

HOUSING AND THE LAW: LESSON 6: DISCUSSION QUESTIONS

DISCUSSION QUESTIONS

1. Do you think it is important for Congress to be able to enact legislation that prohibits racial discrimination, even in private actions or decisions?
 - a. Why or why not?
2. Consider the positions of Justice Stewart and Justice Douglas in the Opinion and Concurrence respectively.
 - a. Do you agree with their arguments? Why or why not?
 - b. What would a counter argument be to their positions?
3. Consider Justice Harlan's dissent in *Jones v. Alfred H. Mayer Co.*
 - a. Do you agree with his position? Why or why Not
 - b. What would a counter argument be?
4. In his Concurrence, Justice Douglas talks about the "true curse of slavery" and its effect on White people.
 - a. Do you agree with his assertion? Why or Why not?

WRITING PROMPT

The court majority claimed their decision was about empowering Congress to address the remaining “badges of slavery” in the United States. Should Congress have power to intervene at state and local levels to stop racial discrimination and address “badges of slavery”? Write an argument for or against this type of intervention. *Remember to consider and address counter-arguments in your position.*