

FACES OF FREEDOM IN AMERICAN HISTORY

The Faces of Freedom in American History curriculum is part of a collaboration between The McCormick Tribune Freedom Museum and The Bill of Rights Institute.

The McCormick Tribune Freedom Museum (www.FreedomMuseum.us), created and funded by the McCormick Tribune Foundation, is the nation's first museum dedicated to freedom and the First Amendment. Through interactive exploration, visitors gain a greater understanding of the struggle for freedom in the United States and the role the First Amendment plays in historic and contemporary rights movements, as well as in everyday life. Children and adults are encouraged to question, challenge, and debate the limits of freedom and arrive at their own conclusions. It is the Museum's intent that through education, visitors become inspired to value America's hard-earned freedom and make civic engagement a life-long priority.

The Bill of Rights Institute (www.BillofRightsInstitute.org) created the *Faces of Freedom* curriculum to complement the Museum's exhibits. Founded in 1999, the Bill of Rights Institute pursues its mission to educate students and teachers about our country's Founding principles through classroom materials and programs that teach the words and ideas of the Founders; the liberties and freedoms guaranteed in our Founding documents; and how America's Founding principles affect and shape a free society. The Bill of Rights Institute is an educational nonprofit organization, classified by the Internal Revenue Service as a 501(c)(3) organization, a public charity supported by 3,000 individual, corporate, and foundation donors.

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table of contents

Acknowledgements	i
Preface	ii
The United States Bill of Rights	iv

UNIT I

ROOTS OF FREEDOM

<i>The Birth of Freedom</i>	1	<i>Champions of Freedom</i>	9
<ul style="list-style-type: none">Explore and analyze some of the documents and traditions that form the foundation of American freedoms		<ul style="list-style-type: none">Understand and appreciate the words and ideas of Thomas Jefferson, George Mason, and James Madison	

UNIT II

FIRST AMENDMENT FREEDOMS

<i>Free to Believe</i>	17	<i>Free to Write</i>	37
<ul style="list-style-type: none">Compare and contrast the struggles and contributions of Billy Gobitas and Bridget Mergens		<ul style="list-style-type: none">Understand how students' rights to press freedom differ from the rights of the professional media	
<i>Free to Speak</i>	27	<i>Free to Gather</i>	43
<ul style="list-style-type: none">Analyze how the actions of Mary Beth Tinker and Joey Johnson illustrate the concept of symbolic speech		<ul style="list-style-type: none">Synthesize various Supreme Court rulings on free assembly and petition	

UNIT III

THE STRUGGLE CONTINUES

<i>Voices of Freedom</i>	51	<i>Guardians of Freedom</i>	73
<ul style="list-style-type: none">Understand and appreciate the contributions of Eugene V. Debs, Barbara Johns, Sequoyah, Mary Tsukamoto, and Sojourner Truth		<ul style="list-style-type: none">Compare and contrast the contributions to press freedom of Colonel Robert McCormick and Edward R. Murrow	
<i>Fighters for Freedom</i>	59	<i>Windows on Freedom</i>	81
<ul style="list-style-type: none">Understand and appreciate the contributions of Matthew Lyon, Abraham Lincoln, Frederick Douglass, Alice Paul, and Ronald Reagan		<ul style="list-style-type: none">Understand the levels of press freedom in countries including Cuba, Finland and North Korea	

UNIT IV

FREEDOM'S FUTURE

<i>Freedom and You</i>	91	<i>Freedom and the Future</i>	99
<ul style="list-style-type: none">Analyze real-life situations in terms of the relationship between freedom and responsibility		<ul style="list-style-type: none">Discuss current issues that impact freedom and develop strategies to secure freedom in the future	
Freedom Cards	107		
Answer Key	133		
Landmark Supreme Court Cases	136		
A Special Thanks	142		
A Note on Standards	143		

This curriculum was made possible by the McCormick Tribune Freedom Museum in collaboration with the Bill of Rights Institute. The McCormick Tribune Freedom Museum would like to extend its gratitude and appreciation to the Teacher Advisory Committee whose guidance and expertise were crucial in the development of this curriculum.

contributing teachers

The following members of the McCormick Tribune Freedom Museum Teacher Advisory Committee provided detailed narratives and activities that formed the basis of many of the lessons in this publication.

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Keshia Medellin teaches at Los Medanos College in Pittsburg, CA. She previously taught at Austin Career Education Center in Chicago, IL, teaching a variety of topics including United States history, world history, civil law, history of terrorism, geography, humanities, and others. Medellin co-designed a study looking at multicultural education in schools and presented her findings to new history teachers.

Thomas Jefferson once remarked that “A democracy cannot be both ignorant and free.” As Americans, it is critical that we have a firm and greater understanding of our nation’s hard-earned freedoms in order to preserve and protect those freedoms.

Guided and driven by that thinking, the McCormick Tribune Freedom Museum in collaboration with the Bill of Rights Institute is proud to bring you *Faces of Freedom in American History*. This curriculum serves as an educational tool for teachers to provide students with the opportunity to question, challenge, and debate the application and the cost of freedom. It is also our hope that this greater understanding of freedom will in turn, inspire student civic engagement.

Faces of Freedom in American History was developed by teachers for teachers. Their expertise and insight were instrumental in shaping the current curriculum. In addition, all the lesson plans were reviewed by leading academic experts, and were piloted in a number of classrooms across the nation with great success.

We understand how experiences beyond the classroom help enhance student learning. That’s why *Faces of Freedom in American History* can serve as either a stand-alone teaching tool or as a supplement to the exhibits in the McCormick Tribune Freedom Museum in Chicago. The McCormick Tribune Freedom Museum was created to encourage generations to understand, value and protect our First Amendment freedoms. The Museum delivers an excellent hands-on, interactive experience that helps clarify and reinforce lessons learned in the classroom, as well as provide fertile ground for deeper thinking on these issues.

Faces of Freedom in American History was made possible by the McCormick Tribune Freedom Museum. This curriculum is a result of a deep commitment to preserving freedom and democracy through the McCormick Tribune Foundation which inspired and currently funds the McCormick Tribune Freedom Museum. The foundation is a charitable organization that invests in children, communities and our country. Robert R. McCormick, the foundation’s benefactor, was an ardent supporter of First Amendment rights. Throughout his life, McCormick (1880-1955) strongly believed in the responsibility of citizens to participate in and contribute to our democratic way of life.

It is our goal that the lessons in *Faces of Freedom in American History* will encourage, foster and guide discussions on First Amendment issues. Ultimately, we hope to help teachers encourage students to understand that each and every person has something meaningful to contribute to American democracy. We are honored to provide you with an educational resource that will help your students grow into informed and engaged citizens, which are intrinsic to our American democracy.

David Anderson
Executive Director
McCormick Tribune Freedom Museum

The Bill of Rights Institute is proud to bring you *Faces of Freedom in American History*. Developed in collaboration with the McCormick Tribune Freedom Museum, this curriculum will help your students understand their freedoms and the people who have struggled to defend, preserve and expand them. By putting faces with names, we believe these important lessons will have a memorable impact on your students.

James Madison called free speech the “guardian of every other right.” Indeed, all five freedoms protected by the First Amendment—the so-called “crown jewel” of the Bill of Rights—provide citizens with not only the freedom to speak, publish, worship, gather, and petition government, but also some of the vital tools to ensure that their other freedoms continue to be protected.

As Thomas Paine said, “Those who expect to reap the blessings of freedom must, like men, undergo the fatigue of supporting it.” Studies show that people are most willing to defend the rights they best understand. Unfortunately, those same studies tell us that students lack even basic knowledge about their liberties. Fewer than 20 percent of high school seniors can name the First Amendment’s five freedoms. Only half of students said newspapers should be allowed to publish freely without government approval of stories.

Each of the lessons in *Faces of Freedom in American History* contains all the materials you will need for two forty-five minute classes or one ninety-minute block. Each lesson references two or more Freedom Cards you may wish to use alongside the activities. Your set of Freedom Cards is prefaced with suggested activities to help your students understand the contributions of the individual spotlighted on each card. In the back of the book you will also find a complete answer key and a listing of landmark First Amendment Supreme Court cases.

Many of the lessons in *Faces of Freedom in American History* were inspired by detailed submissions written by members of the Freedom Museum’s Teacher Advisory Committee. This committee played a key role in advising the Freedom Museum about content as well as practical matters of concern to visiting teachers.

It is our hope that your students will come to see their own face among the faces of freedom in American history, and that this curriculum will illuminate reasons for them to appreciate freedom and ways they can help ensure its future.

Victoria Hughes
President
The Bill of Rights Institute

The Conventions of a number of the States having, at the time of adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added, and as extending the ground of public confidence in the Government will best insure the beneficent ends of its institution;

Resolved, by the Senate and House of Representatives of the United States of America, in Congress assembled, two-thirds of both Houses concurring, that the following articles be proposed to the Legislatures of the several States, as amendments to the Constitution of the United States; all or any of which articles, when ratified by three-fourths of the said Legislatures, to be valid to all intents and purposes as part of the said Constitution, namely:

Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

Amendment II

A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

Amendment III

No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Amendment V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Amendment VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

the birth of FREEDOM



CRITICAL ENGAGEMENT QUESTION

What ideas about rights and freedom interested people before the United States was founded?

OVERVIEW

The tree of freedom has deep roots. Many of the rights we consider natural today were not obvious generations ago. From the fields of Runnymede to Philadelphia and beyond, the fight for freedom has been long and often hard. When the Founders wrote the Constitution, they did not make it from scratch; creating a free government that protects individual liberty required at least two things: the many lessons learned from history, and the belief that a community of free individuals could govern itself.

Liberty must at all hazards be supported. We have a right to it, derived from our Maker. But if we had not, our fathers have earned and bought it for us, at the expense of their ease, their estates, their pleasure, and their blood.

—JOHN ADAMS

Happily for America, happily, we trust, for the whole human race, they pursued a new and more noble course. They accomplished a revolution which has no parallel in the annals of human society.

—JAMES MADISON

MUSEUM CONNECTION

Help your students learn more about the traditions and documents that influenced American freedom. Take your class to the **Influences on American Freedom** exhibit and view the multimedia “Windows on History” at the McCormick Tribune Freedom Museum (www.FreedomMuseum.us).

OBJECTIVES

Students will:

- examine the ideas that inform the Constitution and the Bill of Rights.
- understand how the Founders incorporated existing ideas into their “experiment” with freedom.
- appreciate freedom as a complex relationship between the individual and society.

