method that yielded the highest results for the middle and high school students. The 7th and 8th grade students scored

an average of 2.77 out of 5 on the HEMR. The 11th grade scored an average of a 2.9 out of 5 on the HEMR rubric. The 12th grade scored the lowest on the in-class debate, scoring an average of 2.27 out of 5.

The students who were assigned to argue that Jennings' actions were justified used evidence from the DBQs that the company violated her common carrier rights. Students who argued that Jennings' actions were not justified on the streetcar stated that private companies had a right to set their own policies with regard to whom they serve. One student in the disagree side stated, "it's like with gay marriage. There was a bakery that refused to bake a gay couple a wedding cake. Why should they be forced to do something they don't wanna (sic) do? And I wouldn't want to be served by someone who didn't like me anyway" (Field Notes, January 7, 2016). The agree side rebutted, stating that if there weren't "standards" for what is and isn't acceptable for businesses and citizens, "there would be chaos. Where would things stop? You deny Elizabeth [Jennings] her right to ride because she's black. The bakery won't make a cake because you're gay. It's like a snowball effect of excluding people for who they are" (Field Notes, January 7, 2016). In short, the 11th grade students based their arguments about Jennings' actions about breaking a rule or a law by citing document evidence to interpret the rights of the company when setting policy versus upholding the rights of paying customers on public conveyances.

The 7th and 8th grade students used the documents to argue whether or not Jennings was justified in her actions on the basis of behavior between the people involved in her ordeal. One student on the disagree side referenced Article #1 (See Appendix D) from the secondary source readings, stating "Elizabeth Jennings disrespected Moss [the conductor]. He asked her to wait for the next trolley. She didn't and insulted him saying 'he was a good for nothing impudent fellow for insulting decent persons on their way to church' (cited from Greider, 2005)" (Field

Notes, January 7, 2016). The agree side responded to that evidence with Jennings' testimony in Document #3 (see Appendix D) contending that "she was insulted first because Moss wouldn't let her on and to wait for a car that 'had her people' on it'" (Field Notes, January 7, 2016).

Fields (2011) notes that teaching HE skills to students in fifth grade and above involves perspective-taking exercises with historical documents and literature that help them "make sense of the world around them and acquire necessary social studies knowledge, skills, and attitudes" (p. 116). Noddings (2002) contends that teachers who create curricula that emphasize "ideas and resources" about emotions such as love, friendship, and violence, could "enrich the lives of both students and teachers intellectually, morally, and spiritually" (p. 38). The students largely debated the actions of Jennings and Moss, speculating whether their behaviors were grounded in either the desire for wanting to follow rules or not wanting to be "disrespected" (Field Notes, January 7, 2016). The middle school students tended to focus on emotions and feelings of respect, which indicated HE through their care and concern for the actions and relationships between Jennings and those involved in her ordeal.

The debate activity yielded the lowest HEMR score for the 12th grade. There are some explanations for why the 12th grade students did not display higher levels of HE on this activity. First, there were few students in the 12th grade class who expressed interest in being active participants in the debate. The lack of interest in the debate activity and EJP in general seemed to be attributed to "senioritis." According to Puerte (2012), senioritis is characterized as "the senior year of high school has long been considered a lost year, a time when many students have earned most of their high school credits and have been accepted into college" (p. 43). By the time this study was conducted, the majority of students already were accepted into college. The researcher asked Teacher B and the school administrator about the possibility of the 12th graders being

afflicted with senioritis with regard to their debate performance. Teacher B said, “yes, probably. I’ve seen their enthusiasm really decline after the holiday break” (Field Notes, January 7, 2016). The school administrator agreed, stating, “it’s difficult to get the students motivated after coming back from having a long vacation” (Field Notes, January 7, 2016). Although the 12th graders were expected to complete all course projects with passing grades to satisfy graduation requirements at Shore Institute, motivation to engage in the EJP was an obstacle for the 12th grade students’ demonstration of HE during the debate.

Second, the researcher observed that many 12th grade students did not seem as familiar with preparing for and conducting an in-class debate as compared to the middle and 11th grade students. As stated previously, several students in the 12th grade transferred into Shore Institute during the current school year from public or other private schools. Consequently, they might not have received the kind of instruction from Teacher A or the school administrator who regularly implemented DBQ-based debate assignments in their classes. Moreover, Teacher B was a first-year educator who disclosed to the researcher that conducting debates in his classes would be a “good idea” (Field Notes, January 8, 2016). Consequently, the teachers’ pedagogical reasoning (Wineburg, 2001) with regard to implementing pedagogical strategies, such as debates, was a factor in student demonstration of HE.

Third, the students were more concerned about their “performance” in the debate stating, “we are very competitive and want to win” (Field Notes, January 8, 2016). Noddings (2002) states, “competition can be fun...but, if competition induces insensitive interactions, teachers should draw this to the attention of their students and suggest alternative strategies” (p. 20). The researcher attempted to keep the 12th grade students focused on the topic by stopping the debate a few times and reminding students to refer to document evidence to support their arguments.

With the researcher's assistance, the students demonstrated considerable levels of HE after narrowing their focus to document analyses. For example, the students who argued that Jennings' actions were justified cited the DBQ #2 (Appendix D) to support that Jennings abided by the common carrier laws because she was not being "notoriously and unequivocally bad" (Kinnicut, 1851; Field Notes, January 8, 2016). They also stated that Jennings might not have known about the policy and therefore should not be at fault. The opposing side argued, "ignorance to the law doesn't excuse breaking it" (Field Notes, January 8, 2016). Consequently, when the researcher redirected the students' attention back to the source evidence, the competition was channeled into what Noddings (2002) describes as "fruitful analyses of competition [the debate] at other levels of society" (p. 20).

When the researcher asked at the conclusion of the debate what the students learned from the opposing side's arguments and the Elizabeth Jennings story in general, she received some interesting responses. The majority of students in the 7th and 8th, 11th, and 12th grade stood firm in their belief that Jennings' actions were just, that her challenge to segregation and her lawsuit were right even though these practices were accepted during the 1850s, and that "these things don't happen as much anymore" (Field Notes, January 8, 2016). Some students indicated that racial inequality does still exist in the United States, but that the events "are more understated and less extreme" (Field Notes, January 7 and 8, 2016). The researcher made notations to ask students about these two points in further detail during the focus group sessions to evaluate for evidence of HE and CRC in Chapter 6.

Class Discussion

Class discussion yielded productive conversation and considerable levels of HE during this study. The class discussions included topics such as Elizabeth Jennings' life and court case,

antebellum American society, the American Revolution, the mid-20th century civil rights movement, and current events in the middle and high school classes. The researcher modeled Kohlmeier's (2005) Socratic questioning method by arranging the students' desks in a circle in order to evaluate whether this technique was effective or ineffective in promoting HE in secondary social studies classes. Furthermore, the researcher prepared in-class discussion questions (see Appendix I) for each day of the study based on Kohlmeier's (2005) three-step approach, as discussed in Chapter 2, in order to guide the students' conversation about the application of the source material the EJP essential question "is it ever O.K. to break a rule or a law?" Kohlmeier's (2005) research indicated that "how and why" questioning protocols in ninth grade high school social studies classes produced higher levels of HE; therefore, the researcher asked these types of questions in order to measure for student demonstration of HE.

The class discussion yielded among the highest levels of HE among the middle and high school students. The 7th and 8th graders averaged a score of 3 out of 5; the 11th grade scored an average 2.89 out of 5; and the 12th grade scored a 3.075 out of 5 on the HEMR. The school administrator noted that he was not surprised at these results, stating, "Students (especially these students we observed) love to talk. And it's great to give them the opportunity to do this during class" (Field Notes, July 5, 2016). According to Lee and Shemilt (2011), students who score a Level Three in their HE Framework are able to make generalizations about historical content and do not view the past as defective, but might base generalizations on stereotypes. There were no significant differences between the middle and high school students in this category of pedagogical factors that may or may not promote HE. The topics each grade focused on during their class discussions varied. For instance, the 12th graders addressed issues of gender and the physical

assault of Jennings by the conductor. Several students stated that the fact her clothes were ripped could mean, “she was weaker or not respectable” (Field Notes, January 6, 2016).

Additionally, the 12th graders were the only students that raised matters of gender with regard to Jennings’ treatment and her case. The researcher asked the class why they believed that Jennings’ gender was important. One female student remarked that “power” played a role in Jennings’ case and “if I were in her situation I’d raise awareness because women are not weaker than men” (Field Notes, January 6, 2016). Another female student noted that “authority” was an issue because “this is how society worked” (Field Notes, January 6, 2016). The male students discussed that women “lacked rights,” that being a women “probably helped her case” and made her “more driven to fight,” and that they were “surprised no one helped” Jennings when she was forced off the trolley (Field Notes, January 6, 2016). According to Kornfeld (1992), the inclusion of diverse voices in primary and secondary sources, can promote HE and “contextual thinking” among male and female students (p. 28). The class discussion served as an effective pedagogical factor that contributed to the 12th graders’ demonstration of HE in this study.

The 11th grade students concentrated on what was considered “truth” in history textbooks during the class discussions. One student noted that “the North is less about slavery,” but the other students began to discuss the positions of Fernando Wood, the former Democratic mayor and congressman from New York City who was in favor of slavery and racial segregation. Teacher A asked the class, “is better good enough? Does freedom mean equality? How does it make you feel what you know may not be ‘true?’” (Field Notes, January 6, 2016). Students chimed in, responding that they felt “disgusted,” “confused,” and “awful” (Field Notes January 6, 2016). The student stated during one discussion, “We are taught that the North was ‘good’ and the South was ‘bad’” but the textbooks aren’t true. They should be updated and use actual

evidence” (Field Notes, January 6, 2016). The 11th grade students’ questioning of what is considered historical “truth” and “fact” in the social studies curriculum evidences HE as they were engaging in perspective recognition and perspective taking with regard to identifying the varying points of view of authors in primary and secondary source documents (Endacott, 2010; Barton & Levstik, 2004).

Furthermore, the researcher asked the 11th grade class what kind of data they believed constituted historical evidence. Students stated that the media influences how people understand history. One student noted, “there are peaceful protests about black men being shot but we only hear about violence on the news. The media decides what to report” (Field Notes, January 6, 2016). The researcher asked how the media decides what to report, and if these reports can influence what materials are included in textbooks. One student pondered this question and said, “well, the technology was different during Elizabeth’s [Jennings] time. And the sources we have are just a few articles. But during the Rosa Parks time, there was TV and more people to see what happened so maybe it’s about awareness to what’s going on that impacts what is recorded as history” (Field Notes, January 6, 2016). Lee and Ashby (2001) note that the identification of “technological progress” could indicate that students demonstrate lower levels of HE because “the past was defective, technologically speaking” (p. 44). The researcher, however, did not see the identification of technology by the students as evidence of lacking HE, but rather building the historical context in which how and why the media and dissemination of the news impacts what is recorded as history. The students’ comments indicated that they were aware that textbook materials were not gospel, and that their historical contextualizations of race and racism in the past and present were predicated upon the background and bias of sources and individuals’ social identities (Loewen, 1995; Epstein & Shiller, 2005).

The 7th and 8th grade students focused on whether Jennings made an impact in United States history if she was not “famous” during class discussion (Field Notes, January 5, 2016). Like the 11th grade, the middle school students discussed the role of technology during the 1850s and how that might have “slowed down how people got the news” (Field Notes, January 5, 2016). The researcher asked how information was reported on in the news during the 19th century and students identified the telegraph, newspapers, and word of mouth. She asked next why Jennings was not “famous.” One student stated, “Elizabeth Jennings is overshadowed by Rosa Parks because TV made Rosa Parks famous. There was more of an impact and quicker action” (Field Notes, January 5, 2016). Another said, “There aren’t a lot of documents about Jennings so if not much is written how can you make someone famous?” The researcher asked the class if someone has to be famous to be historically significant. The students unanimously said “no,” but one student stated, “if few people know about something, then how can a big change happen? Rosa [Parks] was arrested and started the boycott. That didn’t happen with Elizabeth [Jennings]” (Field Notes, January 5, 2016).

The students in all of the participating classes expressed during the in-class discussions that they wanted to compare Jennings to Rosa Parks. One 12th grade student said, “her [Parks’] story was so familiar to Elizabeth [Jennings], but not the same. I mean, I couldn’t help but make that comparison in my brain” (Field Notes, January 8, 2016). When the researcher asked why this student felt that way, he stated, “the story is so familiar” (Field Notes, January 8, 2016). One international student said she read about Rosa Parks “in a storybook. So she’s kind of known outside the United States” (Field Notes, January 8, 2016). The middle school students questioned whether Jennings was historically significant even though she was not famous. One student stated, “[Harriet Tubman] helped so many people. So she became famous. Jennings

didn't help a lot of people but herself" (Field Notes, January 7, 2016). The researcher asked, "does someone have to do something splashy and be famous to make a positive difference?" The students said, "no," but their reluctance to identify Jennings as an important historical figure like Rosa Parks and Harriet Tubman points to the possible effects of heroification on the students' demonstration of HE. Loewen (1995) argues that heroification "sanitizes" historical figures and leaves children with "melodramatic stick figures" and few "realistic role models to inspire them" (pp. 36, 35). Elizabeth Jennings' historical obscurity seems to have led middle school students to express a truncated understanding of historical context with regard to the role of underrepresented peoples in United States history.

Independent Reviewers' HEMR Scores

As mentioned in Chapter 3, two independent reviewers were purposefully chosen by the researcher to provide validity to the students' HEMR scores from the EJP. Reviewer A and Reviewer B scored the students' K-W-L Charts, Mind Maps, First or Third Person Narrative Essays, DBQ essays, and Debate Templates. Since the reviewers were not present at Shore Institute during the implementation of the EJP, they were not asked to evaluate students' class discussions on the HEMR. The researcher compared her averaged scores for each of the participating classes on these five elements of the EJP, omitting the class discussions, in order to analyze how her HEMR scores compared with the independent reviewers. These findings are in Table 8:

Table 8. Independent Reviewers' and Researcher's Overall Averaged HEMR Scores

Scorer	7 th and 8 th Grade	11 th Grade	12 th Grade
Researcher*	2.695	2.6925	2.33
Reviewer A	2.35	3.733	2.32
Reviewer B	2.85	2.92	2.13

*** The researcher's scores in Table 8 was an average of the class' HEMR scores on all the EJP assignments except the class discussion. Reviewer A and B were not present for the class discussions and did not provide HEMR scores.**

The independent reviewers' HEMR scores were somewhat consistent with the researcher's findings from the data analysis of the EJP assignments; however, the researcher's HEMR scores were lower than the independent reviewers'. The researcher asked the reviewers in separate interviews about how they arrived at their HEMR scores after they submitted their results. Reviewer A stated that she "felt bad" giving students a lower score (Field Notes, July 23, 2016). Reviewer B said he believed that his scores were "liberal" because he didn't know the students and wanted to give them "the benefit of the doubt about their understanding of historical empathy and the materials [in the EJP]" (Field Notes, July 25, 2016). The researcher asked whether knowing the students would have made a difference in their HEMR scores. Reviewer A noted "probably, because I would also be more familiar with teaching and grading assignments for historical empathy" (Field Notes, July 24, 2016). Reviewer B observed that students in his former school in the Southwest would probably yield lower results from the students at Shore Institute, stating that "their [the students'] experiences living in the world's 'melting pot' probably impacted how they viewed issues of race versus how students in a more homogenous location would" (Field Notes, July 25, 2016). The reviewers' data analyses supported Cunningham's (2009) concerns with evaluating students for HE, as different teachers have different experiences and definitions for what HE is and how they would assess for student demonstration of HE.

The school administrator also provided some interesting insights about the researcher's HEMR scores. He stated that his scores were "consistent with what I observed" during the implementation of this study (Field Notes, July 5, 2016). In particular, he noted that the time constraints of the forty-five-minute class periods probably impacted the students' scores on the DBQ essay:

I think if students [had more time to] learn how to work more with DBQs in class...I think they'd be able to see not only an improvement in the quality of their writing (let alone more of a motivation to do it), but they will be able to empathize more with the subject they are reading about. Not to mention if it was a subject they were *interested* in. If we had some more time, we could have extended the unit out and read the DBQs in class. They could have been broken down more and students would then have been able to see what they could've put in the essay (Field Notes, July 5, 2016).

Pedagogically speaking, the school administrator identified issues of student experience working with DBQs and time constraints that might have hindered some students from scoring higher on the HEMR. In order for students to grasp the elements of HE; which are perspective recognition, identifying historical context, and making affective connections to content; they must be able to master certain literacy skills, such as reading comprehension from different texts. Cornbleth (2001) contends that “devoting more time to ‘basic skills’ or information acquisition leaves less time for other learning” (p. 91). However, there were several ESL/ELL and special needs students who participated in this study that were not reading on grade level and needed extra assistance to complete the EJP assignments. Since extending the participating classes’ social studies periods was not feasible when the researcher conducted this research, having the study run for several weeks might have yielded different HEMR scores for students in the participating classes.

