TPS-MTSU wants to hear from you! Please let us know what topics you would like to see covered in future newsletters, primary source sets, and other educational resources. Email your suggestions to Kira Duke.

TPS-MTSU is excited to be partnering with Tennessee History Day again this year to offer a series of workshops over the coming months. The series will start off this month with workshops in Chattanooga, Greeneville, and Crossville. Spaces are still open in these workshops! The sessions are designed for both educators new to History Day and those who have participated in past years. TPS-MTSU will be on hand to discuss ways to help improve student research skills and ways that the Library of Congress Web site can serve as a valuable resource for History Day.

“AWESOME” SOURCE OF THE MONTH:

Civil liberties in war times by Max Lerner City wide forum [between 1936 and 1940]
How are our civil liberties affected during times of war? Have your students discuss different examples of war’s impact on citizens’ rights.

THEME: CIVIL LIBERTIES

The Declaration of Independence says, “We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with inherent and inalienable rights; that among these, are life, liberty, and the pursuit of happiness.” The concept of civil liberties in the United States is founded on these words.

Civil liberties are inalienable rights that are enshrined in the Constitution for every U.S. citizen. They are not exactly the same as civil rights, which focus more on eliminating discrimination against certain groups (see “Civil Rights vs. Civil Liberties” under Important Links on page 2). It’s easy to remember what our civil liberties are, because they’re the ones protected in the Bill of Rights. This protection does not mean, however, that Americans have not had to fight for them, as you will see in the following lesson ideas.

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Lesson Idea—Civil Liberties During World War I

World War I, otherwise known as the “Great War,” erupted in Europe on July 28th, 1914. The United States entered the war on April 4th, 1917. Unlike any war the world had ever seen, countries were faced with not only winning the war on the front lines but winning the war for industrial output and technological development on the home front. The age of modern total war was born.

The United States faced some of the same issues that plagued Great Britain, France, and Germany. One such issue was public support for the war. A war on this scale could only be accomplished with the backing of the people. This led to passage of the Espionage Act on June 15th, 1917. The Espionage Act made it unlawful for anyone to take an action with the intent to interfere with the United States’ war effort. Unbeknownst to legislators, the Espionage Act set the stage for an intense discussion on civil liberties during war time.

Charles Schenk, a prominent socialist, attempted to send hundreds of flyers to potential American servicemen encouraging them to not submit to the draft. Schenk was promptly arrested for violating the Espionage Act. Schenk maintained during the trial that it was his First Amendment right to publish such flyers and that it was the United States government that was engaged in illegal activity for trying to suppress such rights. The Supreme Court received Schenk’s appeal after his initial conviction. The Supreme Court upheld the original conviction saying that his words presented a “clear and present danger” to the United States’ war effort and therefore were not protected under the First Amendment.

Use this image as a bell-ringer. Ask the students what they think the image is trying to convey. This image will get the students thinking about the tradition of the American soldier fighting for freedom. After the bell-ringer, divide the students into six groups. Assign each group its primary source. Groups one, two, & three will have documents that represent Charles Schenk’s point of view, while groups four, five, & six will have documents that represent the Espionage Act and the government’s point of view. Inform the students that each group will be responsible for defending either Schenk or the United States using information found in their primary sources. Once the students have analyzed and constructed their argument, allow them to present it. If time is available, allow the groups to debate each other. This lesson idea can also be used to conduct a mock trial in which the class puts Charles Schenk on trial and can find him either guilty or exonerate him of his charges. At the conclusion of the lesson, open up the class for discussion by asking some of the following questions: Should the government be allowed to suspend our First Amendment rights? When is it acceptable to limit our First Amendment rights? Does a time of war or national crisis change the extent to which our rights can be limited? In what ways do you agree with Charles Schenk? In what ways do you agree with the Supreme Court? Would you find Schenk guilty or innocent?