STANDARDS

NCHS: Era 3, Standard 3

CCE: IA2, IC2, IIA1, IID1

NCSS: Strands 2, 6, and 7

STUDENT MATERIALS

Handout A: Excerpts from the Declaration of Independence

Handout B: Excerpts from the *Magna Carta*

Handout C: Excerpts from the English Bill of Rights

Handout D: Excerpts from John Locke's *Second Treatise of Civil Government*

Handout E: Excerpts from Montesquieu's *The Spirit of the Laws*

TEACHER MATERIALS

Butcher Paper cut into the shape of jigsaw pieces

FREEDOM CARDS

Charles Carroll

Thomas Jefferson

James Madison

Thomas Paine

George Washington

See page 107

GRADE LEVEL/TIME

Two 45-minute middle school classes or one 90-minute block

BACKGROUND/HOMEWORK

[10-20 minutes the day before]

- Distribute **Handout A: Excerpts from the Declaration of Independence**. Have students read the partial list of grievances, focusing on what kinds of freedoms the signers were hoping to attain and what concerns they had under the tyrannical rule of England.
- Based on the general statements in the Declaration of Independence, have each student write down at least five things that s/he believes would have to be guaranteed in the independent states the Founders were hoping to establish and maintain after breaking away from England.

WARM-UP

[10-15 minutes]

- Have students share their homework responses and create a list on the board of freedoms the Founders needed to protect.
- Conduct a large group discussion to answer the question: Are most new ideas really new?
- Discuss the way new ideas are often built on existing ideas and invite students to think of examples from music, movies, etc. Explain to students that the American Founders built on historical precedents such as English heritage, colonial charters, and European authors.

ACTIVITY I

[20-30 minutes]

- Distribute **Handout B: Excerpts from the *Magna Carta***. Using a transparency of **Handout B**, lead the class in reading the document. Ask students to find examples of protected freedoms and rights and/or how the form of government described protects freedoms and rights.
- Record responses on the board or overhead.

ACTIVITY II

[30-40 minutes]

- Divide the class into groups of four. Give each group either **Handout C: Excerpts from the English Bill of Rights**, **Handout D: Excerpts from John Locke's *Second Treatise of Civil Government***, or **Handout E: Excerpts from Montesquieu's *The Spirit of the Laws***.
- Provide historical context of the documents by explaining their respective time periods and authors. The English Bill of Rights (**Handout C**) was written by Parliament in 1689. William and Mary, the new King and Queen of England, agreed to the protections it set as a condition of their rule. John Locke (**Handout D**) was a British philosopher and political thinker.

Charles de Secondat, Baron de Montesquieu (**Handout E**) was a French nobleman, judge, and political thinker.

- C. Tell students to read their documents, and to not worry if they don't understand every word. Rather, have them get a sense of the freedoms the document is concerned with and how best to protect them. Have each group select one scribe to record responses.
- D. Give each group a piece of butcher paper or poster board, pre-cut into the shape of a jigsaw puzzle piece. Have them write the name of their document in the middle of the paper, and then select four or five key words from their document and write them on their puzzle piece.
- E. Have each group who worked on the English Bill of Rights select a spokesperson to come to the front of the room and briefly explain the main ideas of their document and the key words they selected. Then have them post their jigsaw pieces on the board. Continue with remaining groups/documents until all the "pieces" have been discussed.
- F. Allow students to look at all the puzzle pieces on the board and then ask: What shape is the puzzle taking? If this were a real puzzle, what would the picture be? *Students may suggest: American freedom, liberty, or the common ideals of a free society.*
- G. Bring the class back to the original question that began the lesson: Are most new ideas really new? Does the fact that others wrote about the freedoms protected in our Constitution make them any less important? Or does it make them more important?

HOMework

- A. Have students select the idea they believe is most important from each document and draw illustrations representing the ideas.
- B. Have students create a timeline from 1215 to 1791, when the Bill of Rights was ratified. They should add the documents from class to the timeline, noting key ideas from each.

EXTENSIONS

- A. Have students research one of the authors of the documents studied in class. They should then assume that persona and write a one-page letter to modern Americans, expressing their opinions about the freedoms Americans enjoy and the ways they are protected.
- B. Have students explain their answer to the following question in a thoughtful, one-page essay: When was the Birth of Freedom?



REAL LIFE PORTAL

Have students write a letter to an Iraqi citizen offering their advice on creating a government that will protect rights. In their letter, they should suggest specific rights that should be protected, and how best to protect them.

EXCERPTS FROM THE DECLARATION OF INDEPENDENCE (UNITED STATES, 1776)

Directions: Read the document below. Then, list five to ten protections you believe the newly independent nation will need in order to sustain itself.

IN CONGRESS, July 4, 1776.

...The history of the present King of Great Britain is a history of repeated injuries and **usurpations**, all having in direct object the establishment of an absolute **Tyranny** over these States. To prove this, let Facts be submitted to a **candid** world.

He has made Judges dependent on his Will alone, for the **tenure** of their offices, and the amount and payment of their salaries.

He has kept among us, in times of peace, **Standing Armies** without the Consent of our legislatures.

He has [approved] Acts of **pretended** Legislation:

For **Quartering** large bodies of armed troops among us:

For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world:

For imposing Taxes on us without our Consent:

For depriving us in many cases, of the benefits of Trial by Jury:

For transporting us beyond Seas to be tried for pretended offences...

VOCABULARY

- **usurpations:** taking of power by force
- **tyranny:** oppressive power
- **candid:** honest
- **tenure:** length of time in a job
- **standing armies:** armies among the people in peacetime
- **pretended:** falsely appearing to be right
- **quartering:** housing

EXCERPTS FROM THE MAGNA CARTA [GREAT CHARTER] (ENGLAND, 1215)

Directions: *Read the document and find examples of protected freedoms and rights and/or how the form of government described protects freedoms and rights.*

1. ... the English Church shall be free, and shall have her rights entire, and her liberties **inviolable**...

13. [T]he city of London shall have all its ancient liberties and free customs... furthermore...all other cities, boroughs, towns, and ports shall have all their liberties and free customs....

20. A freeman shall not be **amerced** for a slight offense, except in accordance with the degree of the offense; and for a **grave** offense he shall be amerced in accordance with the gravity of the offense...

28. No constable or other bailiff of ours shall take corn or other provisions from anyone without immediately tendering money therefore, unless he can have postponement thereof by permission of the seller....

39. No freemen shall be taken or imprisoned or diseased or **exiled** or in any way destroyed...except by the lawful judgment of his peers or by the law of the land. ...

40. To no one will we sell, to no one will we refuse or delay, right or justice. ...

42. It shall be lawful in future for anyone (excepting always those imprisoned or outlawed in accordance with the law of the kingdom...) to leave our kingdom and to return...

VOCABULARY

- **inviolable:** sacred
- **amerce:** to punish with a fine
- **grave:** very serious
- **exiled:** forced to leave

EXCERPTS FROM THE ENGLISH BILL OF RIGHTS (1689)

Directions: *Read the document and find examples of protected freedoms and rights and/or how the form of government described protects freedoms and rights.*

- The **pretended** power of suspending the laws or the execution of laws by **regal** authority without consent of Parliament is illegal;
- It is the right of the subjects to **petition** the king, and all commitments and prosecutions for such petitioning are illegal;
- The raising or keeping a standing army within the kingdom in time of peace, unless it be with consent of Parliament, is against law;
- The subjects which are Protestants may have arms for their defense suitable to their conditions and as allowed by law;
- Election of members of Parliament ought to be free;
- Freedom of speech and debates or proceedings in Parliament ought not to be **impeached** or questioned in any court or place out of Parliament;
- **Excessive** bail ought not to be required, nor excessive fines **imposed**, nor cruel and unusual punishments **inflicted**;
- Jurors ought to be duly **impaneled** and returned...
- And that for redress of all grievances, and for the amending, strengthening and preserving of the laws, Parliaments ought to be held frequently....

VOCABULARY

- **pretended:** falsely appearing to be right
- **regal:** kingly
- **petition:** to write to officials as a formal way of requesting something
- **impeached:** charged with a crime
- **excessive:** unreasonably high
- **imposed:** charged to someone
- **inflicted:** to cause or give by striking
- **impaneled:** put together, enrolled

EXCERPTS FROM JOHN LOCKE'S *SECOND TREATISE OF CIVIL GOVERNMENT* (ENGLAND, 1690)

Directions: Read the document and find examples of protected freedoms and rights and/or how the form of government described protects freedoms and rights.

The great and chief **end**, therefore, of men's uniting into **commonwealths**, and putting themselves under government, is the preservation of their property.

First, There **wants** an established, settled, known law, received and allowed by common **consent** to be the standard of right and wrong, and the common measure to decide all **controversies** between them: for though the law of nature be **plain** and **intelligible** to all **rational** creatures...

Secondly, In the state of nature there wants a known and **indifferent** judge, with authority to determine all differences according to the established law...

Thirdly, In the state of nature there often wants power to back and support the sentence when right, and to give it due **execution**...

But though men, when they enter into society, give up the equality, **liberty**, and executive power they had in the state of nature, into the hands of the society... to preserve [themselves, their] liberty and property...

The power of the society, or legislative **constituted** by them, can never be supposed to extend farther, than the common good; but is **obliged** to secure everyone's property And all this to be directed to no other end, but the peace, safety, and public good of the people.

VOCABULARY

- **end:** reason or purpose
- **commonwealths:** societies
- **wants:** needs to be
- **consent:** approval
- **controversies:** disputes or crimes
- **plain:** easily understood
- **intelligible:** understandable
- **rational:** reasonable
- **indifferent:** fair, not biased, and impartial
- **execution:** enforcing
- **liberty:** freedom to act without restraint
- **constituted:** created
- **obliged:** supposed to

EXCERPTS FROM MONTESQUIEU'S *THE SPIRIT OF THE LAWS* (FRANCE, 1748)

Directions: Read the document and find examples of protected freedoms and rights and/or how the form of government described protects freedoms and rights.

In every government there are three sorts of power; the **legislative**; the **executive**....[and] the latter we shall call the **judiciary** power...

There would be an end of every thing were the same man, or the same body...to exercise those three powers that of enacting laws, that of executing the public **resolutions**, and that of judging crimes....

The executive power ought to be in the hands of a **monarch**; because this branch of government, which has always need of **expedition**, is better **administered** by one than by many: Whereas, whatever depends on the legislative power, is oftentimes better **regulated** by many than by a single person.

When once an army is established, it ought not to depend immediately on the legislative, but on the executive power, and this from the very nature of the thing; its business consisting more in action than in **deliberation**.

From a manner of thinking that **prevails** amongst mankind, [armies] set a higher value upon courage than **timorousness**, on activity than **prudence**, on strength than counsel. Hence, the army will ever despise a senate, and respect their own officers....

