

## REMOTE LEARNING #2

**Sophomore Level 2 (1022) Remote Learning Assignment – Week of April 27, 2020**

\*The UPFRONT Magazine website can be accessed online.

Go to: <https://upfront.scholastic.com/>

- In the top right-hand corner, click on **LOG IN**
- Click on **I'M A STUDENT**
- Your classroom password is: **Becker14**

1. Log in to your **UPFRONT magazine account** and locate the article, "The Right to Love" from January 9, 2017 or click on the link below and use your STUDENT password of **Becker14**:

[https://upfront.scholastic.com/content/classroom\\_magazines/upfront/issues/2016-17/010917/the-right-to-love.html](https://upfront.scholastic.com/content/classroom_magazines/upfront/issues/2016-17/010917/the-right-to-love.html)

2. Read the **Upfront** article, "The Right to Love."
3. Respond to the **COMPREHENSION CHECK** *attached* – create a BLANK document labelled 1-8 and identify your multiple-choice responses. Respond to #'s 9 and 10 on same page with complete sentences and specific details.
4. Read the *attached* article from **The New York Times**, "**Mildred Loving, Who Battled Ban on Mixed-Race Marriage, Dies at 68.**"
5. Respond to the *attached* questions following **The New York Times** article.

**ENRICHMENT:** These are simply **suggested** activities connected to our topic. These are NOT required.

- Watch the movie, "LOVING" based on the couple we've studied. Currently, it is on HBO for free/On-demand. This is a PG-13 movie and is appropriate for high school sophomores.
- HBO also has a YouTube documentary on this inspiring couple.
- Read the shared CommonLit article in your account and view the related media source available.

COMPREHENSION CHECK for **“THE RIGHT TO LOVE”**:

**DIRECTIONS:**

- Create a BLANK document labelled 1-8 and identify your multiple-choice responses.
- Respond to #'s 9 and 10 on same page with complete sentences and specific details.

**1. Which statement is true of laws prohibiting interracial marriage?**

- a. By the time the Supreme Court ruled in *Loving*, Virginia was the only state with such a law.
- b. In 1967, when the Supreme Court ruled in *Loving*, almost all states still had such laws.
- c. In 1967, when the Supreme Court ruled in *Loving*, 16 states had such laws.
- d. none of the above

**2. In the first half of the 20th century, Latinos in most states were considered white as long as**

- a they had names that did not sound Latino.
- b they had no African ancestry.
- c they were female
- d at least one parent had been born in the United States.

**3. “Jim Crow” was a term used to describe**

- a. laws in the South that discriminated against blacks.
- b. any black man who married a white woman.
- c. the Supreme Court’s famous 1954 ruling on school segregation.
- d. the anonymous plaintiffs in several civil rights court cases of the 1950s and ’60s

**4. To which Constitutional amendment did the Supreme Court refer in its ruling in *Loving v. Virginia*?**

- a. the First Amendment
- b. the Fourth Amendment
- c. the Thirteenth Amendment
- d. the Fourteenth Amendment

**5. Which choice best reflects the sequence of events?**

- a. The Lovings sued Virginia; they were arrested; the Supreme Court ruled their arrests invalid.
- b. The Lovings were threatened with violence; they sued; a Virginia court ruled in their favor.
- c. The Lovings were arrested; their convictions were upheld; they spent years in prison.
- d. The Lovings were arrested; they challenged a law; the Supreme Court ruled the law unconstitutional.

6. In the section ***“Mixing All the Time,”*** what does Bernard Cohen say was a “good omen,” and why?
- a. the Lovings’ last name, because it reflected the focus of their case
  - b. Judge Bazile’s decision, because it was in the Lovings’ favor
  - c. the Lovings’ arrest, because it brought attention to their cause
  - d. Mildred Loving’s letter to Bernard Cohen, because he was looking for a new case.
7. The article notes that in 1967, “the Court felt the time was ripe to take on a case about interracial marriage.” Which **literary device** is used here?
- a. irony
  - b. a simile
  - c. hyperbole
  - d. an idiom
8. You can infer that **“the time was ripe”** because
- a. discrimination had finally ended in the South
  - b. the Court had just ruled in favor of gay marriage.
  - c. several civil rights laws had recently been passed.
  - d. the Lovings were on the verge of divorce
9. Why do you think many people in Virginia felt threatened by what Mildred Loving called racial “mixing”?
10. Why do you think interest in the Loving v. Virginia case is still so strong today?

## ***Mildred Loving, Who Battled Ban on Mixed-Race Marriage, Dies at 68***

***The New York Times***

**By Douglas Martin**

- May 6, 2008

Mildred Loving, a black woman whose anger over being banished from Virginia for marrying a white man led to a landmark Supreme Court ruling overturning state miscegenation laws, died on May 2 at her home in Central Point, Va. She was 68.

Peggy Fortune, her daughter, said the cause was pneumonia.

The Supreme Court ruling, in 1967, struck down the last group of segregation laws to remain on the books — those requiring separation of the races in marriage. The ruling was unanimous, its opinion

written by Chief Justice Earl Warren, who in 1954 wrote the court's opinion in *Brown v. Board of Education*, declaring segregated public schools unconstitutional.