Summary

There were several pedagogical factors that contributed to student demonstration of HE in the EJP. Among the most effective instructional activities included brainstorming assignments such as the K-W-L chart that asked students to identify their interests and academic prior

knowledge of content material, as well as their personal connections to the content being studied. Class discussion with questions specifically designed to focus conversation on source material in which students could identify differing perspectives of others, examine the differences between the past and present, and make connections to personal experiences and current events was an effective technique to promote HE in middle and high school social studies.

Narrative writing did not garner high measures of HE in this study. The researcher contends that more class time would need to be dedicated for students to read the documents in more detail to expand on the application of evidence in first and third person assignments. In particular, the first person narratives and third person narratives shared similarities in that students tended to summarize the main points of the Jennings case and ordeal without deep analyses of the perspectives of the people involved in her ordeal during the 19th century. Students were focused on providing “right” answers in the writing assignments, which is indicative of the emphasis the general education climate in the United States places on student success as being equated to getting “correct” answers on exams. Overall, the discussion and debate oriented activities grounded in primary and secondary source research in the EJP were most effective in promoting HE and CRC in middle and high school social studies classes in a metropolitan region of the Northeast.

6 FINDINGS, CRITICAL RACE CONSCIOUSNESS

Focus group interviews were conducted in order to evaluate whether students' social identities contributed to demonstration of HE and CRC through analysis of an underrepresented historical figure in the EJP. Social identities include students' racial, ethnic or national origin, gender, and religious identities (Epstein & Shiller, 2005). The focus group participants were purposely selected by the school administrator to represent a typical sample of the demographics of the student body at Shore Institute. Students responded to questions the researcher prepared based on the MMRI (Sellers, et. al., 1998) and Carter's (2008) definition of CRC (Appendix H). Three major themes with regard to whether students' social identities impacted demonstration of HE and CRC emerged. These themes were ethnicity, depictions of race in the social studies curriculum, and connections to current events and personal experiences.

Ethnicity

Similar to the pilot study, the student participants in the focus group sessions strongly identified with their ethnicity and religious affiliations when asked to self-identify their race. The researcher asked the groups about the difference between a race, religion, and nationality. The students responded that a race "is someone's skin color," a religion is "what someone believes," and a nationality is "where someone is from" (Field Notes, January 8, 2016). The students identified themselves based on their religion or nationality. For example, students stated they were "Jewish," "Muslim," "Chinese," "Egyptian," "Italian," "Haitian," "Ukrainian," and "Dominican" (Field Notes, January 8, 2016). The researcher clarified what she meant by racial identification to the group, stating she wanted to know how they identified themselves by their skin color, and that ethnicity was related to family origins. Two students, one Haitian and one European-American, stated they were "unclear" about what to do, so the researcher told the class if they

felt more comfortable identifying themselves from their ethnic and national origin, they could. One student stated, “I am of the human race... Seriously, what difference does race make? I don’t get it to prove I’m something?” (January 8, 2016). The researcher thought the student stated remarked in jest, but he looked at her very seriously and said, “No, I mean that. I don’t get that” (Field Notes, January 8, 2016). Therefore, these responses highlight that the students who participated in the focus group sessions strongly to their ethnic and religious background instead of race.

Moreover, the high school students indicated that they were surprised Jennings’ case occurred in New York because “slaves escaped to the North from Southern slavery,” and that “New York is a place with many different neighborhoods and cultures like Chinatown or Little Italy” (January 8, 2016). The researcher asked if people living with those of the same or similar ethnic groups constitute segregation. One student said, “No. People naturally congregate with similar people and communities.” Another student stated, “it’s good not to blend in because you can experience different cultures.” The researcher asked if tensions ever existed between ethnic groups in the New York or other cities. One student said, “Yea, racial issues exist but evolved. People interact with each other. Depends on how you’re brought up but we sit together and feel comfortable.” Another said, “Race and racial issues exist on a lesser scale today. Laws exist to inhibit but not stop racism” (Field Notes, January 8, 2016).

Although these findings may suggest that students were unaware of race and racial identity, hence possessing a lack of CRC concerning underrepresented historical figures, the study participants might have used ethnicity as a proxy for racial identification. According to Rich (2004), voluntary racial and ethnic identification pertains to morphology-based ascription in which “a subject interprets another person’s visible, physical features to correlate with a set of

features she identifies with a certain race or ethnic group” (p. 1146). Furthermore, as a person increases their interactions and exposure with different people, their ability to assign features to specific ethnic and racial groups become less certain as he or she realizes physical and cultural attributes to one or more racial and ethnic groups (Rich, 2004, p. 1146-1147). The researcher deduced that the students’ responses might be indicative of the history and contemporary impact of immigration in urban areas of the Northeast, but was not a complete reluctance to racially self-identify.

Reviewer B noted this same observation with regard to the students’ exposure to cultural diversity when evaluating students’ HEMR scores on the EJP assignments. Schwartz and Goldberg (2013) note that students in ethnically diverse schools tend to express the historical comprehension and emotive responses to content as a product of the Israeli “Melting Pot” policy (p. 281). The Israeli Melting Pot policy refers to “immigration absorption” that “sought to educate immigrants in the image of the ‘New Jew’ (secular, productive citizen capable of armed defense of the country)” (p. 277). Although this study took place in the United States, several student participants in this study identified their ethnicity as their Jewish faith. That said, the Israeli “Melting Pot” policy is not a new concept to American education, dating back to the Progressive Era with curricula like Rachel Davis DuBois’ Intercultural Education Movement (ICEM) programs from the 1920s through the 1940s (Bohan, 2007). The focus group data shows that the EJP promoted HE and CRC in the spirit of the intercultural education goals through pedagogical protocols that raised awareness to the ethnic pluralism and complexities of national origin and race in United States history.

Depictions of Race in the Curriculum

The students indicated during the focus group interviews that depictions of race in the

EJP and the social studies curriculum in general were factors that shaped HE and CRC. When the researcher asked what the students thought about issues of race in United States history and Elizabeth Jennings, the majority of students in the middle school class said that it was “boring” (Field Notes, January 8, 2016). When the researcher asked the students to explain what they thought was boring, they noted that the story of Jennings was interesting and surprising, but the redundancy of articles and documents about her case were not interesting. One student said, “this would’ve been better if like we learned about Jennings but then other people like Martin Luther King, Rosa Parks, and Harriet Tubman” (Field Notes, January 8, 2016).

The researcher found the middle grade students’ sentiments about wanting to learn about more people involved in civil rights interesting. However, when she asked the students about whether they wanted to learn about more obscure people like Jennings, they overwhelmingly said “no” (Field Notes, January 8, 2016). These findings align with Weinburg and Monte Sano’s (2008) research that nearly 40 years after the passage of the Civil Rights Act, the same names recur with regard to whom students believed were “famous” and “influential” historical figures with regard to the Civil War and Civil Rights Movement of the 20th century (p. 646).

Similar to the in-class discussion topics, the 11th grade students addressed their concerns about what is considered historical “truth” and the underrepresentation of minorities and controversial topics in their social studies textbooks. The 11th grade focus group participants raised the issue of how teachers, schools, and textbooks seemed to be too “sensitive” about topics of race. One student noted that she attended different private schools, and that “My old schools didn’t teach race. They were too sensitive but here we talk so much about it. Like only a day for Black History Month is spent on like one person. That’s not relevant. People are so politically correct and teachers and schools are afraid they could get sued for offending people. We use outdated,

horrible textbooks. Nothing is current” (Field Notes, January 8, 2016). The researcher responded by asking why they thought some history textbooks did not include certain information. A student stated, “race is treated like top secret information that the government doesn’t want us to find out about” (Field Notes, January 8, 2016). Another student replied that she was surprised to learn about Jennings because “textbooks need more context. It’s like government censorship.” Another student interjected, stating, “textbooks decide what’s important, and let’s face it there were probably like thousands of people like Jennings who were kicked off trains so you have to choose who to include. Like Rosa Parks” (Field Notes, January 8, 2016).

The researcher was intrigued by the students’ beliefs and observations about inclusion and depictions of race in history textbooks. She asked, “is it possible to include everyone who ever did something historically significant in their community or country?” One student said, “no but other people should be mentioned. The North looked amazing but it’s not the whole truth” (Field Notes, January 8, 2016). The inclusion of other civil rights figures who represented diversity was an issue the students believed would strengthen their interest and comprehension of Jennings’ historical significance in U.S. history.

The students’ remarks about “government censorship” indicated to the researcher that these focus group participants were cognizant of HE and CRC with regard to issues of power and control over the content that is taught in public and private schools (Loewen, 1995; Kozol, 1991). Giroux (2010) states that the “dialectical relationship between power and ideology” and “loss of interest in history” can be attributed to “the very existence, interests, and consciousness of the dominant class are deeply integrated into a belief system that legitimizes its rule...[and] leaves little room for an oppositional historical consciousness to develop in society at large.” Moreover, Cornbleth (2001) contends that climates of censorship in social studies classrooms are

“continually contested as various groups attempt to promote their interests and preferred values, norms, and beliefs. Inclusion in (or exclusion from) school curriculum gives official sanction and legitimacy to one’s views and position” (p. 83). The responses from the focus group sessions indicate that students demonstrated high levels of HE and CRC with regard to their awareness of power struggles that exist with regard to censorship of certain topics in school and the representation of race in the curriculum.

Affective Connections to Current Events and Personal Experiences

Current events and students’ personal experiences played a significant role in student demonstration of HE and CRC during focus group interviews. According to Endacott and Brooks (2013) and Brooks (2011), “students who were encouraged by their teacher to draw parallels between historic events and present-day affairs, were able to see aspects of the past and present as analogous and thereby better understand their current world” (p. 45). The researcher did not specifically include current events issues dealing with civil rights and race in the EJP, but asked the students in the focus group sessions whether they thought there could be connections to Jennings’ ordeal and case to contemporary issues. Differences in students’ racial and ethnic social identities impacted demonstration of HE and CRC with regard to connecting current events and personal experiences to the EJP.

The Caucasian and Asian students in the middle and high school focus groups predominately stated that Americans are equal and free today and that attitudes of racism are “outdated,” “evil,” and “stupid” (Field Notes, January 8, 2016). Differences emerged between the White and Asian students’ perspectives with regard to the existence of racial issues in contemporary times. One white middle school student said that “there is no more slavery, so we are free” (Field Notes, January 8, 2016). Two high school students remarked that “these issues exist but

evolved. People interact with each other. Depends how people are brought up to feel comfortable and not discriminate,” and that “race and racial issues exist on a lesser scale; laws exist to inhibit but not stop racism and racists” (Field Notes, January 8, 2016). The younger Asian and White students expressed their awareness that racism and racial inequality existed in the past, but that the absence of slavery meant that all citizens were free. The older White and Asian students expressed beliefs that issues of racism and racial inequality exist in the present, but to a lesser extent as compared to the 19th and early 20th centuries.

Students that ethnically identified as Hispanic, African, or Muslim in the middle and high school focus group sessions disagreed with their White peers that racism and racial discrimination did not exist on a lesser scale as compared to the past. An 11th grade student who identified as African American stated, “people say I’m not racist but you might get a bad vibe from someone who’s Black or Spanish. This happened to me on the subway. This White guy had an attitude and moved away from me. I feel bad at this time people still think a black person might rob you. People are people; don’t judge skin color but personality (Field Notes, January 8, 2016). Another African American student nodded in agreement and stated, “racism holds us back from advancement...racism and prejudice will never go away” (Field Notes, January 8, 2016). An Asian student remarked, “racism holds us back from world peace...there is always violence and that builds upon more conflict” (Field Notes, January 8, 2016). A Hispanic student responded, stating, “yeah but you should take a stand and (sic) what you believe in. Elizabeth [Jennings] did that” (Field Notes, January 8, 2016).

One African American student in the middle school group rattled off a list of examples race and racism; including Trayvon Martin of Florida, the Dylan Roof shooting of parishioners at a historically black church in Charleston, and the Eric Garner case in Staten Island; stating, “to

be honest, this is America and people aren't free. People act this way to raise up their status. We had the Revolution War for liberty, but then there were slaves and women couldn't vote" (Field Notes, January 8, 2016). Another African American student in the middle grade group stated, "I could understand the cop [referencing the Garner case] because he felt threatened but not the church shooting. People who are racist hold grudges" (Field Notes, January 8, 2016). The researcher asked why could people understand the cop's actions more so than the church shooter. A student who identified as African American said, "maybe the police officer misunderstood what was happening to Elizabeth Jennings when he kicked her off the trolley" (Field Notes, January 8, 2016). One student said, "cops try to protect us and they have to make decisions really fast so it's possible they could misunderstand. But that guy in South Carolina knew what he was doing and it was wrong" (Field Notes, January 8, 2016).

Religion was another current event that was brought up in the middle and high school focus groups with regard to the treatment of Muslims in the United States since September 11, 2001, the Paris terror attacks in November 2015, and the rhetoric of some Republican presidential nominees. One student who identified as Arab or Middle Eastern said "these things don't just impact African Americans but everyone. My mom had rocks thrown at her after September 11 because of what she looked like" (Field Notes, January 8, 2016). One student stated that "since the France attacks, everyone is against Muslims. But America is diverse and we are all unique" (Field Notes, January 8, 2016). Another student stated, "we moved a long way from racial segregation but I believe there is a lot of racism towards all races and Muslims. I believe this will always exist" (Field Notes, January 8, 2016). Another student raised concerns about potentially having his father being "kicked out of America" because he is Muslim (Field Notes, January 8, 2016).

Noddings (2002) contends that critical thinking, with “a starting point in moral sensibility,” can foster HE and CRC through scrutiny of societal values, social mores, definitions of “good” and “evil,” and empathetic responses to the different perspectives of people without condoning violence and bad behaviors (pp. 40, 41). The students expressed conflict with regard to understanding the perspectives and actions of police officers in these recent cases, but could not “make sense” of how issues of racial, ethnic, and religious discrimination still exists (Field Notes, January 8, 2016). Part of demonstrating HE involves analyzing the past within its historical context and not through a presentist lens. Although some students explained that understanding how and why people in the past supported discriminatory policies such as segregation “depended on the time [when] things were accepted,” the majority of students in the focus group sessions could not pinpoint strong connections to how past examples of discrimination influenced current events with regard to terrorism, ethnic and racial profiling, and the justice system. Gehlbach (2004) recommends that teachers could “implement a class policy that gives students credit for identifying and documenting incidents in the news where reporters view past events from a present-day perspective or fail to put historical events in proper context” (p. 53). The researcher agrees with Gehlbach, as practice with perspective taking and historical contextualization of documents in social studies classes with current events assignments could elicit higher levels of HE and CRC, as well as deeper historical understanding.

Focus Group Findings

The focus group interviews did not yield significant data with regard to whether the EJP promoted CRC and HE among the student participants of this study. Further study needs to be done about whether a curricular unit about an underrepresented historical figure fosters CRC and HE because the study participants identified with their ethnic backgrounds as proxy for race

(Rich, 2004). The majority of students either identified with their ethnic background and national origin, religion, or no race at all. The focus group interviewees repeated several themes that racial prejudice and racial discrimination “didn’t make sense” in the context of the past and present. Yet, the students were able to explain that socio-economic and political factors, such as white supremacy, slavery and Northern dependence on Southern cotton production, contributed to why people like Elizabeth Jennings faced inequality. Had Rosa Parks been included in this research study as in the pilot study (See Chapter 3), perhaps students would have demonstrated higher levels of HE by being able to connect their prior knowledge of more famous figures to lesser-known ones.

The focus group sessions did reveal that the students were aware of power struggles as present in chosen textbook materials, school policies, ethnic and religious matters, and current events. When the researcher asked the students about what they learned from examining other peoples’ perspectives through completion of the EJP, some students were surprised that they could recognize the perspectives of other people involved in the Jennings ordeal. One student from the 12th grade stated, “I never thought to look at the other side. Like, who knows, maybe the conductor did what he did because he was afraid he’d lose his job. Maybe he had regrets hurting Elizabeth [Jennings]. Maybe he was an awful person. Who knows, but it’s good to see that there can be different versions to stories not just one interpretation” (Field Notes, January 8, 2016). An 11th grade student raised the issue of what is “fact” and “truth” when determining how an event happened. He said, “here you have a case where Jennings gives her side of the story, and her dad gets a lawyer, and her case is argued and she won. That’s really great. But we don’t have Moss’ side of the story. We don’t have the company’s passenger policy. But we know that interpreting what is bad behavior by a common carrier was not objective” (Field

Notes, January 7, 2016). These students were able to acknowledge that other people involved in this case might have had different perspectives about what happened, but that overall Jennings showed “courage to stand up for what she believed in” (Field Notes, January 8, 2016).