VOCABULARY

- **legislative:** in charge of making laws
- **executive:** in charge of enforcing the laws
- **judiciary:** in charge of judging crimes
- **resolutions:** laws
- **monarch:** king or queen
- **expedition:** speed
- **administered:** done
- **regulated:** controlled
- **deliberation:** debating and talking
- **prevails:** is most popular
- **timorousness:** being afraid
- **prudence:** acting cautiously

champions OF FREEDOM



CRITICAL ENGAGEMENT QUESTION

What Founding documents influenced the First Amendment?

OVERVIEW

James Madison said the Constitution was “the work of many heads and many hands.” The same is true of the First Amendment. This lesson will introduce students to the views and contributions of three Founders: Thomas Jefferson, whose writings form the backbone of many Founding documents; George Mason, who was one of only three delegates to the Constitutional Convention who refused to sign the document; and James Madison, who guided the Bill of Rights through Congress. Finally, students will apply the freedoms protected by the First Amendment to their own lives.

[Thomas Jefferson] was ...a “walking Library,” and ...the Genius of Philosophy ever walked hand in hand with him.

—JAMES MADISON

George Mason it was who first gave concrete expression to those inalienable human rights that belong to every American citizen and that are today the bedrock of our democracy....

—PRESIDENT HARRY TRUMAN

MUSEUM CONNECTION

Help your students understand the history of the First Amendment. Take your class to the **Founding Generation** exhibit and analyze the statements of individuals who helped frame the Founding documents at the McCormick Tribune Freedom Museum (www.FreedomMuseum.us).

OBJECTIVES

Students will:

- understand the rights protected by the First Amendment.
- understand why Mason and Jefferson demanded a bill of rights be added to the Constitution.
- assess the contributions to the First Amendment by Thomas Jefferson, George Mason, and James Madison.
- appreciate the contributions to their country made by Jefferson, Mason, and Madison.

STANDARDS

NCHS: Era 3, Standard 3

CCE: IIA1, IID1, VB1, VB2

NCSS: Strands 2, 5, 6, and 10

STUDENT MATERIALS

Handout A: American Roots of the First Amendment

Handout B: Jefferson, Mason, and Madison on Freedom

Handout C: The First Amendment and My Freedom

FREEDOM CARDS

John Quincy Adams

Charles Carroll

Thomas Jefferson

Joey Johnson

Martin Luther King, Jr.

James Madison

Thomas Paine

Ida B. Wells

See page 107

GRADE LEVEL/TIME

Two 45-minute middle school classes or one 90-minute block

BACKGROUND/HOMEWORK

[10 minutes the day before]

Have students complete **Handout A: American Roots of the First Amendment**.

WARM-UP

[10-15 minutes]

Have students share their responses to **Handout A**. Ask students to read the three documents once more, and this time, underline passages in the first two that refer to rights protected by the First Amendment.

ACTIVITY I

[20-30 minutes]

- Distribute **Handout B: Jefferson, Mason, and Madison on Freedom**.
- Divide the class into trios. Have students read **Handout B** together and discuss each person's contributions and the quotations by or about each. Then have each group member assume the identity of Jefferson, Mason, or Madison and argue among themselves as to whose contribution to the First Amendment was most important.
- Ask three volunteers to come to the front of the class for an "American Idols of the Founding" contest. Have each volunteer make his/her case for being the most important contributor, and have the rest of the class vote and eliminate one person. Then have the remaining two continue to make their cases using more persuasive rhetoric, and have the class vote again.

ACTIVITY II

[20-30 minutes]

- Have students complete **Handout C: The First Amendment and My Freedom** individually. Students should think about exercising their rights at this time in their lives.
- Have students share their responses, and conduct a large group discussion on the ways the First Amendment protects freedom. Some suggested discussion questions:
 - How, if at all, does freedom of "speech" protect activities like burning the flag?
 - Do people have the right to say mean or hurtful things about others? Does it matter if they are true—or false?
 - What happens when a religious belief conflicts with a law?

HOMEWORK

- A. Have students locate a newspaper article about an individual or group exercising one of the First Amendment's five freedoms and write a one-paragraph summary of which right is being exercised and for what purpose. Put up articles on a First Amendment in Action bulletin board. Students can visit the Bill of Rights Institute website for daily headlines: www.BillofRightsInstitute.org
- B. Have students complete **Handout C** again, this time, imagining themselves twenty years from now. Students should also write one paragraph explaining whether they believe they will have more rights in the future.

EXTENSIONS

- A. Madison proposed a number of amendments. Have students write a one-page essay comparing some of Madison's proposed amendments (below) to the wording of the ones finally approved by Congress and ratified by the states.

The civil rights of none shall be abridged on account of religious belief or worship, nor shall any national religion be established, nor shall the full and equal rights of conscience be in any manner, or on any pretext infringed.

The people shall not be deprived or abridged of their right to speak, to write, or to publish their sentiments; and the freedom of the press, as one of the great bulwarks of liberty, shall be inviolable.

The people shall not be restrained from peaceably assembling and consulting for their common good, nor from applying to the legislature by petitions, or remonstrances for redress of their grievances.



REAL LIFE PORTAL

Have students keep a journal for one week, noting each time they exercise a right protected by the First Amendment. Then have them write a one-page analysis: Which freedoms did they use most frequently? Were there any they did not apply at all? Which rights do they most take for granted? Finally, they should create a strategy for using First Amendment rights to bring constructive change to society.

AMERICAN ROOTS OF THE FIRST AMENDMENT

Directions: Read the document excerpts. Then write one paragraph comparing and contrasting the three documents. What do they have in common? How are they different?

George Mason:
Excerpts from the Virginia Declaration of Rights (1776)

Section 6. That elections of members to serve as representatives of the people, in assembly ought to be free...

Section 12. That the freedom of the press is one of the great bulwarks of liberty, and can never be restrained but by despotic governments.

Section 16. That religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence; and therefore all men are equally entitled to the free exercise of religion, according to the dictates of conscience; and that it is the mutual duty of all to practice Christian forbearance, love, and charity toward each other.

Thomas Jefferson:
Virginia Statute for Religious Freedom (1786)

No man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall otherwise suffer on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to maintain, their opinion in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities....

We are free to declare, and do declare, that the rights hereby asserted are of the natural rights of mankind, and that if any act shall hereafter be passed to repeal the present or to narrow its operation, such act will be an infringement of natural rights.

James Madison:
The First Amendment (1791)

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

JEFFERSON, MASON, AND MADISON ON FREEDOM

Directions: Read the information about each person, and decide who you will “become” for the activity. Then make your case to your group members that you were the most important contributor to the First Amendment and freedom.

THOMAS JEFFERSON	
what he did	
<ul style="list-style-type: none"> • Wrote the Declaration of Independence (1776) • Served in Paris during the Constitutional Convention, but wrote to Madison supporting the inclusion of a bill of rights 	<ul style="list-style-type: none"> • Wrote the Virginia Statute for Religious Freedom (1786) • Served as America’s first secretary of state, second vice president, and third president
what he said	
<p><i>A bill of rights is what the people are entitled to against every government, and what no just government should refuse, or rest on inference. (Letter to James Madison, 1787)</i></p> <p><i>Erecting the ‘wall of separation between church and state,’ therefore, is absolutely essential in a free society. (Letter to the Danbury Baptist Association, 1802)</i></p>	<p><i>We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. (Declaration of Independence, 1776)</i></p>
what others said about him	
<p><i>He was certainly one of the most learned men of the age. It may be said of him as has been said of others that he was a “walking Library,” and what can be said of but few such prodigies, that the Genius of Philosophy ever walked hand in hand with him. –James Madison, 1826</i></p>	<p><i>[His writings are] a mass of taste, sense, literature, and science, presented in a sweet simplicity...which will be read with delight in future ages. –John Adams, 1822</i></p>

GEORGE MASON

what he did

- Wrote the Virginia Declaration of Rights (1776)
- Proposed adding a Bill of Rights to the Constitution at the Constitutional Convention in 1787. His proposal was defeated.
- According to Thomas Jefferson, came up with the idea for a bill of rights
- Believed that state governments could protect people's rights better than the national government
- Refused to sign the Constitution without a bill of rights because he believed it gave "no security" for individual rights

what he said

We came equals into this world, and equals shall we go out of it. All men are by nature born equally free and independent. (Fairfax County report, 1775)

There never was a government over a very extensive country without destroying the liberties of the people. (Virginia ratifying convention, 1788)

what others said about him

Colonel Mason left Philadelphia in an exceeding ill humor indeed.

–James Madison in a letter to Thomas Jefferson, on George Mason's refusal to sign the Constitution because it did not contain a bill of rights, 1787

George Mason it was who first gave concrete expression to those inalienable human rights that belong to every American citizen and that are today the bedrock of our democracy....[The] first ten amendments to our Constitution, which we call our Bill of Rights, were based on George Mason's great Declaration of Rights.

–President Harry Truman, 1949

JAMES MADISON

what he did

- Known as the “Father of the Constitution” (1787)
- Understood that many believed the Constitution did not fully protect individual rights
- First opposed adding a bill of rights, because rights were implied by the Constitution and it would be impossible to list every right
- Promised that a bill of rights would be added to satisfy concerns that it did not protect individual rights. Several states ratified the Constitution after he made this promise.
- Wrote the Bill of Rights as a member of the House of Representatives (1791)
- Served as America’s fourth president

what he said

The powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the State governments are numerous and indefinite. (Federalist No. 45, 1788)

As a man is said to have a right to his property, he may be equally said to have a property in his rights. (Property, 1792)

what others said about him

Eloquence has been defined to be the art of persuasion. If it included persuasion by convincing, Mr. Madison was the most eloquent man I ever heard.
–Patrick Henry, November 12, 1796

Every person seems to acknowledge his greatness. He blends together the profound politician with the scholar.
–William Pierce, notes on the Constitutional Convention, 1787

THE FIRST AMENDMENT AND MY FREEDOM

Directions: For each of the five freedoms protected by the First Amendment, decide on five ways you can exercise that right responsibly as a citizen of the United States.

THE FIRST AMENDMENT

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

RELIGION

- 1.
- 2.
- 3.
- 4.
- 5.

SPEECH

- 1.
- 2.
- 3.
- 4.
- 5.

PRESS

- 1.
- 2.
- 3.
- 4.
- 5.

ASSEMBLY

- 1.
- 2.
- 3.
- 4.
- 5.

PETITION

- 1.
- 2.
- 3.
- 4.
- 5.

FREE *to believe*



CRITICAL ENGAGEMENT QUESTION

How does the First Amendment protect freedom of religion?