In *Loving v. Virginia*, Warren wrote that miscegenation laws violated the Constitution's equal protection clause. "We have consistently denied the constitutionality of measures which restrict the rights of citizens on account of race," he said.

By their own widely reported accounts, Mrs. Loving and her husband, Richard, were in bed in their modest house in Central Point in the early morning of July 11, 1958, five weeks after their wedding, when the county sheriff and two deputies, acting on an anonymous tip, burst into their bedroom and shined flashlights in their eyes. A threatening voice demanded, "Who is this woman you're sleeping with?"

Mrs. Loving answered, "I'm his wife."

Mr. Loving pointed to the couple's marriage certificate hung on the bedroom wall. The sheriff responded, "That's no good here."

The certificate was from Washington, D.C., and under Virginia law, a marriage between people of different races performed outside Virginia was as invalid as one done in Virginia. At the time, it was one of 24 states that barred marriages between races.

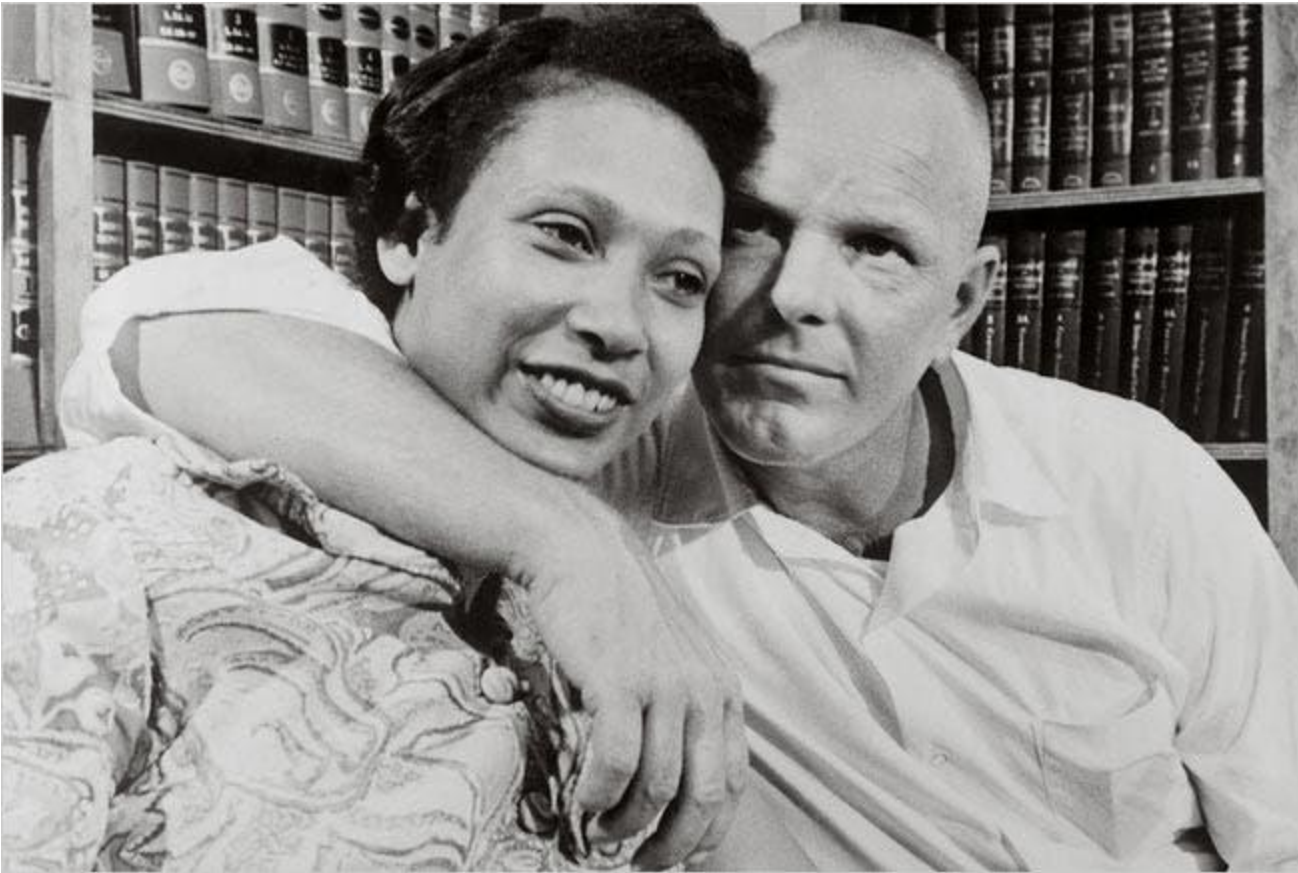
After Mr. Loving spent a night in jail and his wife several more, the couple pleaded guilty to violating the Virginia law, the Racial Integrity Act. Under a plea bargain, their one-year prison sentences were suspended on the condition that they leave Virginia and not return together or at the same time for 25 years.