Additional Factors

There were additional factors the researcher recorded that may or may not promote HE and CRC with the implementation of the EJP in secondary social studies classes. These factors include student efficacy and the cooperating teachers’ interactions and instructional styles.

Student Efficacy

Student efficacy emerged as a theme in determining factors that contributed to promoting HE and CRC with the EJP. Although 29 students participated in this study, there were six students who did not complete any of the EJP assignments. In addition to the challenges of motivating the 12th graders who had “senioritis” to actively participate in the EJP activities, there were students in the 11th grade who told the researcher they were “too tired” to do all the assignments. One student admitted that he or she did not want to do the work, stating “I should get paid to do this” (Field Notes, January 7, 2016). Although Teacher A told the student that the “payoff is passing [the class] and going to college,” (Field Notes, January 7, 2016), as well as the school administrator reminding all participating classes that their assignments were going to be graded by their teachers, the researcher saw those sentiments as indicative that the EJP was not relevant to the student and caused her to be uninterested in the materials.

Ediger (2004) notes five key characteristics of detrimental student attitudinal objectives with regard that can negatively impact student learning. These characteristics include:

1. Feeling that a course is not worthy in putting forth much effort.
2. Missing class sessions and/or being tardy without cause.

3. Cheating on tests, if possible, to secure “good grades.”
4. Putting forth little effort into course assignments and obligations.
5. Being disrespectful towards others (Ediger, 2004, p. 405).

The researcher did not see evidence of students being disrespectful to each other, the cooperating teachers, or to her; nor did she observe evidence of student cheating on the assignments in the EJP. The challenges the researcher noticed was that some students, particularly in the 11th and 12th grade, did not put much effort into doing the assignments in the EJP because they did not see the intrinsic or extrinsic value in completing the activities as evidenced in comments such as “I want to get paid” to do the work (Field Notes, January 7, 2016).

Evidence of student efficacy with regard to finding the story of Elizabeth Jennings interesting was identified through the researcher’s observations of the class discussions, debates, and focus group sessions. The high school students were impassioned about their feelings about the issue of breaking a rule or a law as applicable not only the social mores of the antebellum period, but also with respect to “fair or unfair” policies they are subjected to in their home and school lives” (Field Notes, January 4, 2016). The 11th grade students, including the student who stated he or she wanted to be “paid” for her participation in the EJP study, were enthusiastic about arguing their positions in the debate, and being intent on proving their point with evidence from the readings. The 12th grade students, despite being mostly consumed on their performance in the debate to “beat” the other group, they mostly addressed the issue of whether being ignorant of a rule or law excuses challenging something unfair.

The middle school students were concerned with the issue of how people behaved, particularly with regard to whether Jennings or the conductor disrespected each other. Although the middle school students told the researcher the EJP was “boring,” they quickly wanted to clarify

that they believed the story of Jennings was interesting, but that she needed to be connected to other historical figures to make the material “less boring” (Field Notes, January 7, 2016). With regard to motivation, these students were the only group who expressed concerns if the materials in the EJP “would be on the test” (Field Notes, January 7, 2016). The researcher asked the students why they were concerned about a test; several students stated, “I want to do well in this class” (Field Notes, January 7, 2016). Cunningham (2009) and Jensen (2008) contend that HE is difficult to assess due to varying levels of students’ content knowledge, maturity, learning abilities, exposure to conducting historical inquiry, and teacher efficacy with regard to what content is taught. These sentiments raised by the students highlighted the issue of efficacy and incentives of doing well on assessments as motivation to engage in the EJP activities.

To some extent, the students’ focus group responses with regard to grades as a motivator to do well on the EJP assignments reflected a popular notion that exceptional test scores reflect success and achievement in school. Carter (2015) notes that since the release of *A Nation at Risk* in 1983, “America’s attitude has reinforced the idea that the test score is the most significant indicator of quality, ability and excellence. This presumption drives the accountability systems of all 50 states and the No Child Left Behind (NCLB) law” (p. 76). As stated in Chapter 2, Leonardo (2009) and Reese (2007) posit that the unintended consequences of NCLB has led to the marginalization of social sciences and enacts severe consequences on “failing” schools, most often urban schools with high minority populations. Shore Institute is a private school with a majority white student body; however, the school administrator told the researcher that students may have been concerned about whether the EJP materials would be on a test because final exams account for 20% of students’ grades in each of their classes (Field Notes, January 23, 2016). Yeager (2005) contends that teachers who engage in “wise practice of history” must “model subject

knowledge, intellectual curiosity, and the joy of learning” to meet the “challenging context of standards and high-stakes testing” (pp. 4, 9). The middle school students were motivated to learn the materials in the EJP due to personal interest as well as scoring well on graded assignments. Overall, the data from this study indicates that student efficacy and attitudinal objectives with regard to the value of completing assignments in the EJP play a major role in demonstration of HE in social studies.

Cooperating Teacher Instructional Style

Although the cooperating teachers were not included as participants in this study, they played an immense role in how students demonstrated HE and CRC with the EJP. Teacher A was a veteran educator with over seven years of experience teaching social studies and English language arts at Shore Institute. She indicated that she taught the students in this study every year since they were enrolled at the school, some since kindergarten. Therefore, she established long-standing rapport with students where she knew their personal interests, academic strengths, and areas of improvement. She also demonstrated strong content knowledge of civil rights in United States history. Her pedagogical style appeared to be one of implementing active learning strategies by engaging students in simulations, demonstrations, and hands-on activities to teach historical content. Moreover, the students seemed to be comfortable discussing the EJP in a circle instead of rows in their classroom, which may be indicative that she differentiated instruction through the arrangement of the classroom.

Additionally, Teacher A played an active role during the researcher’s implementation of the EJP. She often guided students during class discussion about what they knew and learned about civil rights from the K-W-L charts, as well as their overall knowledge of social studies and United States history. She asked specific follow-up questions to the researcher’s inquiries with

regard to specific people, examples of cases, and other connections the students could make to Jennings in U.S. history and contemporary society. For instance, Teacher A told the students that she personally struggled with notions of whether Southerners were “bad” and Northerners were “good” during and after the Civil War because her mother was a native of the Northeast and her father was from the Southeast. She told the class that she observed differences between how people are treated in bigger cities versus smaller towns in the Southeast.

As a result of Teacher A’s sharing of her experiences, the researcher was prompted to share her background as a native of Northeast who lived in the Southeast. She shared this information when a student remarked, “all Southerners must be ignorant and bad if they believed in this stuff [racism and slavery]” (Field Notes, January 7, 2016). When the researcher asked the student if he ever visited the South, he said “no.” The researcher asked how could students come to these conclusions about people living in a region of the country they never visited. Many students expressed that they learned certain stereotypes about people through word of mouth, the media, and what they read in their history textbooks. The researcher discussed how she felt “shocked” and “mad” that she never learned about Elizabeth Jennings when she was a child. She also shared that after living in the Southeast for several years, she has come to realize the abundance of Southern civil rights activists of diverse backgrounds who fought for racial equality before, during, and after the Civil War. By sharing some personal information with the classes, the students seemed to feel comfortable talking about sensitive issues, such as race. In fact, her disclosure of some personal information aided in the establishment of rapport with the students who began to feel more comfortable expressing their opinions about the EJP materials with both Teacher A and the researcher.

Teacher B was more aloof with the facilitation of the EJP. He was a first-year teacher and faculty member at Shore Institute with no prior teaching experience. He assisted with moderating the class discussion during Lesson 1, but did not sit in the circle with the students and researcher during class discussion and debate during the rest of the implementation of the EJP. Teacher B seemed simply observe the researcher, who is an experienced social studies teacher, in her facilitation of discussion and the assignments in the EJP. The researcher tried to include him more in the class discussion by asking him what he thought of the issues in the EJP, but Teacher B was prone to responding, “why don’t we see what anyone else thinks” (Field Notes, January 4, 2016). The researcher did not believe Teacher B was deflecting from the content material of the EJP. She deduced he was either more focused on encouraging the students to share their thoughts on the material, or he might have been uncomfortable with addressing controversial topics concerning race in the EJP.

Endacott and Sturtz (2014) and Cunningham (2009) assert that more teacher experience creating lessons that engage students in perspective taking and recognition, identification of historical context, that connect content to prior knowledge and life experiences have the greatest potential to foster HE. Furthermore, Endacott and Pelekanos (2015) assert that teachers who engage in regular reflection of their pedagogical reasoning when teaching to promote HE can also lead to deeper “enduring understanding” of the elements of HE— which are perspective recognition, identifying historical contexts, and making affective connections to content. Based on the summarized HEMR data in Chapter 5, Teacher A’s classes yielded higher HE scores than Teacher B’s. Therefore, the pedagogical styles and teaching experiences of instructors seemed to influence student demonstration of HE in secondary social studies classes.

Historical Empathy Gap

A major finding in this study was reflected in a seeming “historical empathy gap” between white and non-white students at Shore Institute with regard to the demonstration of HE and CRC through formal skills and experiential knowledge. Carter (2015) contends that “Closing the empathy gap entails massive departures from an ethos of self-involvement to building relationships on all sides: becoming familiar, sharing experiences, and caring whether our societies will be better for all, not just ourselves and our loved ones (p. 76). Although the student participants demonstrated HE and CRC in their EJP assignments and focus group interviews, the data suggests that such a gap exists with regard to the demonstration of academic skills and experiential knowledge. There were discrepancies with regard to HEMR scores based on race, English language proficiency, special education needs, and gender as seen in Table 9:

Table 9. Summarized Data of Students’ Averaged HEMR Scores Based on Demographics

Racial Identification	# of Students	Averaged HEMR Score
African American	5	2.54
Caucasian	9	2.868
Hispanic	6	2.775
Asian	9	2.54
Male	22	2.66
Female	7	2.2
Special Education	11	2.35
General Education	18	2.88
ESL/ELL	4	2.17

Race & Special Needs

According to Table 9, African American and Asian students scored lower than their white peers on the formal skills assessed in the EJP assignments. These formal skills included demonstration of HE by engaging in perspective recognition and identifying historical context through source analysis, narrative writing, and participation in in-class debates. Black and Asian students

scored 2.54 out of 5 on the HEMR, as white students scored 2.868 on the HEMR. Although this difference is not drastic, the students' affective responses to the EJP were different. The majority of white students asserted that race should not matter in society, however, minority students raised issues of racial, ethnic, and religious discrimination in the contemporary United States more frequently. Although Hispanic students scored the second highest on the HEMR with an average score of 2.773 on EJP assignments, they were the least represented demographic group in this study. As a result, this "historical empathy gap" points to disparities between the formal skills and experiential knowledge of HE and CRC students of color and white students possessed while participating in the EJP assignments and activities.

About one-third of the students in this study were identified as having learning or emotional special needs, and had an individualized educational plan (IEP). Of these students, two were female and nine were male. Four African American students out of the five total who participated in this study were classified as special needs. Additionally, of the remaining special needs students, four students were white, two were Hispanic, and one was Asian of Middle Eastern descent. According to Harry and Klinger (2014), African American students account for the highest percentage of students identified as intellectually and/or behaviorally or emotionally disabled as compared to whites, Asians, Native Americans, Pacific Islanders, and Hispanics (p. 2). Kozol (2012, 1991) observed that "these racial breakdowns prove predictive of the school wide pattern" of special education identification and evaluation in many K-12 academies, such as Shore Institute.

Furthermore, the United States Department of Education's Office of Special Education annual report to Congress (2015) found that "black or African American students ages 6 through 21 were 2.14 and 2.26 times more likely to be served under *IDEA*, Part B, for *emotional disturb-*

ance and *intellectual disabilities* respectively, than were the students ages 6 through 21 in all other racial/ethnic groups combined. The risk ratio for Black or African American students ages 6 through 21 was larger than the risk ratio for the students ages 6 through 21 in all other racial/ethnic groups combined for every disability category except *autism, ...deaf-blindness, ...and orthopedic impairments* (p. 28). These statistics support a pattern that Shore Institute's identification of African American students for special education services align with nationwide trends of services provided by the Individuals with Educational Disabilities Act (IDEA) (See <http://www2.ed.gov/about/reports/annual/osep/2015/parts-b-c/index.html>).

Special needs students were mainstreamed in the general education classroom at Shore Institute; there was no resource room services or self-contained special education classrooms. Similar to the accommodations for the ESL students and ELLs, the EJP materials were not drastically modified for the special needs students. Afternoon tutorials at Shore Institute are conducted to provide extra learning support services to students, and there are two teachers who are in the process of being certified in special education who run resource room programs for students twice a week. In general, the special needs students were able to keep up with the pace of the class discussions and complete written assignments, scoring 2.35 out of 5 on the HEMR.

The researcher observed that some of the special needs students demonstrated more difficulty with the demonstration of HE through writing their responses to the EJP activities as opposed to verbally discussing their answers. The majority of special needs students in this study engaged in class discussion and debate without much hesitation or prodding from the researcher or cooperating teacher. One student who was identified on the autism spectrum was able to write his responses clearer than his verbalization of thoughts during in-class discussion and debate. Upon reviewing these observations with the school administrator, he stated that most of these

students were tutored after school by Shore Institute teachers in reading comprehension and literacy strategies (Field Notes, June 23, 2016).

There is little scholarship on effective pedagogical factors that may or may not promote HE among special education students in middle and secondary social studies classes. For instance, Jensen (2008) notes in her study of fifth grade students that she only had access to assess three out of six students with an IEP in her research about the implementation of debate to promote HE. However, Turner (2010) states that although “relatively little research has been published on the teaching and learning of history in schools for pupils with severe learning difficulties,” such studies can reveal the “undiscovered potential” of special needs students when demonstrating historical thinking and understanding (p. 164). Harris-Murri, King, and Rostenberg (2006) call for culturally responsive Response-To-Intervention (RTI) strategies in order to provide more thorough and effective special education evaluations and services for students, particularly those who are non-white, who are in general education classrooms. Since the use of counterstories and culturally-relevant curricula to promote critical thinking, historical inquiry skills, and identity-formation (Tyson, 2006; Kelley, 2002; Buras, et. al., 2010), application of RTI interventions for special needs students in public and private schools may positively impact student achievement as well as demonstration of HE and CRC in secondary social studies classes.

Gender

Gender did not emerge as a theme of discussion about social identities from the focus group interviews. The only time during this study that the issue of Jennings’ gender emerged was during one of the 12th grade class discussions. There was a significant difference between the rates of HE and CRC between the male and female students. Male students scored a 2.66 out

of 5, and female students scored a 2.2 out of 5 on the HEMR; this gender gap yielded a greater difference between white and non-white students. A major reason why there was a large discrepancy between male and female scores in this study was due to the fact that there were almost five-times more boys in the participating classes than girls. A study in which more female students are included might yield higher HEMR scores and CRC results.

Another reason why a historical empathy gap may exist based on gender is because of the lack of inclusion of women's history in the mainstream social studies curriculum. Noddings (2002) contends, "the female view has not been well articulated in the past" (p. 106). Although a woman wrote the EJP about a woman, men wrote the majority of the primary and secondary sources that were included in the EJP. For example, Frederick Douglass (1855) wrote about Jennings, "We hold our New York gentlemen responsible for the carrying out of this decision into practice...they must be craven indeed if they fail to follow the lead of a woman." Douglass (1855) almost seems to shame men in his article about Jennings, stating they would be "craven" not to engage in the same resistance Elizabeth Jennings did. The majority of participants of this study did not identify the historical context of how male attitudes towards women during the 19th century might have impacted Jennings' ordeal and court case outcome. Therefore, there was little evidence of critical consciousness towards gender disparities in United States history narratives or contemporary society from this study.

Furthermore, students' lack of HE for the female role of caretaker in 19th century society also shaped students' beliefs about whether Jennings was considered a "hero" for her actions on the trolley. For example, the researcher asked the middle school students, which was a class of all male children, about Jennings' occupation in order to press about whether she was a significant historical figure even though she was not famous. The students read the documents; one

student said, “she was a teacher.” The researcher asked “was she a teacher in an integrated or segregated school?” The students said, “a black only school.” The researcher asked, “O.K. and she sued the trolley company because she wasn’t allowed to ride because of her race. She taught in a segregated school. She isn’t well known, but did she make an impact anyway?” After a few seconds of silence, some of the students responded, “maybe” (Field Notes, January 8, 2016). Consequently, exercises, such as role-playing and simulation, might have contributed to greater levels of HE with regard to the female experience in the EJP.