OVERVIEW

The First Amendment protects freedom of religion in two ways: it protects citizens' freedom from government-established religion, while also protecting an absolute freedom of belief. Through the stories of Bridget Mergens and Billy Gobitas, students will see how the actions of two young people made sure that these First Amendment protections were applied to students in public schools. Students will then further their understanding of the two clauses by creating original role-plays based on actual Supreme Court cases involving freedom of religion.

It does me no injury for my neighbor to say there are twenty gods or no God. It neither picks my pocket nor breaks my leg.

—THOMAS JEFFERSON

A union of government and religion tends to destroy government and degrade religion.

—HUGO BLACK

MUSEUM CONNECTION

Help your students understand what freedom of religion means. Take your class to the **Freedom of Religion** exhibit and experience the computer interactive on *Westside Community School v. Mergens* (1990) at the McCormick Tribune Freedom Museum (www.FreedomMuseum.us).

OBJECTIVES

Students will:

- explain how Bridget Mergens and Billy Gobitas preserved freedom of religion.
- understand the Establishment and Free Exercise Clauses.
- apply both clauses of the First Amendment to a variety of scenarios.
- appreciate the First Amendment's protection of freedom of belief.

STANDARDS

NCHS: Era 10, Standard 2
CCE: IIB1, VB1, VC1
NCSS: Strands 1, 3, 4, 5, and 6

STUDENT MATERIALS

Handout A: The First Amendment and Freedom of Religion

Handout B: Religion in Public Schools Challenge

Handout C: Gobitas and Mergens

Handout D: First Amendment Religious Freedoms Cut and Paste

Scissors and glue

TEACHER MATERIALS

Freedom of Religion Role-Play Cards
Answer Key

FREEDOM CARDS

Charles Carroll
Bridget Mergens
See page 107

GRADE LEVEL/TIME

Two 45-minute middle school classes or one 90-minute block

BACKGROUND/HOMEWORK

[10 minutes the day before]

- Have students complete **Handout A: The First Amendment and Freedom of Religion**.
- Have students share their responses to **Handout A**. As a large group, discuss the two ways the First Amendment ensures freedom of religion, i.e., by protecting freedom from government-established religion (Establishment Clause), as well as by protecting the individual's right to believe and practice whatever religion s/he chooses (Free Exercise Clause).

WARM-UP

[10-15 minutes]

- Distribute **Handout B: Religion in Public Schools Challenge**. Use **Handout B** as a transparency master and reveal one statement at a time, having students raise their hand if they think it is true.
- Go over the answers as a large group, and ask students whether they were surprised by any.

ACTIVITY I

[20-30 minutes]

- Have students work in pairs to read the stories on **Handout C: Gobitas and Mergens**. After they have completed the reading, have students complete **Handout D: First Amendment Religious Freedoms Cut and Paste** by cutting out all of the boxes and gluing the corresponding statements to either the Gobitas column or the Mergens column.
- Ask the class to compare and contrast the struggles of both students. Have students discuss these questions as a large group.
 - Who faced the more difficult situation?
 - Whose situation did more to strengthen religious freedom?
 - Which clause(s) of the First Amendment could be applied to each situation?

ACTIVITY II

[20-30 minutes]

- Divide the class into groups of four and give each group a **Freedom of Religion Role Play Card**. Have each group member assume the role of an individual in the scenario. Give groups time to compose a role-play depicting the situation.
- Have students present their role-plays to the class. As groups present, allow discussion and ask students to predict how the Supreme Court ruled. Then, reveal the Court's decisions. (See *Answer Key*.)

- C. Conduct a large group discussion on freedom of religion to answer the questions:
- Why is freedom of religion important?
 - What challenges do students, parents, teachers, and administrators face when trying to protect freedom of religion?
 - How does the First Amendment guarantee freedom of belief?

HOMEWORK

- A. Have students write a one-page fictional dialogue that might have taken place between Billy and Bridget.
- B. Have students select one of the role-play scenarios and write a one- to two-page script, building on the ideas discussed in class.

EXTENSIONS

- A. Assign various freedom of religion cases to the class, and have students present what they learned about their case by writing a one-paragraph summary of the facts of the case and decision, and creating a visual depiction of the situation. Students can begin their research on the landmark Supreme Court cases page at www.BillofRightsInstitute.org.
- B. Have students research various tests used by the Supreme Court to determine if a government action violates the Establishment Clause. In a PowerPoint or other presentation, have students explain and assess the Lemon Test, the Endorsement Test, and the Coercion Test.



REAL LIFE PORTAL

Have students learn about and report on the status of religion in their school. (If not a public institution, students should choose a local public school to study.) Students should prepare a booklet or newsletter reporting on the existence or practices associated with:

- Required moments of silence
- Student religious organizations
- Religious texts in the school library
- Policies on religious attire or jewelry (for students as well as teachers)
- Holiday decorations or celebrations
- Prayers at graduation
- Other religious displays

THE FIRST AMENDMENT AND FREEDOM OF RELIGION

Directions: Read the excerpt from the First Amendment below and then complete the sections below.

THE FIRST AMENDMENT

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof...

Establishment Clause:

Congress shall make no law respecting an establishment of religion



1. Rephrase the Establishment Clause in your own words:

Free Exercise Clause:

or prohibiting the free exercise thereof



2. Rephrase the Free Exercise Clause in your own words:

3. Why do you think the Founders included both of these protections for freedom of religion?

RELIGION IN PUBLIC SCHOOLS CHALLENGE

Directions: *Mark each statement true or false as it pertains to public schools.*

- _____ 1. Your school district can require the Pledge of Allegiance to be read every day.
- _____ 2. Your teacher can require you to recite the Pledge of Allegiance.
- _____ 3. Your teacher can require you to stand during (but not recite) the Pledge of Allegiance.
- _____ 4. You can be expelled for refusing to recite the Pledge of Allegiance if it is in the student handbook.
- _____ 5. A teacher may sponsor a Bible Study Club.
- _____ 6. Students may meet in a Bible Study Club during school hours.
- _____ 7. Students may meet in a Bible Study Club after school hours.
- _____ 8. Your teacher can lead the class in prayer before class.
- _____ 9. Students can lead the student body in prayer on the P.A. system before a football game.
- _____ 10. A Rabbi can lead the audience in a non-denominational prayer at graduation.
- _____ 11. A student can post the Ten Commandments in his or her locker.
- _____ 12. A teacher can post the Ten Commandments in his or her classroom.

GOBITAS AND MERGENS

Directions: Read the information and complete *Handout D*.

Billy Gobitas was a ten-year-old elementary school student. He was also a Jehovah's Witness. Witnesses believe that saluting the flag is a form of idol worship, a direct violation of the second commandment in the Bible. Therefore, saluting the American flag and reciting the Pledge of Allegiance would be violating Billy's religion. When Billy refused to participate in 1935, he was expelled from school. Billy wrote a letter to the school board explaining, "I do not salute the flag because I have promised to do the will of God." The school board did not change its position.

The Gobitas family was physically attacked and their family grocery store boycotted. The Gobitas family was under great financial strain due to the poor income from the grocery store and the cost of sending two children to private school. Their father, with the help of The Watch Tower Society of the Jehovah's Witnesses, sued on behalf of his children.

In 1940, the Supreme Court decided against the Gobitas family, ruling that the government could require respect for the flag as a key symbol of national unity. However, three years later the Supreme Court changed its mind. *West Virginia State Board of Education v. Barnette* was another case involving the Jehovah's Witnesses. In that case, the Supreme Court held that the right of free speech guaranteed in the First Amendment to the Constitution means the government cannot force anyone to salute the American flag or recite the Pledge of Allegiance.

Bridget Mergens, a high school honor student, thought it would be a great idea to start a Christian Bible study club after school. Drugs and violence were common in her hometown of Omaha, Nebraska, so Bridget thought her homeroom teacher and principal would happily support her idea to begin such a club. She was shocked when both the principal and the superintendent refused her request. The principal and superintendent believed that the club would violate the Establishment Clause of the First Amendment. They also thought it would open the door to any religion, even Satanists, to gain access to the high school after school hours.

Bridget believed that her rights were being violated and decided to challenge the decision. "I really believed we were being treated unfairly," says Bridget. "We weren't asking for special treatment. And if we wanted to do something destructive, like sacrifice dogs or cats or mess up the school, I could understand it. But all we wanted to do was meet like any other club." While not everyone agreed with her, many teachers and students supported her pursuit.

It took almost five years, but the Supreme Court sided with Bridget. Since other student-established and -led clubs were allowed to meet after school, then the Bible Study must be allowed as well. The decision meant that religious clubs are allowed in public schools as long as they do not specifically give advantages to those participating or force students to participate in any religious activities.

FIRST AMENDMENT RELIGIOUS FREEDOMS CUT AND PASTE

Directions: Read the statements and decide whether they apply to Billy Gobitas or Bridget Mergens. Then, using scissors and glue, cut out each statement and glue it under the appropriate column.

1 The Supreme Court ruled against me.	7 I said I believed I was doing the “will of God.”
2 Neighbors physically attacked my family and boycotted my family’s grocery store.	8 I was an elementary school student.
3 I was a high school student.	9 I had the support of many students and teachers.
4 I suggested that religious activities could take place after school hours.	10 The Supreme Court ruled in my favor.
5 I believed that my school forced some students to violate their religion.	11 I believed that barring religious clubs from school was unfair.
6 I argued that the schools opposed a voluntary religious activity.	12 I had to choose between following my religious beliefs and attending public schools.

CUT AND PASTE (CONT.)

BILLY GOBITAS

BRIDGET MERGENS

FREEDOM OF RELIGION ROLE PLAY CARDS

Directions: Read the following scenarios and assign roles to your group members. Then work together to write a brief role-play depicting the situation that sparked the conflict.

Jon was a student in a Baltimore public high school. Following school policy, his teacher began each day with a reading of the Lord's Prayer as written in the King James (Protestant) Bible. Jon, like all of his family members, was an atheist and did not believe in God. Jon and his mother, Mrs. O'Hair, complained to the school about the practice of the required recitation, arguing it violated the Establishment Clause. A school official responded that if he did not wish to participate in the prayer, John could stand out in the hallway while it was being read. Mrs. O'Hair was concerned her son would feel like an outcast, and took the school to court. The case eventually made it to the Supreme Court.

Roles: Jon, Mrs. O'Hair, teacher, school official

Deborah was a Jewish student at a public school in Rhode Island. The principal of her school, Mr. Lee, invited a Rabbi to lead a prayer at the graduation ceremony. Mr. Lee gave the Rabbi instructions that the prayer had to be non-sectarian. Deborah challenged the practice of inviting clergy to deliver prayers at school events together with her father, Mr. Weisman. They claimed that the practice violated the Establishment Clause. The district court rejected her claim so she took the case to the Supreme Court.