Judge Leon M. Bazile, in language Chief Justice Warren would recall, said that if God had meant for whites and blacks to mix, he would have not placed them on different continents. Judge Bazile reminded the defendants that "as long as you live you will be known as a felon."

They paid court fees of \$36.29 each, moved to Washington and had three children. They returned home occasionally, never together. But times were tough financially, and the Lovings missed family, friends and their easy country lifestyle in the rolling Virginia hills.

By 1963, Mrs. Loving could stand the ostracism no longer. Inspired by the civil rights movement and its march on Washington, she wrote Attorney General Robert F. Kennedy and asked for help. He wrote her back, and referred her to the American Civil Liberties Union.

The A.C.L.U. took the case. Its lawyers, Bernard S. Cohen and Philip J. Hirschkop, faced an immediate problem: the Lovings had pleaded guilty and had no right to appeal. So they asked Judge Bazile to set aside his original verdict. When he refused, they appealed. The Virginia Supreme Court of Appeals upheld the lower court, and the case went to the United States Supreme Court.



Mildred and Richard Loving, in 1967, were arrested in Virginia. Credit... Bettmann/Corbis

Mr. Cohen recounted telling Mr. Loving about various legal theories applying to the case. Mr. Loving replied, "Mr. Cohen, tell the court I love my wife, and it is just unfair that I can't live with her in Virginia."

Mildred Delores Jeter's family had lived in Caroline County, Va., for generations, as had the family of Richard Perry Loving. The area was known for friendly relations between races, even though marriages were forbidden. Many people were visibly of mixed race, with *Ebony* magazine reporting in 1967 that black "youngsters easily passed for white in neighboring towns."

Mildred's mother was part Rappahannock Indian, and her father was part Cherokee. She preferred to think of herself as Indian rather than black.

Mildred and Richard began spending time together when he was a rugged-looking 17 and she was a skinny 11-year-old known as Bean. He attended an all-white high school for a year, and she reached 11th grade at an all-black school.

When Mildred became pregnant at 18, they decided to do what was elsewhere deemed the right thing and get married. They both said their initial motive was not to challenge Virginia law.

"We have thought about other people," Mr. Loving said in an interview with *Life* magazine in 1966, "but we are not doing it just because somebody had to do it and we wanted to be the ones. We are doing it for *us*."

In his classic study of segregation, "An American Dilemma," Gunnar Myrdal wrote that "the whole system of segregation and discrimination is designed to prevent eventual inbreeding of the races."

But miscegenation laws struck deeper than other segregation acts, and the theory behind them leads to chaos in other facets of law. This is because they make any affected marriage void from its inception. Thus, all children are illegitimate; spouses have no inheritance rights; and heirs cannot receive death benefits.

“When any society says that I cannot marry a certain person, that society has cut off a segment of my freedom,” the Rev. Dr. Martin Luther King Jr. said in 1958.

Virginia’s law had been on the books since 1662, adopted a year after Maryland enacted the first such statute. At one time or another, 38 states had miscegenation laws. State and federal courts consistently upheld the prohibitions, until 1948, when the California Supreme Court overturned California’s law.

Though the Supreme Court’s 1967 decision in the Loving case struck down miscegenation laws, Southern states were sometimes slow to change their constitutions; Alabama became the last state to do so, in 2000.

Mr. Loving died in a car accident in 1975, and the Lovings’ son Donald died in 2000. In addition to her daughter, Peggy Fortune, who lives in Milford, Va., Mrs. Loving is survived by her son, Sidney, of Tappahannock, Va.; eight grandchildren; and 11 great-grandchildren.

Mrs. Loving stopped giving interviews, but last year issued a statement on the 40th anniversary of the announcement of the Supreme Court ruling, urging that gay men and lesbians be allowed to marry.

**Correction:** Jan. 17, 2012

*An earlier version misstated the number of states in which interracial marriage was illegal in 1958, the year Richard and Mildred Loving married. It was 24 — not 16, which was the number of states in which interracial marriage was illegal in 1967, the year the Supreme Court ruled on their case.*

### Questions for Loving vs. Virginia Article

#### Section I: Short Answer

##### Directions:

- Create a **document titled “Mildred Loving Article”**
  - Answer each questions in 1-3 **complete sentences**.
1. Using context clues, what is the definition of ***miscegenation***?
  2. Why wasn’t the Lovings’ marriage license, issued in Washington D.C., valid in Virginia?
  3. After receiving representation from the ACLU, why did the Lovings have a difficult time overturning the original verdict?
  4. Where the Lovings came from, there were many multiracial children and blacks and whites got along well. How is it ironic that they couldn’t be legally married?
  5. How did the miscegenation laws financially affect mixed-race couples?
  6. How were the Lovings heroes for human rights?

## **Section II: Constructed Response**

**Directions: Write a solid paragraph (a minimum of 7-10 sentences) on the topic below. Make sure you include a thesis statement, a minimum of two supporting details, commentary, and a conclusion.**

1. Given Mildred Loving's background, why is she supportive of gay marriage?