According to Noddings (2002), the four elements of moral education; which are modeling caring behavior, having regular dialogue with students about their perspectives and feelings, practicing caregiving activities, and confirming students’ perspectives and feelings (pp. 15-21) can contribute to greater levels of HE and CRC through learning to care about and care for others. With regard to Jennings, she was a caretaker as a schoolteacher, daughter, wife, and mother, as well as a woman whose “warrior model” was a major part in her challenge to her ejection from the streetcar (Noddings, 2002, pp. 109-110; 113). By including “phenomenologies of good and evil from the perspective of feminine experience” (Noddings, 2002, p. 117) in social studies instructional units such as the EJP, students may have greater opportunity to evaluate and re-evaluate historical narratives, as well as fostering “critical thinking...that help students to understand how people are manipulated by leaders and governments into projecting evil onto other human beings” (Noddings, 2002, p. 116).

ESL/ELL Population

There were four students who participated in this study that were English language learners (ELL) or English as a Second Language (ESL). The majority of the ELL and ESL students were from China living in the United States with guardians or sponsor families. The students

were mainstreamed in the general education classroom and demonstrated varying levels of English language proficiency. Consequently, the ESL and ELL students scored, 2.17 out of 5, the lowest on the HEMR scale, as compared to native-Language speakers. There are some factors that may have contributed to these low HEMR scores in the EJP. First, most of the ESL/ELL students used translation devices during class to complete the EJP activities; however, they did not have regular English immersion or bilingual instruction at Shore Institute. The researcher noted the issue of English language fluency as a factor that may or may not have impacted their demonstration of HE. Given that Shore Institute is a very small private school, resources including translation materials and ESL and ELL instruction are not widely available.

The researcher member-checked with the school administrator about the ELL/ESL HEMR scores. She worked with him to modify the EJP materials by reducing of some of the text in the DBQs and articles (not the amount of readings) and replaced some complex vocabulary terms with more vernacular terms (i.e., the term “redress” in Document #3 to “compensation” in Elizabeth Jennings’ testimony about her ejection from the streetcar). He observed that the ELL/ESL students, particularly in the 12th grade “scored overall levels higher than anticipated. This is a good thing, as American civil rights isn’t easy for foreign students to associate with (I think language acquisition also plays a factor in this, as their scores were higher than the international students in Grades 7/8 & 11)” (Field Notes, July 15, 2016).

The school administrator’s observations were insightful, as several of the international students at Shore Institute came from communist or former communist countries in Eastern Europe and Asia. Although Hunt (2007) argues that after “nowhere was the progress of human rights more apparent than among Communists, who long resisted this call” after World War II, she was referring to nations in Western Europe (p. 207). According to the Human Rights Watch

World Report (2015), Russia “took another leap backward in 2014 by intensifying its crackdown of civil society, social media, and the Internet” after the takeover of Crimea from the Ukraine (<https://www.hrw.org/world-report/2015/country-chapters/russia>). Furthermore, the Human Rights Watch (2015) identifies China as “an authoritarian state, one that systematically curbs fundamental rights, including freedom of expression, association, assembly, and religion, when their exercise is perceived to threaten one-party rule” (<https://www.hrw.org/world-report/2015/country-chapters/china-and-tibet>). Consequently, the fact that the international students who participated in this study scored relatively high HEMR scores about Elizabeth Jennings indicates how the elements of HE— perspective recognition, analyzing historical context, and making emotive connections to content might— be relatable to children from diverse ethnic, national, and governmental origins.

Second, the majority of the ESL and ELL students were able to write their responses in the activities of the EJP, but tended not to speak as often as native English language speakers. The researcher tried to pair the ESL students and ELL learners with native speakers during the debate activity in order to offer support for completing the assignment and participating in the activity. Additionally, the Teacher A and B sat with the ESL/ELL students from time to time during the in-class discussions to help the students keep up with the pace of the conversation and to contribute using their reading and writing materials. There were times, however, when some of the ESL/ELL students did not participate in the class discussion and debate, and did not write any notes in their packets or notebooks. Although scholarship on ESL and ELL instruction in social studies is growing, there is a lack of research on effective strategies to promote HE and CRC among ELLs and ESL students. Southall (2016), and Cruz and Thornton (2013) note that effective methods for ELL and ESL instruction in secondary social studies includes providing

students with many opportunities to engage with reading and writing, textual and visual resources, culturally-relevant biographies, maintaining contact with parents or guardians, and differentiating instruction to foster active and engaged learning. The researcher recommends further study into how curricular modifications to social studies and history curricula for ELL and ESL students to demonstrate HE through reading, writing, and verbal protocols.

Summary

The focus group interviews with the middle and high school students revealed interesting insights about how ethnic and religious affiliation impacted demonstration of HE and CRC with the EJP materials. White students scored the highest on the HEMR, followed by Hispanics, Asians, and African Americans. White students demonstrated higher HEMR scores when identifying perspectives of authors and historical context of documents in the writing assignments of the EJP; however, students of color demonstrated higher HEMR scores with regard to CRC from their affective connections to the EJP content. Although the majority of students in the focus group sessions insisted that the existence of racial discrimination in contemporary times was absurd, the students who identified as Middle Eastern, Hispanic, or African American shared more personal and vicarious experiences about being treated unequally due to their race or ethnicity.

Furthermore, the majority of special needs participants in this study were students of color. Therefore, examination of the practices in which students are classified as special needs or in need of an IEP at Shore Institute should be explored in order to determine whether race played a conscious or unconscious role in classifying minority students as requiring special services. None of the focus group participants seemed to be aware of these statistics; however, the school administrator noted that these were statistics that “definitely need to be reviewed” by the principal and other personnel (Field Notes, January 8, 2016). Although students who were special

needs did not score significantly lower than their general education peers, further studies need to be conducted on factors that can foster HE and CRC in social studies among special needs students.

The greatest disparity that emerged from the HEMR scores was between male and female students. There were almost five times more boys than girls who participated in this study. Although there were more boys than girls enrolled at Shore Institute, the inclusion of more female students in this study might have yielded different results on the HEMR with regard to perspective recognition, historical context, and affective connections to the content of the EJP. Moreover, ELL/ESL students, although scored lower on the HEMR than their English-fluent peers and coming from countries of origin where human rights are repressed, they were able to demonstrate HE and CRC from their writing assignments from the EJP and focus group responses. Overall, the focus group session results show that the majority of student participants exhibited difficulty understanding the basis for being racially discriminated against in the past and present. However, these students demonstrated HE and CRC by deliberating socio-economic and political factors for why racial discrimination was practiced during the 19th century, as well as listening to the experiences of their peers about issues of inequality in contemporary times.

7 DISCUSSION

Historical empathy (HE) is a growing subfield of social studies education. HE involves academic comprehension of, and affective responses towards, historical content. The main elements of demonstrating HE include recognizing the perspectives of others, identifying historical context, and making emotive connections to life experiences and prior knowledge. The majority of existing HE studies focus on student demonstration of HE through analyses of well-known or highly publicized historical events and figures; however, there are few studies that address whether students can display HE when studying an underrepresented historical figure.

Elizabeth Jennings is an example of an underrepresented historical figure. She was an African American schoolteacher in segregated New York City schools who was ejected from a trolley in 1854 due to her race. Her lawyer Chester A. Arthur represented her in New York Supreme Court, suing the Third Avenue Streetcar Company and won. However, her achievement using the legal system to challenge de facto segregation ordinances in the antebellum North are largely unknown. One reason for her obscurity may be due to the fact primary sources about Jennings are scarce. Another reason may be due to the impact of heroification and tensions between determining “official” and “unofficial” histories of who and what should be included in the mainstream social studies curriculum and narratives of United States history. Traditionally, history and social studies textbooks have presented Eurocentric narratives of United States history, where racial, ethnic, and gender minorities are marginalized. Therefore, the purpose of this research is to contribute to the growing field of HE scholarship by analyzing which factors, if any relating to instructional practices, curricula design, and students’ social identities, fostered historical empathy and critical race consciousness among secondary social studies students.

Summary of Study Methodology

A qualitative research design was undertaken in this study to examine whether or not pedagogical factors in the instructional unit “Elizabeth Jennings Project,” as well as students’ social identities, promote HE and CRC in middle and secondary social studies classes. Case study methodology was selected in order to provide rich descriptions of factors from the facilitation of the EJP fostered HE and/or CRC in middle and secondary social studies classes. This case study was conducted at Shore Institute, which was a private, co-educational school in an urban area in the Northeast. The researcher engaged in participant observations, recorded field notes during the implementation of the EJP, and analyzed student work by using the HEMR, which was adapted from Lee and Shemilt’s (2011) Five-Level Framework for assessing HE, to determine if any of the EJP protocols elicited HE among the student participants. Two independent reviewers evaluated the students’ assignments using the HEMR, to enhance the validity of the researcher’s scores. Member checks were conducted with the school administrator and cooperating teachers to ensure the accuracy of the researcher’s HEMR scores and field observations. Moreover, focus group sessions were held with a sample of students from the participating classes in order for the researcher to investigate whether or not students’ social identities contributed to HE and CRC through engagement in the EJP.

Summary of Research Findings

The aim of this study was to investigate whether verbal and written activities involving primary and secondary source analysis of Elizabeth Jennings in the EJP impacts students’ cognitive and affective demonstrations of HE. The research questions that framed this study were:

1. Can an instructional unit about an underrepresented historical figure promote historical empathy? If so, how? If not, why?

2. Do students' social identities impact demonstration of historical empathy and critical race consciousness through primary and secondary source analysis of an underrepresented historical figure? If so, how? If not, why?

There were pedagogical elements of the EJP that fostered evidence of HE through student source analyses of an underrepresented historical figure, and some that did not. Based on the HEMR, students yielded highest scores of HE among the following activities: 1) the brainstorming K-W-L Chart and Mind Map graphic organizer; 2) in-class debate; and 3) in-class discussions. HEMR scores were the lowest on the narrative writing assignments, which included 1) a first or third person narrative; and 2) a DBQ essay based on primary and secondary source evidence about Jennings. There were not significant differences between the HE scores based on the students' age, grade level, and self-identification of race. However, the researcher found evidence of a "historical empathy gap" with regard to disparities between the academic skills of HE and emotive responses to content between white males and students who were female, English language learners, racial or ethnic minority, and those with special needs. These findings suggest that white students possess stronger formal skills in identifying historical context and perspectives of authors in sources, and students of color demonstrated stronger affective connections to content with experiential knowledge of matters concerning race.

Focus group data further supported these findings of a "historical empathy gap" with regard to students' demonstration of CRC and HE in this study. Although students mostly self-identified based on their ethnic and religious background, the researcher concluded ethnicity was used as a proxy for racial self-identification (Rich, 2004). This research did not yield significant results to argue that the EJP promoted heightened HE and CRC among the study participants. However, the focus group sessions revealed that although all students were aware that racial ine-

qualities existed in the past, white and Asian students were more apt to believe racism was obsolete as compared to black, Latino/a, and Hispanic students who believed that racism was still prevalent in society. The students displayed CRC through analyses of ethnic diversity in their community, issues of historical “truth” and “facts” as portrayed in textbooks and the curriculum, and connections between the EJP materials to personal experiences and current events with regard to race and law enforcement, terrorism, and political rhetoric with regard to immigration.

There were limitations to this study. First, the sample size of study participants was very small. Inclusion of another school either in the same region of the Northeast or in another part of the country for a multi-site case study would provide more data for the research to determine how geography impacts the formal skills and emotive responses to content that contribute to student demonstration of HE and CRC with the EJP. Second, the study body at Shore Institute was predominately White and male. Moreover, Shore Institute was a private school where annual tuition cost families over \$20,000. Although information on students’ socio-economic status with regard to family income was unavailable in this study, a comparative study of students from more diverse racial, ethnic, gender, and socio-economic backgrounds in another private school or a public school may yield additional insights about how race, ethnicity, and gender impact the demonstration of HE and CRC through formal application of social studies skills and experiential knowledge. Third, there were significant time constraints with this study. The EJP lessons were designed for 45-minute class periods facilitated over the course of one week. If the researcher had more time to teach formal skills of HE, such as using source evidence to identify historical context and perspectives of authors in narrative writing and debate exercises, she may have been able to work with students on building affective connections to the EJP during the implementation of the lessons through class discussion and other formal means of assessment.

Conclusions

The goal of this study was to identify which pedagogical factors in an instructional unit about an underrepresented historical figure promote HE in middle and secondary social studies classes. Additionally, the purpose of this study was to highlight how students' social identities contribute to demonstration of HE and CRC through analysis of Elizabeth Jennings as an underrepresented historical figure. HE is an important component of social studies instruction that should be incorporated in the curriculum. In order for students to truly gain historical content knowledge and skills as prescribed in state and CCS standards, they must be able to understand the historical context in which past events happened, the perspectives of people who lived through certain periods of time, identify how the past and present are both different and interdependent, and how historical knowledge is relevant to their lives. The EJP is an instructional unit that can be used as a model for other middle and secondary history and social studies teachers to supplement the official histories of well-known historical figures with the counterstories of underrepresented people and groups. For example, Elizabeth Jennings serves as an antebellum juxtaposition to Rosa Parks' acts of resistance to segregation ordinances, as well as a judicial precedent to the passage of the 14th Amendment. As a result, an instructional unit like the EJP that is designed to foster HE and CRC can be incorporated in the curriculum by deepening students' formal skills and experiential knowledge of matters of United States history and race in middle and secondary social studies classes.

Ultimately, evaluating whether pedagogical conditions in an instructional unit like the EJP about an underrepresented historical figure and students' social identities fosters HE and CRC in middle and secondary social studies classes hinges upon whether HE is a cognitive act, emotive act, or both. Referring back to Chapter 2, among the controversies with promoting HE

in social studies is the issue of whether HE is a skill exclusive to the discipline or if empathy can be demonstrated in other subject areas (Shemilt, 2011; Blake, 2007). The conundrum presented by these findings is whether demonstration of HE must involve both the academic comprehension of content and emotive responses to content, as well as whether HE and CRC are mutually exclusive or interdependent. Barton and Levstik (2004) contend that students must demonstrate both affective and academic responses to historical content in order to be proficient in HE. The researcher agrees, as she found based on these study findings that the emotive responses to content can contribute to making the curriculum a part of a “usable past” for students in social studies and other disciplines (Thomson, 1998).

The researcher contends that students can demonstrate HE and CRC in social studies, even if they do not possess strong formal skills relating to historical thinking and inquiry. In alignment with Brooks’ (2009) and Blake’s (2007) research, the researcher found that HE can be displayed through differentiated verbal and written forms of formative and summative assessment that connect to students’ content knowledge and experiential knowledge. Although non-white, ELL and ESL, female, and special needs students in this study scored lower levels of HE on the written activities of the EJP as compared to white male participants, their insights to their understandings of historical context, perspectives, and affective responses to the EJP were prevalent in the discussions and debates the researcher facilitated. Their sentiments that “racism is stupid” and “racists are jerks” (Field Notes, January 8, 2016) were not made as expression of a defective past, but rather as a bewilderment about how these attitudes could still exist in the supposed “post-racial” 21st century.

Warren (2012) contends that “absent in post-racial rhetoric is critical language about how to abolish racism and racial inequality” (p. 19). Moreover, he argues that non-white children

“still bear the brunt of racial trauma through educational inequality, institutional racism through Eurocentric curriculum and pedagogy, and race based teacher bias” (p. 197). The researcher strove to instill conditions conducive to promoting both HE and CRC with the EJP in the tradition of Woodson’s (1932) critique of black education during the Progressive Era. However, until racially-conscious institutional strides are made on the micro and macro levels of public and private education with regard to curriculum development and education policy, the researcher agrees with Warren (2012) that “the aim of post-racial theory to deconstruct race as a tool for social analysis will exacerbate current achievement gaps and guarantee that equity in terms of school funding and quality of non-racist teacher instruction for non-white students will not be achieved or even addressed” (p. 197).

Ultimately, the researcher concludes that the term “empathy in history” is a more accurate description of the skills students need in order to demonstrate HE in middle and secondary social studies classes. These skills involve 1) grasping historical context, 2) identifying perspectives of authors, and 3) making affective responses to content. For instance, a student like the one who noted that her desire to be “paid” to complete the EJP showed that she could most likely explain the historical context of Jennings’ ejection from the streetcar, but personal and emotive connections to content. However, a student who may not understand the formal skills with regard to perspective recognition and historical context of sources as to why racism played a role in Jennings’ ejection from the streetcar, may be able display HE and CRC by expressing emotion and personal connections to content through experiential knowledge. Gehlbach (2004) suggests that teachers provide a wide range of learning activities for students to demonstrate HE through acknowledgement of “dispositions and motivations,” as well as cognitive achievements (p. 53). The researcher designed the EJP to be a differentiated instructional unit in order to provide stu-

dents with various opportunities to display HE and CRC through multiple written and verbal-linguistic protocols.