Roles: Deborah, Mr. Lee, Rabbi, Mr. Weisman

Jonas and Wallace, ages 14 and 15, were members of the Old Order Amish. Amish believe that salvation requires life in a church community separate and apart from the world and worldly influence. In keeping with their religion, their parents did not send them to school after the eighth grade. The law in Wisconsin, however, said that children must attend school until age 16. John W. Calhoun, Assistant Attorney General of Wisconsin, argued that the state has an interest in educating children, and fined the parents for their refusal to send their kids to school. Jonas and Wallace took their case to the Supreme Court, arguing that the Wisconsin attendance law violated the Free Exercise Clause.

Roles: Jonas, Wallace, parent, Mr. Calhoun

The West Virginia teacher called the class to order by beginning the Pledge of Allegiance. The requirement at the time (1943) was the "stiff-arm salute." Students had to keep their right hands raised with palm turned up, while reciting: "I pledge allegiance to the flag of the United States of America and to the republic for which it stands; one nation, indivisible, with liberty and justice for all." A Jehovah's Witness student refused to salute the flag, because to do so would violate his religious beliefs. A school official explained that according to state law, refusing to salute the flag was "insubordination" and would get him expelled. A group of Witness students, believing this statute violated the Free Exercise clause, took their case to the Supreme Court.

Roles: Jehovah's Witness student, reciting student, teacher, school official

FREE *to speak*



CRITICAL ENGAGEMENT QUESTION

What is symbolic speech?

OVERVIEW

The First Amendment boldly declares that “Congress shall make no law...abridging the freedom of speech.” Over the past 200 years our nation has argued over just what is meant by the word “speech.” The First Amendment has been interpreted by many, including the Supreme Court, to protect not only spoken words, but other forms of expression including non-verbal communication or symbolic speech. In this lesson, students will challenge preconceived notions of the definition of speech, explore the concept of symbolic speech, and consider the implications to individual rights and American society if symbolic speech were not to receive First Amendment protection.

Without freedom of thought there can be no such thing as wisdom; and no such thing as public liberty, without freedom of speech.

—BENJAMIN FRANKLIN

If we don't believe in freedom of expression for people we despise, we don't believe in it at all.

—NOAM CHOMSKY

MUSEUM CONNECTION

Help your students understand what freedom of speech means. Take your class to the **First Amendment Freedoms** exhibit and experience the computer interactive on *Tinker v. Des Moines* (1969) at the McCormick Tribune Freedom Museum (www.FreedomMuseum.us).

OBJECTIVES

Students will:

- understand the concept of symbolic speech.
- analyze the Supreme Court case *Tinker v. Des Moines* (1969).
- analyze the Supreme Court case *Texas v. Johnson* (1989).
- appreciate First Amendment rights and responsibilities in school and in the community.

STANDARDS

NCHS: Era 3, Standard 3; Era 10, Standard 2

CCE: IIA1, IIA2, IIC1, IID3, VB2

NCSS: Strands 5, 6, and 10

STUDENT MATERIALS

Handout B: *Tinker v. Des Moines* (1969)

Handout C: *Texas v. Johnson* (1989)

Handout D: Case Report Sheet

TEACHER MATERIALS

Handout A: Free Speech Signs

Transparency Master A: Free Speech Scenarios

Transparency Master B: Supreme Court Decisions

FREEDOM CARDS

Frederick Douglass
Joey Johnson
Martin Luther King, Jr.
Matthew Lyon
Mary Beth Tinker
See page 107

GRADE LEVEL/TIME

Two 45-minute middle school classes or one 90-minute block

BACKGROUND/HOMEWORK

[10 minutes the day before]

Have students choose an issue or cause that is important to them: the environment, drunk driving, animal rights, or another in which they believe. Tell them their assignment will be to create a poster educating others about that cause, but that the poster can contain only pictures or other symbols. They must get their message across *without using any words*. Let students know their posters will be displayed in class.

WARM-UP

[10-15 minutes]

- Have students post their homework posters around the room. Give students a few moments to view them all.
- Ask students about the process of creating their posters. Was it difficult to get a message across without being able to use words? Or was it easy? Does one need to use words in order to communicate effectively?
- Now ask them to imagine that their state governor plans to ban all student posters, and claims he is free to do so because the First Amendment only protects speech. How would students respond? Is the governor correct?

ACTIVITY I

[20-30 minutes]

- Write part of the First Amendment on the board: "*Congress shall make no law...abridging the freedom of speech.*" Ask students to think about what the term "speech" means. Can it ever include expressions that are not spoken or written words? Explain that using non-verbal means to express an idea is called "symbolic speech."
- Post the two signs from **Handout A: Free Speech Signs** on opposite ends of a wall. Ask students to get up and move to the sign that best represents their view. If their feelings are somewhere in the middle, have them stand between the two signs, closer to the one they most agree with.
- Put up an overhead of **Transparency Master A: Free Speech Scenarios**. Reveal one statement at a time, and have students move to the appropriate location between the signs based on their reaction to the statement. *Note: for larger classes, you may wish to ask five or six students at a time to participate for each statement.*
- For each statement, allow students to discuss the ways each is or is not an example of symbolic speech—using non-verbal ways of expressing an idea.

ACTIVITY II

[20-30 minutes]

- A. Assigning half the class to each case, distribute **Handout B: *Tinker v. Des Moines* (1969)** and **Handout C: *Texas v. Johnson* (1989)**. Give students time to read their case background.
- B. Subdivide each half of the class into sub-groups of four, and have each group complete **Handout D: Case Report Sheet**. Within each group, assign the tasks of group leader, spokesperson, scribe, and illustrator. The illustrator should draw a representation of an individual or event associated with the case on the back of the Handout.
- C. After students have finished, ask one group's spokesperson to present the facts of the *Tinker* case and share the group's opinion. Illustrators should present their drawings.
- D. After all groups have reported, reveal the Supreme Court decision using **Transparency Master B: Supreme Court Decisions**. Ask the class if they agree with the Court's reasoning. Then repeat for the *Johnson* groups.
- E. Conduct a large group discussion on the way each case centers on symbolic speech: an armband or the burning of a flag. Do students believe the Founders would have viewed these actions as "speech"? Should that matter?

HOMEWORK

- A. Ask students to write one to two paragraphs explaining what they believe would happen in American society if symbolic speech were not to receive First Amendment protection.
- B. Have students keep a journal for twenty-four hours, keeping track of the ways they express themselves without using words. Have them choose one or two situations and explain whether their expression was effective.

EXTENSIONS

- A. Have students conduct a survey of family or friends to answer the question: should we amend the Constitution to make burning the American flag a crime? Have students write a letter to their Senator or Representative expressing their views on this issue.
- B. Have students research the case *Hazelwood v. Kuhlmeier* (1989) and write a one-page essay defending one of the following statements. Students can begin their research at www.BillofRightsInstitute.org:
 - The *Hazelwood* decision effectively overturned the *Tinker* decision.
 - Student rights to individual expression in public school are intact after the *Hazelwood* decision.

REAL LIFE
PORTAL

Have the class prepare to interview their school principal about the effect of the *Tinker* decision on their school's policy regarding student expression and symbolic speech. Students should prepare questions as well as follow-up questions tied to potential responses. After students have prepared, invite the principal to class for an interview, followed by a roundtable discussion. Students should take notes during the process and write a summary of what they learned.

FREE SPEECH SIGNS

speech

SPOKEN WORDS ONLY

Therefore, the government is prohibited only from passing laws that restrict *spoken words*.

speech

ALL FORMS OF EXPRESSION,
INCLUDING NON-VERBAL ACTIONS

Therefore, the government is prohibited from passing laws that restrict forms of *expression*.

FREE SPEECH SCENARIOS

Directions: *Read each statement below and decide if it describes “speech” that should be protected by the First Amendment.*

1. A citizen writes a letter to the editor of her local newspaper.
2. A candidate for president makes a speech.
3. A woman writes about political matters on her Internet blog.
4. A student pins a ribbon on his backpack. The ribbon represents his support for troops in Iraq.
5. A student wears an armband to school to protest a war.
6. The school literary magazine contains a controversial drawing by a student.
7. A religious-themed painting in a publicly-funded museum strongly offends many in the community.
8. A video game includes graphic depictions of violence.
9. An exhibit in a museum consists of an American flag spread out on the floor.
10. A war veteran burns an American flag at a nonviolent demonstration.

TINKER V. DES MOINES (1969)

Directions: Read the case description below and begin to think about the questions that follow.

The December morning air was chilly as students John and Mary Beth Tinker were getting ready for school. As they got dressed, they tied black armbands around their sleeves. It was 1965, and John and Mary Beth were opposed to American involvement in the Vietnam War. They had decided to wear the armbands to school as a way of expressing their view.

The school district had learned of their plan to wear the armbands. Officials said they would suspend students who came to school wearing them. John and Mary Beth knew about the policy but they kept their armbands on as they walked into their classrooms in their Des Moines, Iowa public schools. It was not long before school officials asked John and Mary Beth to remove their armbands, but they both refused and were suspended.

The school district maintained that it had banned armbands because of their potential to distract students and disrupt class. However, other forms of potentially controversial speech had been permitted in school, including campaign buttons.

The Court had to consider two questions:

1. Were the armbands a form of speech protected by the First Amendment?
2. If so, did the school district have the power to restrict that speech in the interest of keeping order in the school?

TEXAS V. JOHNSON (1989)

Directions: *Read the case description below and begin to think about the questions that follow.*

In 1984, Joey Johnson organized a group protest against American nuclear policy and other issues. The protest was staged during the Republican National Convention in Dallas, Texas. The group marched through the streets of Dallas expressing its views.

During the march, Johnson was carrying an American flag. When the group reached the Dallas City Hall, Johnson poured kerosene on the flag. Then he set it on fire. While the flag burned, the protestors shouted “America, the red, white and blue, we spit on you.” No one was hurt, but many observers were very upset with what they saw.

Johnson was arrested and charged with violating a Texas law that said people could not vandalize a respected object. Johnson was found guilty of breaking this law. His case went to the United States Supreme Court.

Johnson argued that his action was a form of symbolic speech and therefore his action was protected under the First Amendment. The flag burning did not cause or threaten to cause violence to break out.

The State argued that it wanted to keep order and preserve the flag as a symbol of national unity. Texas believed that those interests were more important than Johnson’s right to express himself through symbolic speech.

The Court had to consider two questions:

1. Is flag burning as political protest a form of symbolic speech protected by the First Amendment?
2. If so, was Texas’s interest in keeping order and preserving the flag more important than Johnson’s right to express himself through symbolic speech?