This lesson idea meets state curriculum standards for high school U.S. History and Geography (US.30), U.S. Government and Civics (Primary Documents and Support Texts to Read, GC. 14, GC. 39), and English Language Arts (Writing).
On December 7, 1941, the Imperial Japanese Army bombed Pearl Harbor, Hawaii, in an attempt to destroy most of the U.S. Pacific fleet (especially the air carriers). In response to the attack, President Franklin Roosevelt signed into action Executive Order 9066 giving the military power to carry out the exclusion of Japanese Americans from the West coast. Under the authority of the executive order, the U.S. Army issued Civilian Exclusion Act No. 34 stating that all persons of Japanese ancestry were to be removed from “Military Areas” on the West coast. The order was used as a measure to prevent Japanese Americans from committing acts of sabotage and espionage, while also protecting them from acts of aggression from other Americans. They were forced to sell or give up all their personal belongings and homes to be relocated to internment camps.

Fred Korematsu was a Japanese–American who appealed to the U.S. Supreme Court after being found guilty in violation of the exclusion order. The Supreme Court sided with the military on the grounds that national security took priority over the rights of Korematsu. The original ruling was upheld 6-3 and deemed as a necessity in a period where time was seen as of the utmost importance. Provide students with context of the Japanese attack on Pearl Harbor and how it led to Executive Order 9066. Break the students up into groups and show them the posted notice of Civilian Exclusion Order #5. Hand out to students primary source images of those being interned in the camps. What do the images represent as far as the emotions or actions of those photographed? Do all the photographs portray the same image of those being interned? Include a primary source analysis sheet for Photos and Print. Now give each student in the groups a copy of the court case Korematsu v. United States of America. Ask each group if it believes the government's actions were necessary at the time or were a violation of Korematsu’s rights.

This lesson idea meets state curriculum for High School U.S. History and Geography (U.S. 63), U.S. Government & Civics (GC.18), and English Language Arts (Reading Informational Text).

The first ten amendments to the Constitution make up the Bill of Rights. Written by James Madison in response to calls from several states for greater Constitutional protection for individual liberties, the Bill of Rights lists specific prohibitions on governmental power. For example, what the Founders saw as the natural right of individuals to speak and worship freely was protected by the First Amendment’s prohibitions on Congress from making laws establishing a religion or abridging freedom of speech. Furthermore, the natural right to be free from unreasonable government intrusion in one’s home was safeguarded by the Fourth Amendment’s warrant requirements. The rights listed in the Bill of Rights are still being interpreted, discussed, and argued by Americans in the 21st century.

As part of the TPS-MTSU Educator-in-Residence program, John Mallick (John Sevier Middle School) created a lesson plan that builds students’ understanding of the context as well as the content of the Bill of Rights and then has students use their knowledge of the Bill of Rights in connection with a 21st-century debate. To prepare students to explore recent issues related to the Bill of Rights, the class will examine the Norman Rockwell image of the Four Freedoms (1943) in comparison with the First Amendment. Students will have to determine whether the right depicted is actually covered in the First Amendment.

The next day students will be given a different portion of the Bill of Rights with a contemporary issue being debated. These issues include gun rights, prayer, search and seizure, and fair trial. Students will then construct an essay answering the investigative question about how the Bill of Rights, an 18th-century document, has an impact on our 21st-century lives.

This lesson plan is part of a larger unit covering the Declaration of independence, Goals of Government, and Founding Documents.
In June 1970, the Black Panther Party held a rally at the steps of the Lincoln Memorial to promote a proposed Constitutional convention to be held later that year in Philadelphia. They sought to rewrite the Constitution to address oppression in the nation. How is this an exercise in using one’s civil liberties? How does this compare with other events held at the same location?

The dollar weekly bulletin, January 01, 1863, Image 1

This speech by Lazarus Powell opposes the suspension of habeas corpus by the President of the United States and the subsequent arrest of individuals by the President or members of his Cabinet. Is there anything in the Constitution that would allow for the suspension of habeas corpus? What are some ways that the Civil War influenced the suspension of habeas corpus?

A tree is known by its fruits. [1889?]

Daniel Carter Beard’s drawing suggests that many of the benefits or “fruits” of modern life (such as art and science) that we are able to experience all stem from civil liberties grounded in common sense. Why does it all start with common sense? Ask students why they believe he chose the particular fruits shown. Do other works of art by the same author depict a similar image of civil liberties and their significance?

The Alien and Sedition Act of 1798 made it illegal to criticize the government. Have your students read pages 596 and 597. Pick out two or three modern political opinion articles for them to examine. Under the Alien and Sedition Act of 1798, would these articles result in the arrest of the author? Have the students think about their own social media accounts. Would their posts result in an arrest?