Furthermore, the data from the EJP supports the researcher's conclusion that HE and CRC are not mutually exclusive. There are several overlaps between HE and CRC, particularly with regard to the inclusion of counterstories and unofficial histories in the mainstream United States history narratives that highlight the achievement of underrepresented and marginalized peoples. However, a lack of scholarship exists about how the use of counterstories can promote HE and CRC through the development of content knowledge and curricular skills in social studies. Possessing a critical consciousness about race, history, ethnicity, gender, sexuality, or any other social construct involves being aware of power struggles and hierarchies that oppress marginalized peoples and groups (Giroux, 2010). For instance, a scholar, student, or layperson may be able demonstrate academic content knowledge of historical "facts," but may not be able or willing to display empathy or critical consciousness to racial, gender, or class in said historical content.

Critical race theorists; particularly those such as Ladson-Billings and Tate (1995), Kelley (2002), and Leonardo (2009); posit that in order to abolish racism in American society, society must first acknowledge its existence. The majority of the students in this study often repeated during class discussion that being "racist did not make sense," but acknowledged that racism does exist in the world today (Field Notes, January 4, 2016). However, some students in this study had different interpretations of historical events and figures in the EJP, such as believing that the United States is in a race-neutral "post-racial" society (Field Notes, January 5, 2016). As a result, a major issue that emerged during the implementation of this study was whether histori-

cal truth or objective knowledge can ever be achieved, particularly with regard to the inclusion of counterstories in the mainstream social studies curriculum.

Novick (1988) warns that “the adjective ‘objective,’ when applied to knowledge, has many meanings and implications” (p. 51). With regard to what is considered the official or “grand narrative” of history, whoever is in power are those who tend to make determinations about development of learning and content standards, assessment, evaluation of student achievement, teacher effectiveness, school policy, and legislative influence (Green & Troup, 1999). For instance, students in this study expressed concerns about the comments some of the 2016 Republican presidential candidate nominees made with regard to immigration reform, women’s reproductive rights, labor and wage inequality, racial and ethnic profiling, terrorism, law enforcement, birthright citizenship, the right to bear arms, and surveillance of citizens. According to Libby (2015), there is a “Hispanic gap” and “gender gap” with regard to a minority-voting bloc for Republicans. That said, if the traditional dominant group, particularly White males, maintain power and influence in many political spheres, particularly education policy, then a danger exists where multicultural education could be “white washed,” relegating minorities as “add-ons” to official narratives of United States history (Kincheloe, 2001).

Fostering HE and CRC through the inclusion of counterstories in the social studies curriculum has the potential for oppressed groups to “liberate themselves and their oppressors” by “first critically recognize[ing] its [oppression] causes, so that through transforming action they can create a new situation, one which makes possible the pursuit of fuller humanity” (Freire, 1971, pp. 45, 47). Therefore, an instructional unit about an underrepresented historical figure, such as the EJP, aimed at promoting HE can promote CRC through liberatory and emancipatory pedagogies that can foster critical analyses of power and oppression as seen in who and what is

included in historical narratives of the United States and the social studies curriculum (Tyson, 2006).

Implications

The greatest implication of this study is expanding scholarly understanding of the role of students' ethnic identity when measuring for evidence of HE and CRC in middle and secondary social studies classes. The researcher found that the students at Shore Institute self-identified with their ethnicity or national origin when asked about their race. The researcher developed focus group questions, as well as much of the EJP materials, to focus on whether students' racial identifications impacted demonstration of HE and CRC by using Sellers' MMRI. The focus group questions were conducive in garnering detailed insights from students about issues of race and racism in historical narratives and current events. Since every student in the focus group sessions did not seem to comprehend what the researcher meant by "racial" self-identification, these findings indicate that another model needs to be tested in order to evaluate for evidence of HE and CRC in social studies. Critical studies of cultural and ethnic consciousness are related to HE. Kumagai and Lypson (2009) assert, "multicultural education must go beyond the traditional notions of 'competency' (i.e., knowledge, skills, and attitudes). It must involve the fostering of a critical awareness—a critical consciousness—of the self, others, and the world and a commitment to addressing issues of societal relevance" (p. 782). The researcher argues that further scholarship is needed in order to gain revelatory insights on how students' critical consciousness of race and ethnic diversity impact demonstration of HE.

One-way history and social studies teachers can measure for critical ethnic consciousness by developing protocols that allow for demonstration of HE and multicultural identification. Phinney's (1992) Multigroup Ethnic Identity Measure (MEIM) is an example of such a model

that evaluates adolescents' ethnic identity by assessing for affirmation and sense of belonging with a group, identity achievement within a group, and behaviors associated with ethnic groups. The 12-item MEIM scale measures for these three components of ethnic identification with a Likert Scale survey in which students choose between strongly agree to strongly disagree about statements with regard to affirmation and belonging, identity, and behavior. Roberts, Phinney, Masse, Chen, Roberts, and Romero's (1999) research on the implementation of the MEIM with over 5,000 students in grades six to eight indicated that longitudinal studies need to be conducted to evaluate whether ethnic identity evolves with age, whether students' communities and social identities throughout stages of adolescence impacts ethnic identity, and if students' psychological development influences ethnic identity (p. 318). Considering Roberts, et.al (1999) implemented the MEIM with students close in age to those in this study, the researcher recommends adapting the MEIM in a study like this at a school similar to Shore Institute in order to determine whether ethnic identity impacts demonstration of HE and CRC through studies of an underrepresented historical figure.

Suggestions for Further Research

This study on pedagogical conditions and students' social identities that foster HE and CRC in an instructional unit about an underrepresented figure yields great possibility for future scholarship in this growing subfield of social studies education. The researcher identified five major areas in which further research on conditions that promote HE may be examined in order to contribute to greater understandings of the various components of student achievement in elementary, middle, secondary, and post-secondary social studies and history courses.

First, comparative studies in which the EJP and instructional units about other underrepresented historical figures are needed in order to determine how geography impacts stu-

dents' demonstration of HE and CRC. For instance, this study at Shore Institute was conducted in an ethnically diverse urban region of the Northeast where most students identified more so with their ethnicity instead of their race. If the EJP was done in a more racially and ethnically homogenous region of the country, the social and pedagogical conditions that promoted HE in this study might be different if taught elsewhere. The students in this study were surprised that Elizabeth Jennings was ejected from a streetcar in antebellum New York, which was an area of the country that abolished slavery several decades before the Civil War. The researcher urges teachers and scholars to implement instructional units like the EJP about an underrepresented historical figure in another region of the United States in order to evaluate whether students' geographical upbringing influences affective responses to racial discrimination and segregation in free states prior to the Civil War.

Second, there is a dearth of research on how teachers' instructional styles, professional experience, content knowledge, and efficacy impacts student demonstration of HE (Endacott & Pelekanos, 2015; Endacott & Sturtz 2014; Cunningham, 2009). The two cooperating teachers in this study provided important insights with regard to how teachers influence how students display HE through source analyses, narrative writing, and discussion protocols. Teacher A taught social studies at Shore Institute for at least five years. She exuded confidence in her content knowledge, implementation of active learning strategies, and established rapport with her students evidenced in the students' references to the EJP documents, narrative writing, and participation in class discussions and debate. Teacher B was a novice educator who had considerable content knowledge but seemed to lack confidence in facilitating collaborative activities such as debate and source analyses of primary and secondary sources. Examination of how teachers engage in pedagogical reasoning when designing curricula like the EJP and reflect upon their in-

structional practices may contribute to this research with regard to pedagogical factors that promote HE in middle and secondary social studies classes.

Moreover, the independent reviewers had different experiences than Teacher A and B that revealed compelling insights about how teachers assess for HE and/or CRC in middle and secondary social studies classes. Reviewer A was a white female in her late-50s who taught pre-school, elementary, middle, and high school environmental science curricula as a museum educator. She also had managerial experience at a municipal facility in a metropolitan region of the Northeast. She never taught in a traditional classroom, but worked as a substitute teacher in private and public schools in an urban area in the Southwest. Reviewer B was a white male in his late-50s who taught middle grades social studies and science at a private parochial school in a metropolitan region of the Southwest. He also worked as a substitute teacher in elementary, middle, and high school grades in private and public schools in an urban area of the Southwest. Although their HEMR scores were generally consistent with the researcher's findings, the researcher suggests that investigation of whether or not teachers' social identities, content knowledge, training, and efficacy towards HE impacts students' demonstration of HE in middle and secondary social studies classes.

Third, further analysis needs to be conducted about the theoretical perspectives of in social studies research and practice. As discussed in Chapter 2, no consensus exists on the definition of HE with regard to whether it is an intellectual act, emotive act, or both. As a result, "unless researchers are clear about which theoretically-grounded definitions they attach to such concepts [of historical thinking], their empirical work is unlikely to reach its full potential" (Barton, 2008, p. 250). One aim of this research was to investigate how CRT could guide the design, implementation, and analyses of whether an instructional unit about an underrepresented historical

figure promoted HE and CRC in secondary social studies classes. Although there are tensions and overlaps between HE and CRC, the researcher of this study concludes that CRT is applicable and appropriate for this type of social studies research. However, she found other theoretical perspectives that could reveal greater scholarly understandings of the emotive and intellectual acts of HE. For example, Retz (2016) contends that application of Gadamerian theory of hermeneutics, which focuses on constant assessment of presentism and historical context, may be an effective approach to promote HE. Retz (2016) states that this theoretical perspective “requires an appreciation that the projection of our own ways of thinking on to a historical text provides the means for a conversation with the text and the possibility of arriving at new forms of understanding of the text and of ourselves in the dialogical exchange” (p. 224). Application of Gadamerian hermeneutics to a study on pedagogical conditions that promote HE and CRC could provide insights to how students’ formal skills and experiential knowledge impacts how they interpret texts and explain historical significance through source analysis and narrative writing.

Furthermore, Barton and Levstik (2004) contend that empathy in history should be a “form of care, a critical tool for making sense of the past, one that should be part of all history education” (p. 241). The researcher examined several connections between the EJP materials to Noddings’ (2002) care theory with regard to feminist perspectives and moral education, as well as Parker’s (2001) scholarship on democratic education. Barton and Levstik (2004) maintain that facilitating a “productive tension” between empathy and care “should be the endpoint of historical study in a democracy, as students deliberate over the common good, listen carefully to people with varied perspectives and backgrounds, and engage in reasoned judgments” (p. 242). Theoretical connections to the application of HE to care theory may contribute greater data about

how curricula about underrepresented historical figures can promote critical consciousness in social studies.

Fourth, limited HE scholarship exists in higher education history instruction. The majority of HE studies, as seen in Chapter 2, address conditions that foster HE in elementary and secondary social studies and history courses. The College Board identified four major areas of historical thinking competencies on the APUSH exam. These competencies include analyzing sources as evidence, making historical connections, chronological reasoning, and creating and supporting a historical argument (<https://secure-media.collegeboard.org/digitalServices/pdf/ap/historical-thinking-skills.pdf>). HE is not mentioned as a specific competency of historical thinking skill in elementary, secondary, and college-level history. A study on whether social and pedagogical conditions in an instructional unit about an underrepresented historical figure such as Elizabeth Jennings in a undergraduate or graduate history course may yield revelatory findings about whether content and curricular skills garnered in primary and secondary grades impacts college students' demonstration of HE.

Fifth, continued examination of Elizabeth Jennings' family background, teaching career, and life in New York City before, during, and after the Civil War has the potential for contributing new insights about depictions of race in the mainstream social studies curriculum and narratives of United States history. For instance, a recent archaeological excavation in the East Harlem area of Manhattan revealed human remains dating back to the 18th century. Dunlop (2016) reports that "more than 140 bones and bone fragments" were found beneath the 126th Street Bus Depot, which stands on the former site of the Reformed Dutch church cemetery where Africans were buried between the 1600s and 1800s. This important discovery further demonstrates the understated role slavery and freedmen played in building New York from a Dutch colonial out-

post to one of the world's largest socio-economic and political metropolis. This sacred burial site, along with story of Elizabeth Jennings whose street sign located across the street from New York City Hall (Figure 8), stand as quiet testimonies of the struggles underrepresented people endured in a region of the United States that is commonly regarded as the hub of freedom for people entering this country, voluntarily or involuntarily, "yearning to be free" (Lazarus, 1883).

Concluding Remarks

Whether she realized it or not, Elizabeth Jennings embarked on a journey with the researcher in investigating whether student analyses of an underrepresented historical figure promoted HE and CRC in middle and secondary social studies classes. Jennings did not seek fame from her ordeal on the streetcar that fateful Sunday morning in 1854. Jennings continued to work for the equal rights and education of black children in New York City before and after the Civil War when freedom did not mean racial equality. She hailed from a prominent abolitionist family and dedicated her life to the cause of African American civil rights, which bettered the welfare of all citizens. By using Jennings' ordeal and court case as the curricular basis of the EJP, the researcher aimed to raise awareness to the importance of HE and CRC among educators, scholars, and students by addressing matter of race in the social studies curriculum, as well as in mainstream narratives of United States history. According to Lattimer (2015), "America's solution to constructively addressing racism, its original sin, is by implementing a comprehensive diverse public policy" (p. 223). The researcher hopes instructional units like the EJP could be a vehicle to promote HE and CRC in social studies classrooms, as well as in other areas of education and public policy that address matters of inequality and discrimination.

In the backdrop of the Jennings family plot at Cypress Hills Cemetery is One World Trade Center, also known as the “Freedom Tower,” which stands on the site of the 9/11 terror attacks in Manhattan as seen in Figure 9:



Figure 9. Jennings-Graham Family Plot with Freedom Tower in Backdrop, Photo Credit Katherine Assante Perrotta, January 5, 2016.

The fact that the Freedom Tower is in the foreground of the Jennings family plot is emblematic of the role this family played in fighting for freedom and equality in New York and the United States. It is the hope of the researcher that the EJP serves as a model to encourage social studies and history teachers to bring history to life by creating curricula centered around underrepresented figures who quietly shaped the communities in which teachers and their students live. Ultimately, if this research motivates scholars, educators, and laypeople to embark upon study of historical empathy and critical race consciousness, then perhaps the legacy of Elizabeth Jennings and countless others who emphatically fought for equality will not be in vain.

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APPENDICES

Appendix A

Brainstorming Activity

Name: _____ Class: _____ Date: _____

K*W*L: Civil Rights in United States History

Directions: Identify at least 3 things (people, places, events, etc.) you already know about civil rights in United States history in the column labeled “K.” Identify at least 3 things (people, places, events, etc.) you would like to learn about civil rights in the column labeled “L.” Leave the column labeled “L” blank- we’ll fill that in at the end of this unit!

K- Know	W- Want to Learn	L- Learned

Directions: Answer the questions below in 1 complete sentence.

- 1) Have all people had civil rights in United States history? Explain.

- 2) How have people been denied their civil rights in United States history? Explain.

- 3) Why have people been denied their civil rights? Explain.

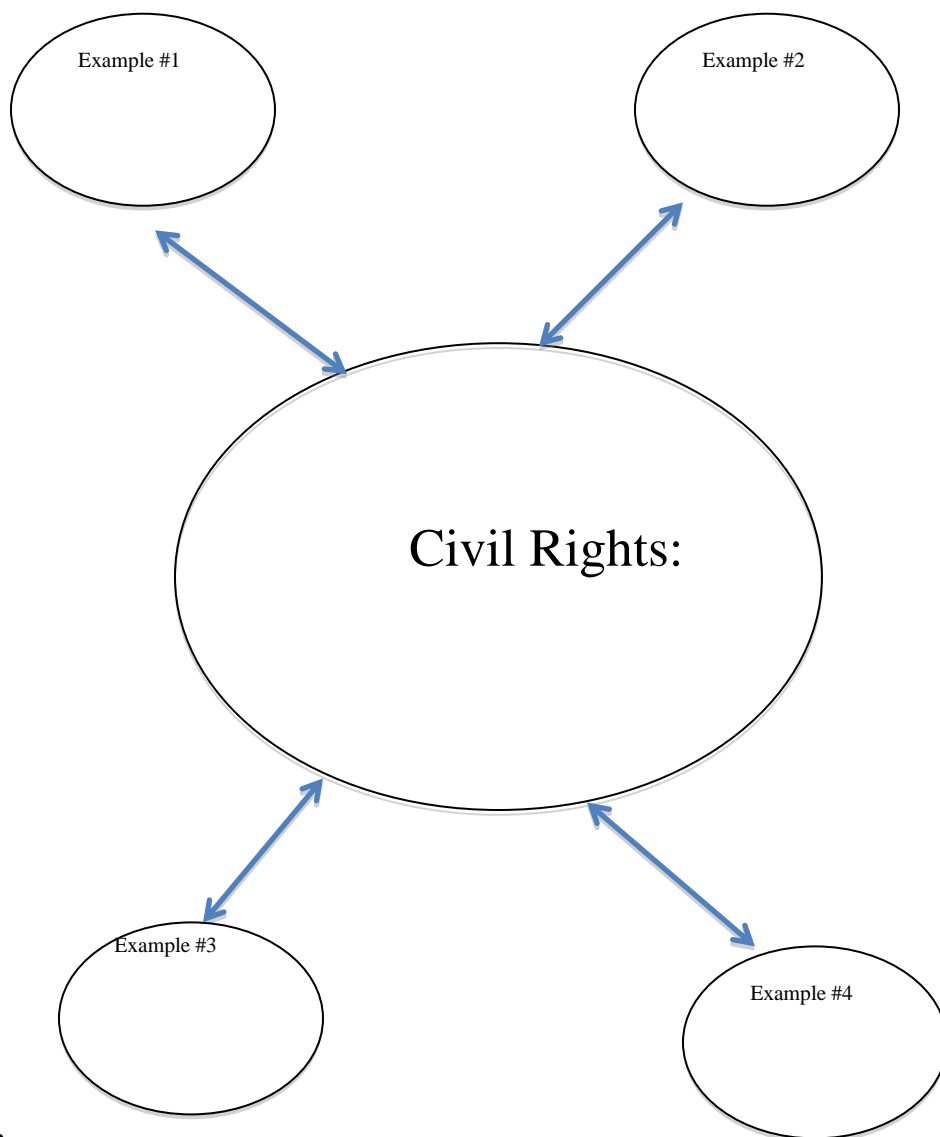
- 4) Do you think it is O.K. to break a rule or law that is unfair? Explain.