CASE REPORT SHEET

Directions: After reading *Handout B or C*, respond to the questions below with your group members.

Tinker v. Des Moines (1969)

1. What happened to bring the case to court?
2. How did the school district explain its actions?
3. Were the armbands a form of speech protected by the First Amendment?
4. If so, did the school district have the power to restrict that speech in the interest of maintaining order in the school?

Texas v. Johnson (1989)

1. What happened to bring the case to court?
2. How did the state of Texas explain its actions?
3. Is flag burning as political protest a form of speech protected by the First Amendment?
4. If so, was Texas's interest in maintaining order and preserving the flag more important than Johnson's right to express himself through symbolic speech?

SUPREME COURT DECISIONS

Tinker v. Des Moines (1969)

The Supreme Court ruled that the First Amendment does protect symbolic speech. In a 7-2 decision, the Court found the school's action unconstitutional. In a famous phrase, Justice Fortas wrote, "It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate...."

The Court found that the school had not demonstrated that the armbands caused "a material and substantial interference with schoolwork or discipline" and, rather, had acted merely to avoid the "discomfort and unpleasantness that always accompany an unpopular viewpoint." The Court noted that the school district had not banned all political symbols, but had instead "singled out" the armbands for prohibition. Government cannot censor speech because of the message it expresses.

Texas v. Johnson (1989)

The Court held that flag burning as part of political protest was protected by the First Amendment. In a 5-4 decision, the Court held that "Government may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable."

The Court explained the concept of symbolic speech as action clearly aimed at expressing an idea. "The First Amendment literally forbids the abridgment only of 'speech,' but we have long recognized that its protection does not end at the spoken or written word...Johnson burned an American flag as part...of a political demonstration....The expressive, overtly political nature of this conduct was both intentional and overwhelmingly apparent...."

The Court also reasoned that his arrest was unconstitutional because he was arrested for criticizing government. Speaking out about government was something the First Amendment was written to make sure citizens always had the right to do. "[Johnson was] prosecuted for his expression of dissatisfaction with the policies of this country, expression situated at the core of our First Amendment values...."

The Court also asked what might be next to be outlawed. "Could the government, on this theory, prohibit the burning of state flags? Of copies of the Presidential seal? Of the Constitution?"

The decision concluded, "We do not consecrate the flag by punishing its desecration, for in doing so we dilute the freedom that this cherished emblem represents."

FREE *to write*



CRITICAL ENGAGEMENT QUESTION

Should student journalists enjoy the same freedom of the press as professional journalists?

OVERVIEW

First Amendment freedoms are essential democratic rights, without which free government is impossible. Alongside such natural freedoms as speech and assembly, the Founders saw freedom of the press as one of the bulwarks of liberty. Freedom of the press permits citizens to participate in robust debate about public affairs, and, when necessary, enables them to expose corruption in government. In this lesson, students will explore the broad freedom of the press that is protected by the First Amendment, and how that freedom is qualified for students attending public school.

Were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter.

—THOMAS JEFFERSON

Only a free and unrestrained press can effectively expose deception in government.

—HUGO BLACK

MUSEUM CONNECTION

Help your students understand what freedom of press means. Take your class to the **First Amendment Freedoms** exhibit and experience the computer interactive on *New York Times v. Sullivan* (1964) at the McCormick Tribune Freedom Museum (www.FreedomMuseum.us).

OBJECTIVES

Students will:

- explain the facts of two landmark Supreme Court cases: *New York Times v. Sullivan* (1964) and *Hazelwood v. Kuhlmeier* (1988).
- understand the arguments made by each side in both cases.
- analyze the decisions of the Supreme Court in both cases by comparing and contrasting.
- assess the level of press freedom enjoyed by student journalists.
- appreciate the First Amendment's protection of freedom of the press.

STANDARDS

NCHS: Era 9, Standard 4; Era 10, Standard 2

CCE: VB2, VB4, VD1

NCSS: Strands 2, 6, and 10

STUDENT MATERIALS

Handout A: "Heed Their Rising Voices"

Handout B: Two Landmark Cases

Handout C: Case Briefing Sheet

FREEDOM CARDS

Matthew Lyon

Edward R. Murrow

Thomas Paine

Upton Sinclair

Ida B. Wells

See page 107

GRADE LEVEL/TIME

Two 45-minute middle school classes or one 90-minute block

BACKGROUND/HOMEWORK

[10 minutes the day before]

- A. Have students complete **Handout A: "Heed Their Rising Voices."**

Students can view the ad at: <http://faculty-web.at.northwestern.edu/commstud/freespeech/cont/cases/nytsullivan.GIF>

And the entire text is available at: <http://faculty-web.at.northwestern.edu/commstud/freespeech/cont/cases/nytsullivan1.html>

WARM-UP

[15 minutes]

- A. Ask students to share their homework responses to **Handout A**.
- B. Conduct a large group discussion on the issues raised by the ad and the *Sullivan* case. Have students answer the questions:
- What, if anything, should happen if a newspaper knowingly publishes something false?
 - What is the difference, if any, between false ads and false articles?

ACTIVITY I

[20-30 minutes]

- A. Distribute **Handout B: Two Landmark Cases**. Give students time to read the case summaries.
- B. Divide the class into groups of three or four. Give groups two copies of **Handout C: Case Briefing Sheet**. Assign each group the following tasks for the *Sullivan* case.
- Summarize the facts of the case and then create a flow chart of how the *Sullivan* case moved through the court system. (*You may wish to give groups a blank transparency and a dry-erase marker on which to draw the chart*).
 - Prepare a summary of the one side of the case's arguments.
 - Write a paragraph analysis of the Court's decision. What was the constitutional basis for the decision?
 - Answer the question: Did the decision strengthen or weaken press freedom?
- C. Have groups present their summaries, flow charts, and analyses for the class.

ACTIVITY II

[20-30 minutes]

- A. Repeat the activity for the *Hazelwood* case.
- B. As a large group, discuss the outcome of both cases. Ask students to contrast the difference between First Amendment protection given to the *New York Times* versus the Hazelwood East High School newspaper.
- C. Conduct a large group discussion about freedom the press. How do the two cases illustrate the differences between students' and adults' First Amendment rights?

HOMEWORK

- A. Have students create a pro/con list of five arguments that school-funded student newspapers should receive the same First Amendment protections as professional papers, and five arguments that they should not. Then ask them to choose the reason they find most compelling and write a paragraph explaining their view.
- B. Have students write a dialogue between themselves and one of the students from Hazelwood High School. What questions would they like to ask, and how do they believe the Hazelwood students would answer?

EXTENSIONS

- A. Have students research the editorial policy of their school newspaper. Who has the power to review stories or limit their publication? Have students interview the newspaper editor, the faculty sponsor, and the school principal to determine the impact of the *Hazelwood* decision on school practice.
- B. In the *Sullivan* decision, the Court reasoned that the First Amendment protects "uninhibited, robust, and wide-open" expression. Further, the Court held that this free and open debate in a democratic society is more important than the potential damage to public figures by occasional honest mistakes. Have students reflect on this reasoning and write a one-page essay explaining the likely impact on a free press if the definition of libel were expanded to include all factual errors about public officials, whether intentional and malicious or not.

**REAL LIFE
PORTAL**

Have students brainstorm ways that they can exercise their right to freedom of the press. Then have them select one to put in practice. Students may write a letter to the editor on a subject they care about, call in to a radio program, start their own blog, or write an original news article on a topic they are interested in to submit to their local paper for publication. Students should share their experiences with the class.

“HEED THEIR RISING VOICES”

Directions: Below is an excerpt from a full-page ad that ran in The New York Times in the spring of 1960. The ad was an attempt to raise money for civil rights causes. Read the excerpt and then answer the question below.

As the whole world knows by now, thousands of Southern Negro students are engaged in widespread non-violent demonstrations in positive affirmation of the right to live in human dignity as guaranteed by the U.S. Constitution and the Bill of Rights. In their efforts to uphold these guarantees, they are being met by an unprecedented wave of terror by those who would deny and negate that document which the whole world looks upon as setting the pattern for modern freedom. ...

In Montgomery, Alabama, after students sang “My Country, ‘Tis of Thee” on the State Capitol steps, their leaders were expelled from school, and truckloads of police armed with shotguns and tear-gas ringed the Alabama State College Campus. When the entire student body protested to state authorities by refusing to re-register, their dining hall was padlocked in an attempt to starve them into submission. ...

Again and again the Southern violators have answered Dr. [Martin Luther] King’s peaceful protests with intimidation and violence. They have bombed his home almost killing his wife and child. They have assaulted his person. They have arrested him seven times—for “speeding,” “loitering” and similar “offenses.” And now they have charged him with “perjury”—a *felony* under which they could imprison him for *ten years*. Obviously, their real purpose is to remove him physically as the leader to whom the students and millions of others—look for guidance and support, and thereby to intimidate *all* leaders who may rise in the South.

FACTS:

- L.B. Sullivan is one of three officers in charge of supervising the police.
- Two of the charges in the ad are exaggerations, and one is completely false.
- For something to be libel it must be:
 - Published
 - False, and known to be false by the publisher
 - Meant to hurt someone’s reputation
 - About someone identifiable

Does Mr. Sullivan have a libel case against the *New York Times*? Why or why not? If you don’t know, what additional information would you need to decide?

TWO LANDMARK CASES

Directions: Read the case descriptions below and then follow your teacher's directions for the class activity.

New York Times v. Sullivan, 1964

It was 1960 and the Civil Rights Movement was gaining strength. Civil rights workers ran a full-page ad in the *New York Times* to raise funds. The ad cited examples of violent police actions against peaceful demonstrators. The ad was signed by sixty well-known Americans. The ad was mostly accurate, but some of the charges in the ad were not true.

L.B. Sullivan was one of three people in charge of police in Montgomery. He sued the the *New York Times* for libel (printing something they knew was false and would cause harm). The ad did not mention Sullivan's name. But he claimed that the ad implied the actions of the police were his fault. He said that the ad damaged his reputation in the community. In the Alabama court, Sullivan won the case and the *New York Times* was ordered to pay \$500,000 in damages.

The *Times* appealed the decision to the United States Supreme Court. The newspaper argued that it had no intention of hurting L.B. Sullivan. The newspaper had no reason to believe that the ad included false statements, so it did not check their accuracy. The people who signed the ad were well known. The *Times* argued that if a newspaper had to check the accuracy of every criticism of every public official, a free press would severely be limited.

In a unanimous decision, the United States Supreme Court ruled in favor of the *New York Times*. In order to prove libel, a public official must show that the newspaper published statements it knew were false, or with "reckless disregard" for truth. The Court reasoned that free and open debate about the conduct of public officials was more important than occasional, honest factual errors that might hurt officials' reputations.

Hazelwood School District v. Kuhlmeier, 1988

"We were trying to make a change with the school paper and not just write about the school proms, football games and paddy stuff."

That was how Cathy Kuhlmeier, a student editor, recalled her decision to include two controversial articles in the Hazelwood East High School newspaper. One article reported interviews with three students about their pregnancies and experience with sex and birth control. The students were unnamed but easy to identify in a small school. The other article discussed divorce. It named a student who complained about her father.

Principal Robert Reynolds did not approve the content of the articles. Reynolds said he wanted to protect the privacy of the unnamed students. He believed that the references to sexual activity were inappropriate. He also wanted to protect the father who had no way to respond to his daughter's criticism.

Student newspaper staff members believed Principal Reynolds had violated their First Amendment rights. The principal argued that he was within his rights to delete the stories because the school sponsored the newspaper, and provided most of its funding. The United States Supreme Court heard the case.

In a 5–3 decision, the Supreme Court ruled in favor of the Hazelwood School District. The Court said that the First Amendment did not mean that schools have to promote all student speech. Schools must be able to set their own standards for student speech if it is published under the school's name. Schools had the right to refuse to sponsor speech that conflicted with its "basic educational mission." The actions of the principal passed this test.

CASE BRIEFING SHEET

Directions: Answer the questions below.

1. Case name and year: _____

Summary of one side's arguments

2. Facts of the case/flow chart:

Summary of the other side's arguments

3. How did the Supreme Court decide the case? What was the constitutional basis for the ruling?

4. Was freedom of the press strengthened or weakened by the Supreme Court's decision? Explain.

FREE *to gather*



CRITICAL ENGAGEMENT QUESTION

Why are the freedoms to assemble and petition so important in a free society?

OVERVIEW

The United States was born out of a petition: the Declaration of Independence. Signed by fifty-six colonists, this piece of American scripture was at heart a legal document that accused the British Crown of violating fundamental rights protected by English law. Significantly, the First Amendment protects the right of citizens to petition the government for a redress of grievances. People in the United States also enjoy the right to peaceably meet, demonstrate, organize, and associate with whomever they want. In this lesson, students will understand and appreciate these two rights and understand why they are vital to freedom.

Our petitions have been slighted; our remonstrances have produced additional violence and insult; ... If we wish to be free...we must fight!

—PATRICK HENRY

Opinion and protest are the life breath of democracy—even when it blows heavy.

—LYNDON B. JOHNSON

MUSEUM CONNECTION

Help your students understand what freedom of assembly and petition mean. Take your class to the **First Amendment Freedoms** exhibit and experience the computer interactive on *Brown v. Louisiana* (1966) at the McCormick Tribune Freedom Museum (www.FreedomMuseum.us).

OBJECTIVES

Students will:

- identify ways to exercise free assembly and petition.
- understand limitations on free assembly and petition.
- synthesize knowledge about two Supreme Court assembly and petition cases.
- create a graphic depiction of the importance of free assembly and petition.
- appreciate the protection of assembly and petition in a free society.

STANDARDS

NCHS: Era 8, Standard 3;
Era 9, Standard 4; Era 10,
Standard 2
CCE: IID3, VB2, VD4, VE2, VE3
NCSS: Strands 4, 6, and 10

STUDENT MATERIALS

Handout A: Flyer and Logo Template
Handout B: Assembly and Petition Cases Fact Sheet

TEACHER MATERIALS

Transparency Master A:
Assembly and Petition True/
False Challenge
Answer Key

FREEDOM CARDS

John Quincy Adams
Martin Luther King, Jr.
Alice Paul
See page 107

GRADE LEVEL/TIME

Two 45-minute middle school
classes or one 90-minute block

BACKGROUND/HOMEWORK

[10 minutes the day before]

- Have students read the First Amendment and pay particular attention to the last two freedoms it protects: “*Congress shall make no law...abridging... the right of the people peaceably to assemble, and to petition the government for a redress of grievances.*”
- Ask students to write two paragraphs answering the questions:
 - What does it mean to “assemble”? What is a “petition”?
 - What happens in a society when individuals cannot meet privately to discuss political ideas, or express their views to government leaders?
 - What kinds of governments would be most likely to protect freedom of assembly/petition? What kinds would be least likely?

WARM-UP

[10-15 minutes]

Conduct a large group discussion, asking students to share their answers to the homework questions.

ACTIVITY I

[20 minutes]

- Put up an overhead of **Transparency Master A: Assembly and Petition True/False Challenge**. Revealing one statement at a time, ask for a show of hands whether students believe it is true or false.
- Reveal the answers for each statement in turn, and ask students if they were surprised. Emphasize that the First Amendment limits only the government’s ability to regulate assembly and petition, and that individuals or private businesses do not have to let people assemble or petition on their property.

ACTIVITY II

[30-40 minutes]

- Divide the class into pairs. Ask students to imagine that they have been hired by a First Amendment educational institution to promote understanding of the rights of assembly and petition. Their tasks will be to create an information flyer about a Supreme Court case, as well as to design a logo to help others understand the significance of assembly and petition in a free society.
- Distribute **Handout A: Flyer and Logo Template** and **Handout B: Assembly and Petition Cases Fact Sheet**. Have pairs choose two of the Supreme Court cases from **Handout B** to visually depict in their flyer and logo, and create a promotional piece for the First Amendment education institution.

Flyers should answer the questions:

- What are the facts of these cases?
 - Why were these cases important?
 - How do these cases affect our lives today?
 - Why should people care about the rights to assembly and petition?
- C. Have students post their flyers around the room and give students a few moments to view them all.
- D. Wrap up by asking the class why they believe it might be that, according to recent studies, many people cannot recall the First Amendment's protection of assembly and petition. Why were these rights so important to the Founders that they included them in the First Amendment?

HOMework

- A. Using the **Freedom Card** on John Quincy Adams for background information, have students create a business card, including a logo, for Adams as a champion of the First Amendment's protection of Freedom of Petition.
- B. Have students skim over the Declaration of Independence. Then have them write one paragraph explaining the claim: The United States was born out of a petition.

EXTENSIONS

- A. Have the class create an annotated timeline of petitions that have changed the course of history. Assign students to cover various individuals and groups from history through the present day: Dorothea Dix, John Quincy Adams, abolitionist groups, women's suffrage petitioners, civil rights activists, and others who have petitioned the government.
- B. Have students research all the cases listed in **Handout B** in more detail. Have students create a PowerPoint presentation or chart of their findings to show if/how the Court's rulings have changed through American history.



REAL LIFE PORTAL

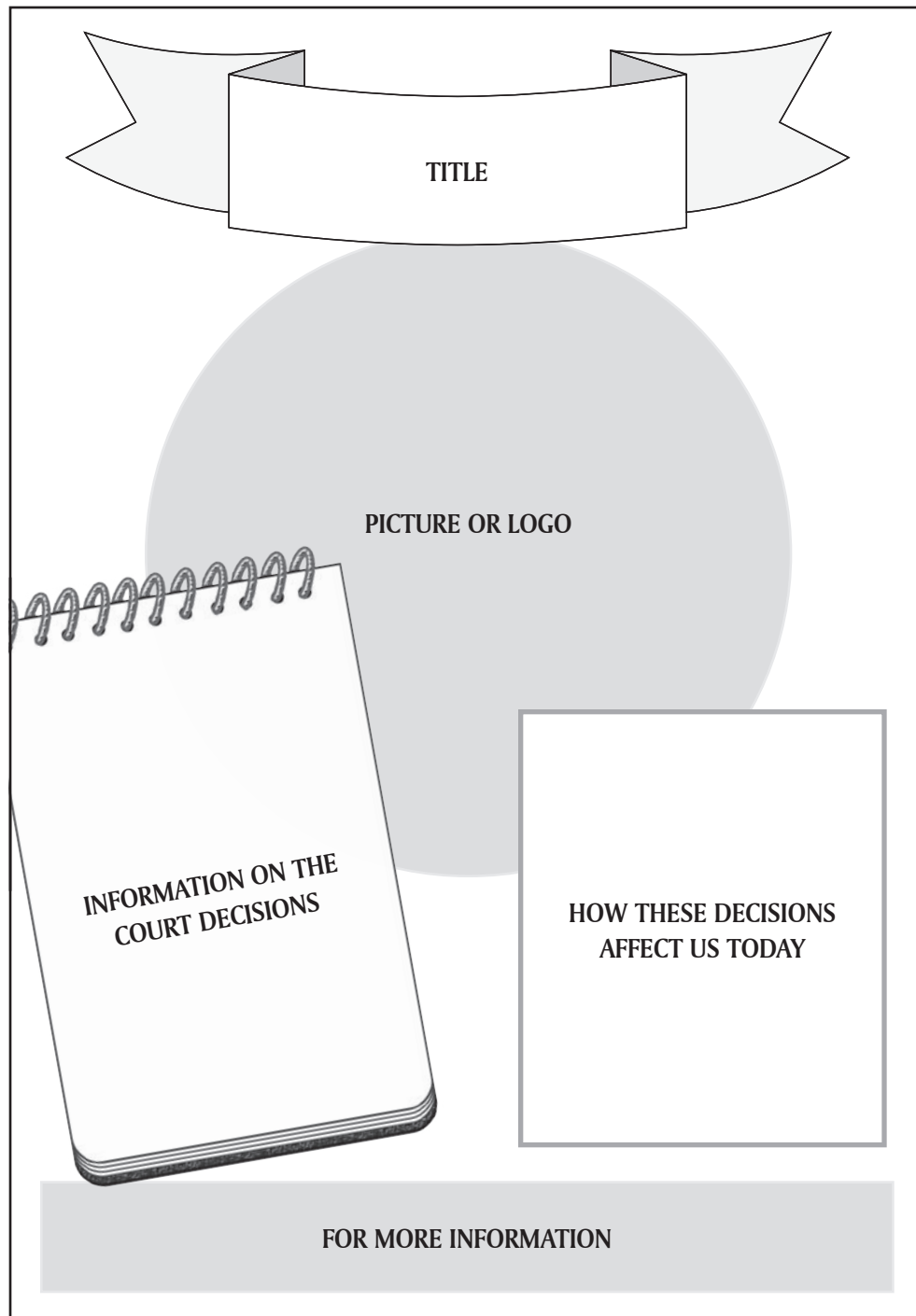
Have students choose five other countries and research whether their governments protect citizens' freedom of assembly and petition. If not, what are the penalties for citizens meeting with each other without government approval? What can happen to people who address leaders and ask for change? Have students present their findings to the class.