Appendix B

Name: _____ Class: _____ Date: _____

Mind-Map: Civil Rights Prior Knowledge

Directions: Write the definition of civil rights in the middle bubble. Write one example of civil rights in the four smaller bubbles attached with arrows below.

**Reflection**

Directions: Answer the following question in 3 complete sentences on the lines below:
Are civil rights important? Explain why or why not.

Appendix C

Name: _____ Class: _____ Date: _____

Secondary Source Investigation: Elizabeth Jennings and Civil Rights

Part I: Reading Articles

Directions: Rotate to each station and read the articles about Elizabeth Jennings.

Complete the chart with information from the articles in the chart below.

Write the author, title, and date →	Highlights Magazine Article	MTA Newsletter Article	Newsday Article	New York Times Article	African Burial Ground Newsletter Article
What is the Main Idea of the Article?					
Where did the Article Take Place?					
Who are the Important People in the Article?					
What is the Point of View of the Author?					
Thoughts/ Comments/ Questions					

ARTICLE #1

The New York Times
nytimes.com

November 13, 2005

City Lore

The Schoolteacher on the Streetcar

By KATHARINE GREIDER

AS the civil rights figure Rosa Parks lay in state in the Capitol Rotunda two weeks ago, her 19th-century Northern forerunner, a young black schoolteacher who helped integrate New York's transit system by refusing to get off a streetcar in downtown Manhattan, rested in near-perfect obscurity.

Mrs. Parks's resistance on a bus became a central facet of American identity, a parable retold with each succeeding class of kindergartners. But who has ever heard of Elizabeth Jennings?

The disparity is largely an accident of timing. Thanks to television, Americans around the country became a witness to events in 1955 Montgomery, Ala.; by contrast, Jennings's supporters had to rely on a burgeoning but still fragmented mid-19th-century press. By 1955, when Parks refused to be unseated, segregation was emerging as an issue the nation could not ignore. When Jennings, 24, made her stand, on July 16, 1854, the first eerie rebel yell had yet to rise from a Confederate line. Segregation was a local or perhaps a regional story. It was slavery that was tearing the nation apart.

If Elizabeth Jennings was ahead of her time, she was also, on that midsummer Sunday, running late. She was due at the First Colored American Congregational Church on Sixth Street near the Bowery, where she was an organist. When she and her friend Sarah Adams reached the corner of Pearl and Chatham Streets, she didn't wait to see a placard announcing, "Negro Persons Allowed in This Car." She hailed the first horse-drawn streetcar that came along.

As soon as the two black women got on, the conductor balked. Get off, he insisted. Jennings declined. Finally he told the women they could ride, but that if any white passengers objected, "you shall go out ... or I'll put you out."

"I told him," Jennings wrote shortly after the incident, that "I was a respectable person, born and raised in New York, did not know where he was born ... and that he was a good for nothing impudent fellow for insulting decent persons while on their way to church."

The 8 or 10 white passengers must have stared. Replying that he was from Ireland, the conductor tried to haul Jennings from the car. She resisted ferociously, clinging first to a window frame, then to the conductor's own coat. "You shall sweat for this," he vowed. Driving on, with Jennings's companion left at the curb, he soon spotted backup in the figure of a police officer, who boarded the car and thrust Jennings, her bonnet smashed and her dress soiled, to the sidewalk.

But, like Mrs. Parks a century later, Elizabeth Jennings had her own backup. She had grown up among a small cadre of black abolitionist ministers, journalists, educators and businessmen who stood up for their community as whites harshly reasserted the color line in the decades after New York had abolished slavery in 1827. Her father, Thomas L. Jennings, was a prominent tailor who helped found both a society that provided benefits for black people and the Abyssinian Baptist Church, which later moved to Harlem.

The daughter had worked in black schools co-founded by a "conductor" of the Under-

ground Railroad. Her own church - First Colored American - was a place of learning and political rebellion, where, one evening in 1854, addresses on God and the Bible alternated with talks on "The Duty of Colored People Towards the Overthrow of American Slavery" and "Elevation of the African Race."

After the incident aboard the streetcar, Jennings took her story to this extended family. Her letter detailing the incident was read in church the next day; supporters forwarded the letter to The New York Daily Tribune, whose editor was the abolitionist Horace Greeley, and to Frederick Douglass' Paper, which both reprinted it in full. Meanwhile, her father made contact with a young white lawyer named Chester Arthur.

Arthur, who would go on to become president upon the assassination of James Garfield in 1881, was at the time a beginner in his 20's only recently admitted to the bar. He nevertheless won the case, against the Third Avenue Railway Company; a judge ruled that "colored persons if sober, well behaved, and free from disease" could not be excluded from public conveyances "by any rules of the Company, nor by force or violence," according to newspaper reports. "Our readers will rejoice with us" in the "righteous verdict," remarked Frederick Douglass' Paper.

NEW YORK before the Civil War resembled the Jim Crow South of Rosa Parks's era in at least this respect: A pervasive racial caste system decreed that a great deal of space - in schools, restaurants, workplaces and churches - was strictly off-limits to African-Americans. The city's transit system, in its infancy, was a particularly bitter proving ground.

In the 1830's, when the first omnibus routes were established, the newspaper The Colored American told black New Yorkers, "Brethren, you are MEN - if you have not horses and vehicles of your own to travel with, stay at home, or travel on foot" rather than be "degraded and insulted" on city coaches. But by the time Elizabeth Jennings boarded the streetcar at Chatham and Pearl Streets, the avenues churned with horse-powered public transportation, and the city stretched far beyond 42nd Street, a long way to walk.

Jennings's legal victory did not complete integration of city transit. But blacks actively tested her precedent, in part through the Legal Rights Association, which her father founded for that purpose. In 1859, another case brought by that group resulted in a settlement, and by the following year nearly all the city's streetcar lines were open to African-Americans.

And Elizabeth Jennings? The details of her life have been told most painstakingly by John H. Hewitt, who, in his 1990 study in the journal *New York History*, reported that he had not uncovered a single biography of the woman, "not even a thumbnail sketch."

But a few things he did learn. She kept teaching. She married a man named Charles Graham. During the 1863 draft riots, when largely Irish rioters vented their rage at a new conscription law on the black people who were their most direct competitors for jobs and homes, Elizabeth and her husband were likely at home on Broome Street, bent over their ailing year-old son, Thomas. According to his death certificate, the child died of "convulsions," perhaps a last manifestation of one of the infectious diseases that sent urban death rates soaring in those years. While the city was reeling in the aftermath of its worst street melee yet, the couple were laying their son's small body to rest in Cypress Hills Cemetery in Brooklyn.

As an older woman, Elizabeth Jennings Graham established, on the first floor of her house at 237 West 41st Street, the city's first kindergarten for black children. The children made art; they planted roots and seeds in the garden. "Love of the beautiful will be instilled into these youthful minds," read an article on the school.

It was there, too, that the woman who boarded the streetcar at Chatham and Pearl Streets died. The year was 1901. She was buried in Cypress Hills, near her son, and a few thousand Un-

ion dead.

http://www.nytimes.com/2005/11/13/nyregion/thecity/13jenn.html?pagewanted=all&_r=0

According to the article, what role did Elizabeth Jennings' community play in fighting for civil rights in New York City?

ARTICLE #2



A 19th Century Rosa Parks Denied a bus seat, she sued and won in the 1850s

January 20, 2002 by Ron Howell /

HOW MANY THINK they know this story in African- American history?

A black woman got on a whites-only bus and, ordered off by the conductor, refused to leave. She was wrestled off the bus but wrote angry letters of protest and successfully sued the bus line, setting in motion the desegregation of the public transit system.

It may sound like the [Montgomery, Ala.](#), saga of Rosa Parks, who triggered the civil rights movement in 1955. But the above incident, in fact, occurred in [Manhattan](#) in 1854, when a schoolteacher named Elizabeth Jennings tried to take a horse-drawn bus traveling from the present-day City Hall area to her church on Sixth Street, in what is now the East Village.

Jennings' courage made her a heroine for a moment in history. But she was forgotten in the nearly 150 years since.

Vivian Hewitt, for one, thinks that's a shame. Someone, she says, should erect a monument in Jennings' memory, or declare a day in her honor.

"She is overlooked and an unsung hero," said Hewitt, a Manhattan resident and retired librarian whose late husband, John H. Hewitt, spent years researching and writing about Jennings.

"It is just remarkable to know that there was this woman who way back then insisted on her rights, and it is remarkable that there was this liberal lawyer who would take up her case." The 24-year-old "liberal lawyer" to whom Hewitt referred was Chester A. Arthur, who went on to become the 21st president of the [United States](#) of America.

On Feb. 22, 1855, Arthur appeared in circuit court in [Brooklyn](#)-then a separate city and the home base of the Third Avenue Railway Co., operator of the bus from which Jennings was ejected. He argued that the company violated Jennings' rights by not allowing her to ride.

The judge, William Rockwell, issued a ruling that the company was a "common carrier" and therefore obligated to "carry all respectable persons," regardless of race. Jennings was awarded

\$225, plus another \$22.50 for court costs.

The case was considered a watershed in [New York](#) civil rights history. Emboldened black New Yorkers were energized by Jennings' feistiness and her victory. Through an organization called the Legal Rights Association, they went about finding attorneys to represent other blacks who were discriminated against by transportation companies operating in Manhattan. By 1860 or so, according to historian Hewitt, the First, Second, Third, Fourth and Eighth Avenue lines accepted black passengers.

Notably, the Sixth Avenue line continued its segregationist practices for some time afterward, [John Hewitt](#) noted in his 28-page article, "The Search for Elizabeth Jennings, Heroine of a Sunday Afternoon in New York City." The article was included in the October, 1990, journal of the New York State Historical Association. In 2000 it was published in a posthumous book by Hewitt titled "Protest and Progress" (Garland Publishing).

Vivian Hewitt said her husband was meticulous in his research. His article on Jennings has 74 footnotes, some of them taking up a quarter of the page.

Using city and census records, he tried to resolve conflicting information over such facts as Jennings' age. He reported that she was born in 1830 in New York City and died in 1901. In 1860 she married a Charles Graham.

According to Hewitt, the Grahams had a son, Thomas J. Graham, who was a year old when he died. Unable to find the boy's birth records, and noting the mother had not missed a day from her teaching duties in the two years before the child's death, Hewitt concluded the child was adopted. Hewitt wrote that the child died at home of convulsions as the violence of the 1863 draft riots was unfolding on the streets of Manhattan. The rioters were largely poor immigrants upset that they were being drafted to fight in the Civil War.

The relationship between blacks and white immigrants is a sub-theme in the study of Elizabeth Jennings' life. Hewitt reported that the conductor who roughed Jennings up and threw her off the bus was from [Ireland](#).

Jennings used almost upper-class tones of disgust in writing about the incident. Her account of what happened was read the next day during a protest meeting at the church she then attended, the First Colored American Congregational Church.

"When I told the conductor I did not know where he was born, he answered, 'I was born in Ireland.' I [answered] it made no difference where a man was born, that he was none the worse or better for that, provided he behaved himself and did not insult genteel persons," Jennings stated.

Jennings was physically tossed from the bus by the conductor and the bus driver, according to her statement. The conductor and driver summoned a police officer, who also "thrust me out, then pushed, and tauntingly told me to get redress if I could," Jennings wrote.

Commenting on the fact that educated blacks in New York could be so harshly treated by immi-

grants, an unsigned article in [Horace Greeley's](#) newspaper asserted, "It is high time the rights of this class of citizens were ascertained, and that it should be known whether they are to be thrust from our public conveyances while German or Irish women, with a quarter of mutton or a load of codfish, can be admitted."

There are some New Yorkers who realize Jennings' significance. Manhattan artist and teacher Susan Ackoff Ortega, for one, has been trying to find backing to complete a huge mural of the Jennings episode. She has been impressed with Jennings' courage and says a monument to her is needed in the city.

As for John Hewitt, he concluded in his article that, for her courage and sheer chutzpah, Jennings "deserves a place of honor in the history of civil rights in New York."

<http://www.newsday.com/a-19th-century-rosa-parks-denied-a-bus-seat-she-sued-and-won-in-the-1850s-1.438376>

According to the article, how has Elizabeth Jennings been recognized as a civil rights activist in New York City?

ARTICLE #3

African Burial Ground News, Volume 4, No. 2, Winter 2005. www.africanburialground.gov

"Remembering Our Torch Bearers"

By Donna J. Harden-Cole

Sparking the torch that ignited the modern Civil Rights Movement in 1955, Mrs. Rosa Parks at the age of forty-two defied the prevailing segregation laws of the 'Jim Crow' South by refusing to give up her seat to a white male passenger on a public bus in Montgomery, Alabama. The passing of Mrs. Parks, at age 92, on October 24, 2005 caused great reflection on the impact of her defiance. Her actions called for a re-examination of the legal and political system of segregation within our nation and began a dialog about societal inequities based on myopic but enforceable federal laws.

Mrs. Parks' action in the South had an

earlier northern counterpart in Ms. Elizabeth Jennings. In New York City, twenty-four year old Jennings' experience with segregation in 1854, nearly 100 years earlier, also catalyzed community activism for change. Literally thrown from a segregated streetcar after a dispute with the conductor, Ms. Jennings, a schoolteacher and church organist, inspired protest among community members and some of the most prominent civil rights activists of her day. Among them, her own father, Mr. Thomas L. Jennings, a renowned tailor, credited as being



one of the founders of The Abyssinian Baptist Church, which is now located in Harlem. Like Mrs. Parks' action in Montgomery, Ms. Jennings' protest led to the ban on segregation on New York City streetcars.

The prominence of these two individuals underscores the African American legacy of community activism and commitment for social justice. Community activism was replicated during the many protests and vigils led by longtime activists surrounding the 1991-92 excavation of New York City's African Burial Ground. It is the voices of concerned citizens like Elizabeth Jennings and Rosa Parks that inspire others to carry the torch.

According to the article, who is Elizabeth Jennings compared to and why?

Do you agree or disagree with this comparison? Explain why or why not.

ARTICLE #4

“Women’s History Month: Fighters for Justice in Transportation,” *MTA At Your Service*, March 2005, p. 4.

By Judith C. Lovell, MetroCard Customer Relations

Elizabeth Jennings Graham, Ida B. Wells Barnett and Rosa McCauley Parks were born in different eras and states, yet they share something big. Each of them advanced the struggle for racial equality in public transportation. Demonstrating the courage to withstand their own mistreatment and challenge unjust local systems, they contributed significantly to better circumstances for future generations.

We learned about the abolitionists who risked their lives to form a network of “underground railroad” stops to help people fleeing slavery find safe havens in the North or freedom in Canada. But once up North, what was life like? Our first heroine, **Elizabeth Jennings Graham**, was born “free” in New York City in 1830 when being Black still had its price.

John H. Hewitt, Jr., *author of Protest and Progress: New York’s First Black Episcopal Church Fights Racism*, writes that with “*Patterns of segregation and discrimination, firmly established not by law, by custom ... Black New Yorkers, legally free since 1827, felt only nominally free.*”

Elizabeth Jennings was a respected teacher and church organist in July 1854 when she and a girlfriend late for church, hurriedly boarded a horse-drawn Third Avenue streetcar in Lower Manhattan. The custom was that Blacks boarded a streetcar only if no White passengers objected. None did, but the conductor ordered them off. When they refused, he yanked her friend out of the car and he and the driver attacked Jennings. They tugged her, injured her and ruined her clothing, but she stayed aboard until the irate conductor summoned a police officer who pushed her off the car.

She successfully sued the Third Avenue Railroad Company, conductor and driver and was awarded \$500 – later reduced to \$225. Yet the March 3, 1855 *National Anti-Slavery Standard* newspaper cited the judge’s crucial decision in her case for placing “that class of our citizens (coloured people, sic.) upon an equality with all others” as passengers on public transit. Elizabeth Jennings Graham dedicated her life to educating young Blacks. She died at 74 in 1901, her life a lasting testimony of one woman’s undying commitment to liberty and justice.



Elizabeth Jennings Graham’s 1854 York streetcar incident led to first successful lawsuit against public transit by a woman.

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According to the newsletter, what was Elizabeth Jennings’ contribution to civil rights on public transportation?

ARTICLE #5

Elizabeth Jennings Takes a Stand

By Laura Sassi

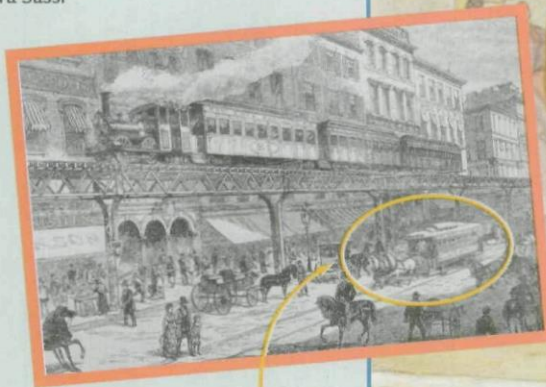
Clippity clop! Clang! Clang!

The Third Avenue trolley rounded the New York City corner with a clatter of horseshoes on cobblestones. Elizabeth Jennings, a young African American schoolteacher, noted with dismay that the trolley did not have a "Colored People Allowed" sign hanging in the front window. On another occasion, she might have waited for the next trolley. But on this particular Sunday in 1854, Elizabeth was late for church. As soon as the whites-only trolley stopped, she boldly stepped aboard. And when the conductor ordered her off, she firmly refused. Little did she know she was about to change public transportation in New York City forever!

An Unfair Ride

Born in New York City in 1830, Elizabeth Jennings grew up in a hardworking family. Her parents, Elizabeth and Thomas Jennings, ran a boardinghouse. A tailor by trade, her father also spent many hours helping the needy and fighting for the legal rights of his fellow African Americans.

Like her parents, Elizabeth was a devoted member of her community. Weekdays, she taught at Colored School No. 5. Saturdays, she attended school to improve her teaching skills. Sundays, she volunteered at her



New York City's Third Avenue trolley and elevated railway around 1860.

A young black schoolteacher refuses to get off a whites-only trolley and changes history.

church, where she played the organ and directed the choir. Sometimes she even gave afternoon concerts for family and friends.

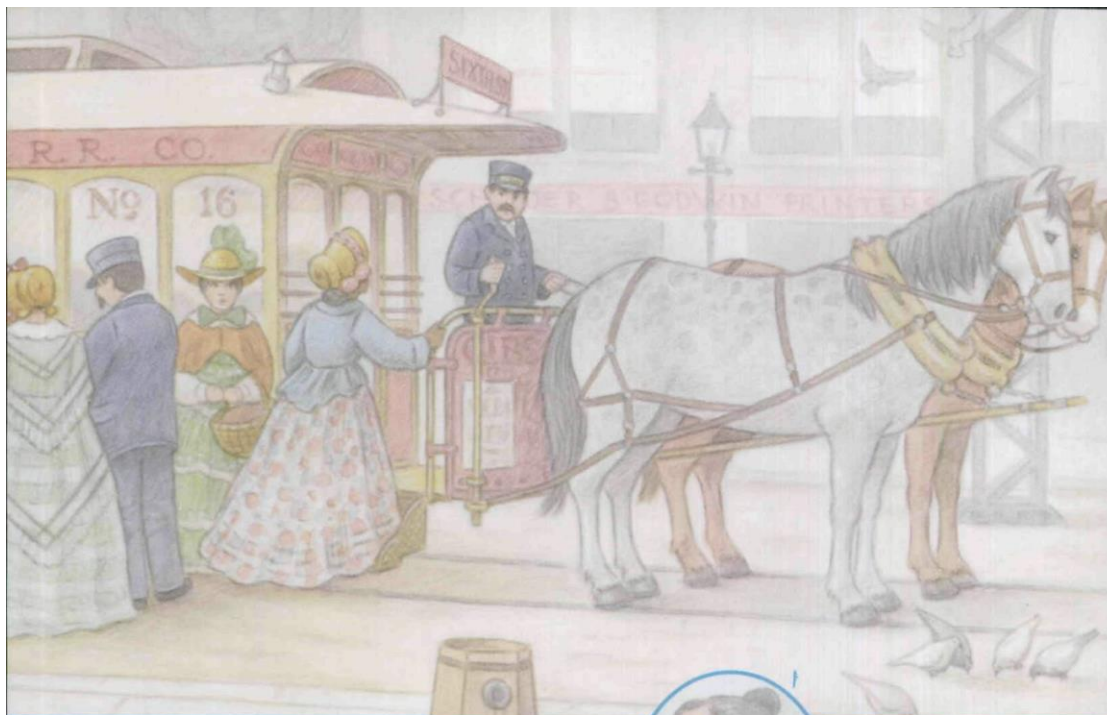
But even though Elizabeth and her parents were free citizens in a free state, they didn't enjoy the same rights as white New Yorkers. Most black men, for example, couldn't vote, even though white men could. Also, the best schools and best jobs were off-limits to blacks, as were most of the restaurants, theaters, and concert



halls that Elizabeth passed on her regular trips around town.

Even the city's many trolley lines treated blacks like second-class citizens. By the 1850s, New York City's 683 horse-drawn trolleys were the fastest way to get around town. Most companies, however, didn't let blacks ride their regular trolley cars. Instead, people like Elizabeth had to wait for separate, overcrowded "Colored" cars. The few companies that did permit blacks on board insisted that they stand on the outside platform, where it was dangerous and dirty.

Some blacks protested this unfairness by refusing to ride. One popular minister even died after walking miles and miles on a hot day rather than taking the trolley. Others boldly boarded whites-only trolleys, only to be



kicked off. Still, nothing changed.

Nothing, that is, until the day Elizabeth climbed aboard and refused to budge. “[The conductor] took hold of me,” she wrote later that night, “and I took hold of the window sash. He pulled me until he broke my grasp . . . He then ordered the driver to . . . help . . . They then both seized hold of . . . [my] arms . . . and dragged me flat down . . . so that my feet hung one way and my head the other.” Still, Elizabeth refused to get off. Finally, a police officer grabbed her. “Without listening to anything I had to say,” she wrote, “[he] thrust me out . . . like a dog.”

Elizabeth was too sore to attend the protest meeting held at her church the next day. Her words were read by the church secretary. Outraged, Elizabeth’s

friends and family decided she should take legal action. Elizabeth Jennings, barely 24 years old, was about to sue the Third Avenue Railroad Company!

Suing for Change

Elizabeth’s case came to trial on February 22, 1855. Her lawyer was Chester A. Arthur, the future 21st President of the United States. A supporter of black rights, Arthur was the perfect choice. In court, he pointed out a new state law, which said that trolley companies were “common carriers.” As such, they were required to carry all respectable persons, no matter what their race. What’s more, trolley companies were responsible for the actions of their employees.




Elizabeth Jennings

So if a conductor mistreated or refused service to a black person, the trolley companies could and should be punished.

It didn’t take long for the jury to reach a verdict. In a stunning

decision, they found the Third Avenue Railroad Company guilty of all charges. Soon, most trolley and railroad companies in New York City were integrated.

All but forgotten today, Jennings was remembered for many years by New York City’s African Americans as a champion for civil rights. Like Rosa Parks, who a century later fought segregated seating on Alabama buses, Elizabeth Jennings bravely challenged injustice and won. 

According to the article, how were Elizabeth Jennings’ civil rights denied? What did she do about her treatment?

Appendix D

Name: _____ Class: _____ Date: _____

Document-Based Questions: Elizabeth Jennings

Directions: Read each document. Answer the questions in at least 1 complete sentence. Next, use the information from the DBQs to complete the accompanying chart.

Document #1: Illustration, Corner of Chatham and Pearl Streets, Manhattan, 1862.



From: Edward O'Reilly and Eric Robinson, (2012). "Before Rosa Parks: Taking on New York's Segregated Street Car Companies," New York Historical Society Museum and Library Blog, available from <http://blog.nyhistory.org/taking-on-the-segregated-street-car-companies/>

What kind of transportation is available to the people in this picture?

What are the people doing in this picture?

What problems or issues might you observe about transportation in this picture? Explain.

Document #2: Excerpt, *Of Carrier of Passengers*, 1851, pp. 491-493, 507.

The author describes the responsibilities of common carriers, or transportation companies, that carry human passengers on railroads, streetcars, and steamboats.

...To carry "safely and properly," or "safely and securely," is the obligation which the law imposes upon a special carrier of goods for hire...Common carriers of passengers, therefore, are subject to the same degree of liability as private carriers for hire, of goods...Although carriers of passengers are not obliged to admit persons who are notoriously and unequivocally bad; yet, supposing a person to be of infamous character, if he has paid his fare and has been admitted as a passenger, it furnishes no excuse for turning him out, so long as he has not been guilty, during the journey, of any impropriety of conduct; and none for treating him in so scandalous and disgraceful manner, and with such insulting language, as to compel him to leave the conveyance.

Source: Angell, Joseph Kinnicut. *A treatise on the common law in relation to water-courses : intended more particularly as an illustration of the rights and duties of the owners and occupants of water privileges : to which is added an appendix, containing the principal adjudged cases.* Boston, 1824. *The Making of Modern Law.* Gale. 2015. Gale, Cengage Learning. 05 December 2015

<<http://galenet.galegroup.com.ezproxy.gsu.edu/servlet/MOML?af=RN&ae=F101718351&srchtp=a&ste=14>>

According to the document, what are the responsibilities of common carriers of passengers?

Under what circumstances can a person be denied service provided by a common carrier?

Document #3: Excerpt, “Outrage Upon Colored Persons,” *New York Daily Tribune*, July 19, 1854, 7:2.

On July 17, 1854, Elizabeth Jennings was forcibly ejected from a streetcar. Elizabeth Jennings told her father Thomas L. Jennings what happened to her. He had her testimony read to her church congregation and published in the local newspapers.

Sarah E. Adams and myself walked down to the corner of Pearl and Chatham Sts. [streets] to take the Third Ave. cars... When the conductor told us to wait for the other car; I told him I could not wait... He then told me that the other car had my people on it... I then told him I had no people... He said to me, ‘Well, you may go in, but remember, if the passengers raise any objections you shall go...’ I answered again and told him I was a respectable person, born and raised in New York... I had never been insulted before while going to church... He then said I should come out and he would put me out... he took hold of me and I took hold of the window sash and held on; he pulled me until he broke my grasp... I screamed murder with all my voice, and my companion screamed out ‘you’ll kill her; don’t kill her.’ The driver then let go of me and went to his horses; I went again in the car, and the conductor said you shall sweat for this; then told the driver... to drive until he saw an officer or a Station House [police station]... the officer... thrust [threw] me out... and tauntingly told me to get redress [justice] if I could; this the conductor also told me, and gave me some name and number of his car; he wrote his name Moss and the car No. 7, but I looked and saw No. 6 on the back of the car... I came home... and a German gentleman followed, who told me he saw the whole transaction in the street as he was passing. When I told the conductor I did not know where he was born, he answered ‘I was born in Ireland.’ I made answer it made no difference where a man was born, that he was none the worse or better for that... I would have come up myself, but am quite sore and stiff from the treatment I received from those monsters in human form yesterday afternoon. This statement I believe to be correct, and it is respectfully submitted.

From: The Library of Congress Chronicling America Newspaper Archive: <http://chroniclingamerica.loc.gov/lccn/sn83030213/1854-07-19/ed-1/seq-7.pdf>

Where was Elizabeth Jennings going?

Why did Moss refuse to let Elizabeth ride?

How did Moss get Elizabeth off the streetcar? How did her friend respond?

Did anyone witness Elizabeth’s ordeal?

Based on Document #2, was Elizabeth Jennings’ passenger rights violated by the common carrier? Explain.

Document #4: “Resolutions Unanimously Adopted at the First Colored Congregational Church,” July 19, 1854, *New York Daily Tribune*.

After Elizabeth Jennings’ testimony was read in church, the congregation passed resolutions, or agreements, to take action about her treatment on the streetcar. These resolutions were printed in the local newspaper *The New York Daily Tribune*.

- *Resolved, That we regard such conduct as intolerant, in a civil and religious point of view, and that it calls for the reprehension [blame] of the respectable portion of the community.*
- *Resolved, That there be a committee of five appointed to ascertain [learn] all the facts in the case, and if possible, bring the whole affair before the legal authorities; and that we demand at the hands of the proprietors [owners of the streetcar company], as colored citizens, the equal right to the accommodation of “transit” in the cars, so long as we possess the regular qualifications.*
- *Resolved, That the above resolutions be forwarded and printed in the New York Tribune and Frederick Douglass’ paper.*

From: The Library of Congress Chronicling America Newspaper Archive: <http://chroniclingamerica.loc.gov/lccn/sn83030213/1854-07-19/ed-1/seq-7.pdf>

How did the church congregation react to Elizabeth’s treatment on the streetcar?

What did the church congregation agree to about Elizabeth’s treatment on the streetcar?

How was Elizabeth’s community impacted by her treatment of the streetcar?

Document #5: “The Right of Colored People to Ride in the Railway Cars,” *The Pacific Appeal*, May 16, 1863, Volume II, No. 7, p. 3.

Elizabeth Jennings’ testimony was published in the newspaper article below in California. The excerpt written here is by Elizabeth’s father Thomas L. Jennings.

...FRIENDS- I have taken the liberty to address you on the subject which is of vital interest to us as a class, and that is, the railroad and omnibus conveyances [transportation], from which we are excluded. We have dollars to pay, for which our white fellow citizens have only cents to pay...Now I am not aware of any difference in the law of this State in relation to persons of color, except the elective franchise [voting] ... We have now a case on hand in the Supreme Court of the State of New York, with the Third Avenue Railway Company, for assaulting and ejecting a colored female from the car in July last [1854], which will bring up the whole question of our right of conveyance in the public conveyances in this city or the State....If this appeal meets your views, your prompt attention to our call is absolutely necessary, in order to secure success; if we gain the case, it will cost much for Counsel [lawyer] fees, and if we lose the case, it will cost more. Our opponents are rich and influential, we are the reverse, but our cause is just and we do not fear them... ”

From: California Digital Newspaper Collection Archive: <http://cdnc.ucr.edu/cgi-bin/cdnc?a=d&d=PA18630516.2.10&e=-----en--20--1--txt-txIN-----#>

According to Thomas L. Jennings, how were African Americans treated in New York?

How does Thomas believe his community should take action against unequal treatment?

Document #6: Excerpt, “GEN. CHESTER A. ARTHUR. The Candidate for the Vice-Presidency- His Notable Career- Quartermaster General and Collector of the Fort of New York,” *New York Times*, June 9, 1880.

Another great service was rendered [done] by Gen. Arthur in the same cause in 1854. Lizzie Jennings, a respectable colored woman, was put on a Fourth avenue car with violence, after she had paid her fare. Gen. Arthur sued on her behalf, and secured a verdict of \$500 damages. The next day the company issued an order to permit colored persons to ride on their cars, and the other car companies quickly followed their example.

According to the article, who was Chester Arthur?

How did Arthur help Elizabeth Jennings?

What was the result of Arthur’s actions?

Document #7: "Court Record, Circuit Court Before Judge Rockwell," *Brooklyn Daily Eagle*, February 22, 1855.

**Circuit Court,
BEFORE JUDGE ROCKWELL,**

February 22. *Elizabeth Jennings vs. The Third Avenue Railroad Company.*—The plaintiff is a colored lady, a teacher in one of the public schools, and the organist in one of the churches in New York. She got upon one of the Company's cars last summer, on the Sabbath, to ride to church. The conductor finally undertook to get her off, first alleging the car was full, and when that was shown to be untrue, he pretended the other passengers were displeased at her presence; but he she saw nothing of that, and insisted on her rights, he took hold of her by force to expel her. She resisted, they got her down on the platform, jammed her bonnet coiled her dress, and injured her person. Quite a crowd gathered around, but she effectually resisted, and they were not able to get her off. Finally, after the car had gone on further, they got the aid of a policeman, and succeeded in getting her from the car. She instructed her attorneys, Messrs. Culver, Parker and Arthur, to prosecute the Company, together with the driver and conductor. The two latter interposed no defence, the Company took issue, and the cause was yesterday brought to trial. Judge Rockwell charged, instructing the Jury that the Company were liable for the acts of their agents, whether committed carelessly and negligently, or willfully and maliciously. That they were common carriers, and as such bound to carry all respectable persons; that colored persons, if sober, well-behaved, and free from disease, had the same rights as others; and could neither be excluded by any rules of the Company, nor by force or violence; and in case of such expulsion or exclusion, the Company was liable. The plaintiff claimed \$500 in her complaint; and the Jury agreed on \$225, on which the Court added ten per cent besides the costs.

From the Brooklyn Public Library Digital Archive, the Brooklyn Daily Eagle Online:
<http://eagle.brooklynpubliclibrary.org/Default/Skins/BEagle/Client.asp?Skin=BEagle>

What was the title of the court case?

What was Judge Rockwell's instructions to the jury in this case?

What was Elizabeth Jennings' settlement? How does the report about her settlement in this document differ from Document #6?

Document #8: “Legal Rights Vindicated,” *Frederick Douglass’ Paper*, March 2, 1855, 2:5.

“Our readers will rejoice in the righteous verdict. Miss Elizabeth Jennings, whose courageous conduct in the premises is beyond all praise, comes from good old New York stock. Her grandfather, Jacob Cartwright, a native African, was a soldier in the Revolutionary War, and took part in city politics until the time of his death in 1824; her father, Mr. Thomas L. Jennings, was mentioned in our paper as having delivered an oration [speech] on the Emancipation of the slaves in this State [New York] in 1827, and he was a founder of the New York African Society of Mutual Relief and of other institutions for the benefit and elevation of the colored people. In this suit, he has broken new ground, which he proposes to follow up by the formation of a “Legal Rights League.” We hold our New York gentlemen responsible for the carrying out this decision into practice, by putting an end to their exclusion from cars and omnibusses; they must be craven [cowardly] indeed if they fail to follow the lead of a woman.”

How did Frederick Douglass describe Elizabeth Jennings in this article?

What influence did Elizabeth’s family have in her actions?

According to the article, what is the responsibility of members of Elizabeth’s community?

Document #9: Excerpt, “A Wholesome Verdict,” *New York Daily Tribune*, February 23, 1855, 7:4.

“...The plaintiff claimed \$500 in her complaint, and a majority of the Jury were for giving her the full amount; but other maintained some peculiar notions as to colored people’s rights, and they finally agreed on \$225, on which the Court added ten per cent, besides the costs. Railroads, steamboats, omnibuses, and ferry boats will be admonished [instructed] from this [verdict], as to the rights of respectable colored people. It is high time the rights of this class of citizens were ascertained [earned and respected], and that it should be known whether they are to be thrust from our public conveyances [transportation], while German or Irish women, with a quarter of mutton [lamb meat] or a load of codfish, can be admitted.”

From the Library of Congress Chronicling America Newspaper Archive, <http://chroniclingamerica.loc.gov/lccn/sn83030213/1855-02-23/ed-1/seq-7.pdf>

According to the author, why didn’t Elizabeth Jennings receive her full settlement amount?

According to the author, what is the impact of Jennings’ verdict for African Americans?

According to the article, why should African Americans be treated equally?

Document #10: Photograph, “Elizabeth Jennings Place,” Corner of Park Row and Spruce Street, Lower Manhattan, 2013.

This street sign is located on the corner of Park Row and Spruce Street, across the street from City Hall in Manhattan. Park Row and Spruce Street is approximately the site where Elizabeth Jennings was ejected from the streetcar in 1854.



Photo Credit: Katherine Perrotta, May 25, 2013.

How is Elizabeth Jennings acknowledged at the corner of Park Row and Spruce Street?

Why do you think Elizabeth Jennings was acknowledged in this photograph?

Name: _____ Class: _____ Date: _____

DBQ Review and Summary Analysis

Directions: After you answer the document-based questions, complete the chart below.

Document #	Author, Title, Date	What is the Document About?	Point of View of Author
DBQ #1			
DBQ #2			
DBQ #3			
DBQ #4			
DBQ #5			
DBQ #6			
DBQ #7			
DBQ #8			

DBQ #9			
DBQ #10			
<p><u>DBQ Summary:</u> Write a 1 paragraph summary about the causes and effects of Elizabeth Jennings' ordeal on the streetcar. Do you believe her rights were violated, why or why not? Do you believe she was justified in her actions? Include at least two direct quotes from the DBQs to support your answer.</p>			

Appendix E

First or Third Person Narrative Writing Assignment

After you complete answering the questions for ALL the secondary and primary sources, CHOOSE ONE OPTION!

OPTION #1: Secondary Source Investigation: Reporting Breaking News!

Directions: Pretend you are living in New York City in 1854 and 1855 when Elizabeth Jennings' ordeal took place. Create your own front-page article and headline to a newspaper reporting on the ordeal of Elizabeth Jennings. First, complete the chart below using the information from your secondary sources. Next, use the information from the primary and secondary sources to create your front-page newspaper article about Elizabeth Jennings. You will write this article as a "third person" summary of Elizabeth Jennings. Your newspaper front-page article will include the following:

- Title of your newspaper
- Title of your article
- Date of newspaper
- The article that is at least 1 paragraph in length
- Cite examples from at least 3 sources (two DBQs, one article)
- A picture with caption

Use the outline questions in the box below to help you write your newspaper article.

Who was Elizabeth Jennings?
What happened to Elizabeth Jennings?
Why did Elizabeth Jennings' ordeal happen?
Who was involved in what happened to Elizabeth Jennings? What did these people do?
What did Elizabeth Jennings do?
What were the results of her actions?
How did Elizabeth Jennings' actions impact her community?
How did Elizabeth Jennings' actions impact civil rights in United States history?
Why was Elizabeth Jennings and her story important?

OPTION #2 *First Person Narrative Writing*

Directions: Use the information from the secondary sources and DBQs to write a first-person narrative about Elizabeth Jennings or a person involved in her case. Follow the checklist below for writing your narrative:

- **Title:** Give your narrative a catchy title that grabs the reader’s attention.
- **Plot:** The events of your story. Be descriptive! What do the characters see, smell, taste, hear? Use your five senses.
- **Setting:** The time and place where the events of a story take place. Include dates.
- **Characterization:** Describe the character’s personality. You can do this in two ways:
 - **Direct:** the author describes the character with adjectives.
 - **Indirect:** the reader judges what the character is like based on what they say or do, or what other characters say about him or her.
- **Atmosphere:** The mood or feeling the reader gets while reading a story.
- **Point of View:** Who is narrating the story (First Person: the narrator uses “I” to tell the action and is involved in the story)
- **Conflict:** the main problem that drives the action of a story. There are two ways to set up the conflict of a story:
 - **Internal Conflict:** the conflict happens in a character’s mind. For example, a character might have a guilty conscience about something he or she did
 - **External Conflict:** The conflict happens between characters or between a character and an outside force, like a natural disaster.
- **Length:** At least three paragraphs.
- **References:** Include at least two examples from the DBQs and one example from an article in your narrative. Put in parentheses the DBQ#. Put your example in quotation marks. From:
<http://www.mtabe.k12.vt.us/middleschool/aurora/languagearts/6elements.htm>

Choose a Type of First-Person Narrative to Write:	Person to Write from His or Her Perspective:
<ul style="list-style-type: none"> • Diary entry • Journal entry • Op-ed in a newspaper article • A letter • An internal monologue (a conversation with one’s self) • An interview • Another idea you have for a first-person narrative 	<ul style="list-style-type: none"> • Elizabeth Jennings • Thomas L. Jennings • Chester A. Arthur • Judge Rockwell • Moss, The Streetcar Conductor • The Witness to Elizabeth’s Ordeal • A Juror who agreed to give Elizabeth her full settlement • A juror on the Elizabeth Jennings’ case

Appendix F

Name: _____ Class: _____ Date: _____

Document-Based Essay

Directions: Write a well-organized essay that includes an introduction, body paragraphs, and a conclusion. Use evidence from the at least three DBQs in your essay. Support your response with relevant information, examples, and details. You will have one period to finish.

Historical Context:

American citizens experienced struggles to achieve civil rights throughout United States history, especially during the time period leading up to the Civil War. Although slavery was not legal in the North, many cities such as New York had customs where people of different races were segregated in public places. Many people, including Elizabeth Jennings, challenged segregation in public places during the 1850s. Elizabeth Jennings was ejected from a streetcar in New York City in 1854 due to her race. She violated segregation ordinances or policies that stated African Americans had to ride separate cars from whites. She sued the street car company and won. As a result, she set important standards for others to use the legal system to challenge unfair rules or laws, especially about segregation.

Task:

Using the information from the documents and your knowledge of social studies, write an essay in which you:

- Identify at least 1 civil rights challenge Elizabeth Jennings faced in New York City in 1854
- Explain Elizabeth Jennings' actions challenging a civil rights issue
- Discuss the results of Elizabeth Jennings' actions challenging a civil rights issue
- Do you agree or disagree with Elizabeth Jennings' actions. Explain why using examples from your evidence.

In your essay, be sure to:

- Develop all aspects of the task
- Incorporate information from at least four documents
- Incorporate relevant outside information
- Support the theme with relevant facts, examples, and details
- Use a logical and clear plan of organization, including an introduction and a conclusion that are beyond a restatement of the theme

<http://www.nysedregents.org/testing/scostei/gr8bk2-605.pdf>

An Essay is like a hamburger!



* A paragraph is usually 5 sentences.

- ← Top Bun- Introduction
- ← The Meat, Lettuce, Tomatoes.- body paragraphs
- ← Bottom Bun- Conclusion

Introduction Paragraph- Introduce and explain your thesis statement (the main idea) of your essay (your autobiography)

Body Paragraphs- usually three paragraphs total but you can write more if you want. This is where you will write about the details of your autobiography. Remember you start a new paragraph every time you write about a new idea or topic.

Conclusion- summarize your autobiography (restate your thesis statement)

Developed by Katherine Perrotta, from "Horizons Atlanta Upper School Bridge Summer Program Curriculum: A Summer of Career Awareness and Preparedness for the 21st Century," June 2012.

Appendix G

Name: _____ Class: _____ Date: _____

In-Class Debate Template

Directions: You will work in a group using evidence from your DBQ essay to form an argument in an in-class debate about the following issue:

Debate Issue:

Agree or Disagree: Elizabeth Jennings was justified in her actions resisting segregation ordinances in New York City

Historical Context:

American citizens experienced struggles to achieve civil rights throughout United States history, especially during the time period leading up to the Civil War. Although slavery was not legal in the North, many cities such as New York had customs where people of different races were segregated in public places. Many people, including Elizabeth Jennings, challenged segregation in public places during the 1850s. Elizabeth Jennings was ejected from a streetcar in New York City in 1854 due to her race. She violated segregation ordinances or policies that stated African Americans had to ride separate cars from whites. She sued the street car company and won. As a result, she set important standards for others to use the legal system to challenge unfair rules or laws, especially about segregation.

You will work with your group to designate a job for each person to prepare for the debate. You will need:

- 1 person to write and read the opening statement- state the group's position, main argument, how the group will prove its point
- 2-3 people to find and read the evidence to support your group's position in the debate
- 1 person to write and read the closing statement- restate the group's position, summarize the main points of the argument from the evidence, explain how the group proved its point
- 2-3 people to write, ask, and answer two questions to the opposing group.

All members of the group must work together in finding evidence, forming questions and statements, and completing the template. Remember to answer the reflection questions at the end of the debate. All students must have a completed template!

Reflection, Pre-Debate: Answer the question in at least three complete sentences:

What do you think you can learn from your opposing group's argument? Explain.

Opening Statement (state the group's position, main argument, how the group will prove its point):

Reader:

Evidence (describe and write where the evidence came from- DBQ#, page #, and how it supports the group's argument):

Reader:

Evidence:

Reader:

Evidence:

Reader:

Closing Statement (restate the group's position, summarize the main points of the argument from the evidence, explain how the group proved its point):

Reader:

Question #1 to Opposing Group and Answer:

Reader:

Question #2 to Opposing Group and Answer:

Reader:

Reflection, Post-Debate: Answer the question in at least three complete sentences:

What did you learn from the opposing group's argument? Did the opposing group's argument impact your position on the issue of the debate? Explain why or why not.

Appendix H

Historical Empathy Measurement Rubric (HEMR)*

Name:			Class:		
Student	KWL	Written Narrative	DBQ Essay	Debate	Class Discussion

*Lee and Shemilt (2011) provide a Five-Level Framework for the process of HE (Chapter 2):

Level 1 students view the past as dysfunctional and prior knowledge based on distortions about past peoples and events.

Level 2 students do not view the past as “inferior” and but use generalizations to explain the past as being dysfunctional to the present.

Level 3 students also make generalizations but are based on stereotypes, not a view that the past was defective.

Level 4 students can reciprocate positions of the past by explaining what they could have done given the context.

Level 5 students operated at the highest level of HE as they not only recognize that the past was different from the present, but that people in the past made decisions based upon the times while not viewing the past in a presentist lens.

Appendix I

EJP In-Class Discussion Questions - Shore Institute (7 &8, 11, 12th grades)

I. Narrative Writing

- 1) What did you think about Elizabeth Jennings' ordeal on the streetcar and her actions after her ordeal?
- 2) How do you think her story connects to issues of civil rights in US history? Explain.
- 3) Do you think her story connects to any issues facing the US today? Why or why not?
- 4) Think about the main people involved in this ordeal (Jennings, the conductor, police officer, Jennings' father, the lawyer, the judge). Do you agree or disagree with any of their actions? Explain.
- 5) How would you feel if this ordeal happened to you or someone you knew? Explain.

II. DBQ Essay

- 1) Is it ever O.K. to break a rule or a law?
- 2) Think about your life or anyone you know- have you ever faced the decision of breaking a rule, even if it was not fair? Explain.
- 3) Think about your knowledge of U.S. history- has there ever been a situation when someone or a group of people broke a rule or a law? Were those actions justified? Why or why not?
- 4) Do you think Elizabeth Jennings' actions were justified in her ordeal on the streetcar and the lawsuit that followed? Explain why or why not.
- 5) Do you think Elizabeth Jennings' ordeal and case relate to any current events issues in the US? Explain.

III. Debate Questions

- 1) What did you learn from your studies about Elizabeth Jennings? What was the most interesting or important thing you learned about her life and case? Explain.
- 2) Did any of your personal views or beliefs about issues of civil rights, fairness, equality, etc. in US history change as a result of studying Elizabeth Jennings? Explain why or why not.
- 3) Do you think studying Elizabeth Jennings impacted your understanding of current events in the US today? Explain why or why not.
- 4) How do you think your knowledge of US history impacted your learning about Elizabeth Jennings?
- 5) How do you think your life experiences impacted your learning about Elizabeth Jennings?
- 6) Overall, how did you feel before and after your studied this unit about Elizabeth Jennings? Explain.

Appendix J

Student Focus Group Questions

Question	Responses
How do you identify yourself with regard to race?	
What were your thoughts about Elizabeth Jennings at the start of this unit?	
Do you think your participation in the EJP influenced your understanding of yours and others' racial positions?	
Prior to these lessons, do you think race and racial inequality was a problem in the U.S.? Explain or provide an illustration.	
Prior to these lessons, do you think race and racial inequality was a problem in your community? Explain or provide an illustration.	
Do you or anyone you know have any experiences with racial inequality? If so, explain.	
Think about some recent events in the news in the United States. Do you think there are similarities to the challenges Elizabeth Jennings faced?	

What do you think can be learned from Jennings that is helpful to understanding race and/or race inequity, if anything?	
Have your views on race, race inequity, and your racial position changed after learning about Elizabeth Jennings?	
Do you have any questions or comments?	

Appendix K

DBQ Addendum

Name: _____ Class: _____ Date: _____

Document #11: Portrait, Elizabeth Jennings, from the Kansas Historical Society
(<http://www.kansasmemory.org/item/208559>)

A portrait of Elizabeth Jennings Graham copied from an article "The Story of an Old Wrong" published in *The American Woman's Journal*, July, 1895.



Describe what Jennings is wearing in the picture.

What is she doing in the picture?

What might the picture suggest about the kind of person Elizabeth Jennings was? Explain.

What information might this portrait give about Jennings' ordeal on the streetcar and her court case? Explain.