ASSEMBLY AND PETITION TRUE/FALSE CHALLENGE

1. My right to meet with others to discuss political ideas is protected by the First Amendment.
2. I have a First Amendment right to write a letter expressing my views, then gather signatures on it to show that others agree with me, and then send the letter to my leaders.
3. Governments can demand that unpopular groups turn over complete membership lists.
4. I have the right to hold a protest in a mall, as long as no shoppers complain.
5. I can hold a protest at or near a school, even if my goal is to disrupt classes.
6. The government can stop people from demonstrating if it does not agree with their message.
7. If I am protesting at an abortion clinic, I can directly approach patients near the clinic.
8. I can be arrested for belonging to an unpopular group and attending its meetings.
9. If I support a ballot measure, or just want some extra money, I can go to work for a political action committee to circulate petitions in support of the measure.
10. I work in a family-owned restaurant where the boss is sometimes mean. If I get all my co-workers to have a sit-in in the lobby to protest, my boss can't fire us.

FLYER AND LOGO TEMPLATE

Directions: Choose two of the Supreme Court cases from **Handout B** and use them to create a promotional flyer such as the one below for the First Amendment Education Institution.



ASSEMBLY AND PETITION CASES FACT SHEET

Directions: Read the facts of each case, and then select two to feature on your educational flyer.

DeJonge v. Oregon (1937)

- Dirk DeJonge went to a meeting of the Communist Party and talked to the audience.
- He spoke about jail conditions and a strike going on in Portland.
- Police raided the meeting and arrested DeJonge under a law that made it a crime to call for unlawful activities for political revolution.
- DeJonge claimed he had not called for unlawful action. He had just gone to a meeting of a group that favors political revolution and discussed current events.
- **The Supreme Court noted that DeJonge did not actually call for immediate violent actions. The Court therefore held that the First Amendment protected DeJonge's freedom of speech and assembly. Attending a meeting of the Communist Party could not, by itself, be reason for arresting someone.**

Cox v. Louisiana (1965)

- Elton Cox led 2,000 students in an anti-discrimination march to the state courthouse.
- Protestors followed police directions and did not disturb traffic.
- Cox told protestors that they should demand service at nearby segregated restaurants.
- When they heard the protestors' plans, police pushed them away with tear gas.
- Cox was arrested the next day for disturbing the peace.
- **The Supreme Court ruled his arrest was unconstitutional because the demonstration did not result in a breach of the peace. Calling for actions that might result in violence (blacks asking to be served at whites-only lunch counters) was also not a breach of the peace. Freedom of assembly cannot be denied because the government disagrees with someone's message.**

Gregory v. City of Chicago (1969)

- Civil rights demonstrators marched to the mayor's house in Chicago to ask for desegregation in public schools.
- Mr. Gregory addressed the marchers and said: "First we will go over to the snake pit [city hall]. When we leave there, we will go out to the snake's house [the mayor's home]. Then, we will continue to go out to Mayor Daley's home until he [desegregates the schools]."
- The marchers sang into the evening but stopped at 8:30pm.

ASSEMBLY AND PETITION CASES FACT SHEET (CONT.)

- The demonstrators were peaceful, but police worried about the chance of violence as more and more people came to see what was going on.
 - At 9:30pm, police told the demonstrators to leave or they would be arrested. They did not leave, and were arrested for disorderly conduct.
 - **The Supreme Court ruled that the demonstration was “peaceful and orderly,” and therefore it was “well within the sphere of conduct protected by the First Amendment.”**
-

Edwards v. South Carolina (1963)

- Almost 200 civil rights protestors organized a march to the South Carolina State House.
 - The marchers broke into groups of 15 and walked and sang in protest of segregation policies.
 - The marchers were peaceful, remained on public property, and did not disrupt traffic.
 - Thirty police officers ordered the group to leave. The marchers did not obey the order.
 - The protestors were arrested and charged with breach of the peace.
 - **The Supreme Court ruled that South Carolina had violated the marchers’ rights to free speech and assembly. The Court explained that the marchers were exercising their First Amendment rights “in their most pristine and classic form.” Further, the Court held that the First Amendment ensures that a state cannot arrest people for “the peaceful expression of unpopular views” as South Carolina had done.**
-

Lloyd v. Tanner (1972)

- Five students passed out leaflets in protest of the Vietnam War inside a privately-owned shopping mall.
- The five young people were quiet, orderly, and did not litter. One shopper complained.
- Security guards told the students they were trespassing and they would be arrested if they did not stop handing out the leaflets. The guards suggested they move outside to the public sidewalk.
- The students argued that even though the mall was privately owned, that it served the purpose of a public business district and therefore they should be able to hand out their leaflets peacefully.
- **The Supreme Court ruled that people do not have a First Amendment right to assemble on private property. The Court noted that just because the mall is open to the public, “there is no open-ended invitation to the public to use the center for any and all purposes.” The Court went on to explain that the First Amendment “safeguards the rights of free speech and assembly by limitations on state action, not on action by the owner of private property...”**

voices of FREEDOM



CRITICAL ENGAGEMENT QUESTION

How has the Declaration of Independence's promise extended to various groups of Americans throughout history?

OVERVIEW

Freedoms protected by the First Amendment have often provided individuals and groups with the means to secure other political and civil rights. In this lesson, students will be introduced to individuals who used freedom of speech, assembly, press, and petition in order to preserve, defend, and expand freedom.

I will not believe our labors are lost. I shall not die without a hope that light and liberty are on a steady advance.

—THOMAS JEFFERSON

The best road to progress is freedom's road.

—JOHN F. KENNEDY

MUSEUM CONNECTION

Help your students understand how Barbara Johns, Eugene V. Debs, Mary Tsukamoto, Sojourner Truth, and Sequoyah struggled for freedom. Take your class to the **Freedom for All** exhibit and experience the “Civil Rights,” “Immigrant Rights,” and “And Justice for All” kiosks at the McCormick Tribune Freedom Museum (www.FreedomMuseum.us).

OBJECTIVES

Students will:

- recognize the significance of fundamental freedoms.
- understand the significance of people who changed history.
- analyze the methods and attitudes of individuals in history who fought for freedom.

STANDARDS

NCHS: Era 4, Standard 4;
Era 7, Standard 2; Era 8,
Standard 3

CCE: VA1, VB1, VB2

NCSS: Strands 2, 6, and 10

STUDENT MATERIALS

Handout A: Freedom File

Handout B: Suggested
Resources

Handout C: I Am...Poem
(optional)

TEACHER MATERIALS

American Excerpts Cards

FREEDOM CARDS

Frederick Douglass

Fannie Lou Hamer

Martin Luther King, Jr.

Mavis Leno

Alice Paul

See page 107

GRADE LEVEL/TIME

Two 45-minute middle school
classes or one 90-minute block

BACKGROUND/HOMEWORK

[10 minutes the day before]

- Assign students one individual from the following list to locate and bring in a picture of: Barbara Johns, Eugene V. Debs, Mary Tsukamoto, Sojourner Truth, or Sequoyah. *Note: you may want to have extra pictures on hand in case some students do not complete the assignment.*

WARM-UP

[10-15 minutes]

- As students enter, choose five who are strong readers and give them a card from the **American Excerpts Cards**.
- Have students read from their cards and introduce themselves as you call on them. Have students who brought in pictures of that person post their images on the wall for the class to see when the introduction is complete.

ACTIVITY I

[20-30 minutes]

- As introductions proceed, have students work in pairs and write down three things they'd like to know about each of the individuals they have just been introduced to.
- Have students share their questions for each individual as a large group. Once all five people have been discussed, allow each student to choose which person s/he would like to do research on for the period by having him/her select and take down one of the homework images.

ACTIVITY II

[20-30 minutes]

- Distribute **Handout A: Freedom File** and, if Internet access is available, **Handout B: Suggested Resources**. If Internet access is not available, have printouts available of the articles listed on **Handout B**.
- Have students do research on their individual and complete **Handout A**.
- Reconvene the class and conduct a large group discussion to answer the following questions:
 - What do all of these individuals have in common?
 - How did each individual's actions and attitudes preserve, defend, or expand freedom?
 - How did historical circumstances differ for each individual?

- Who overcame the greatest odds in his/her fight for freedom?
- Which individual's contributions had the greatest impact on American society today?

HOMEWORK

- Have students write an original poem, song, or other tribute explaining the ways one person has made an impact on preserving and expanding freedom. Tributes should reference at least one of the individuals studied in class, as well as personal reflections and ideas about taking action for freedom for all.
- Have students select an individual from history, not studied in class today, who has worked to achieve freedom for all, and create a Freedom File for him/her. Students may select someone from the women's suffrage movement, the civil rights era, gay rights, or other similar causes.

EXTENSIONS

- Have students create a scrapbook of primary source documents for one or more of the individuals they learned about in class. For each document, have students add their own page of reflections and analysis. These scrapbooks could be displayed and/or circulated among the students in the class.
- Assign each student a decade for the years between 1776 and the present day. Have students research what advances for freedom took place in their assigned time period in American history. Have them make a graphic display on a notebook-sized piece of paper, including important events and images from the time, and create a Freedom For All timeline around the classroom.
- Have students write a one to two paragraph response for each of the following historical events, explaining if the event represents progress or a setback for freedom.

- | | |
|---|--|
| • The Constitution is amended to provide for direct election of U.S. Senators. | • Congress passes laws limiting campaign contributions by corporations. |
| • The federal government uses funding to achieve uniform drinking ages in the states. | • The Supreme Court interprets the Fifth Amendment to mean that government can take private property for "public benefit." |
| | • The federal government creates an income tax. |



REAL LIFE PORTAL

Have students reflect on what it means to be an American by completing **Handout C: I Am...Poem.**

AMERICAN EXCERPTS CARDS

MY NAME IS SOJOURNER TRUTH

1

I was born a slave but was freed when slavery was abolished in New York in 1827. In a famous speech, I was reported to have said: *“That man over there says that women need to be helped into carriages, and lifted over ditches, and to have the best place everywhere. Nobody ever helps me into carriages, or over mud-puddles, or gives me any best place! And ain’t I a woman? Look at me! Look at my arm! I have ploughed and planted, and gathered into barns, and no man could head me! And ain’t I a woman? I could work as much and eat as much as a man - when I could get it - and bear the lash as well! And ain’t I a woman? I have borne thirteen children, and seen most all sold off to slavery, and when I cried out with my mother’s grief, none but Jesus heard me! And ain’t I a woman?”*

MY NAME IS SEQUOYAH

2

Historians aren’t sure where I was born, but it was somewhere in the southern United States. I created the system of writing the Cherokee language in 1809. It took me twelve years to finish, and in 1825 the language was made the official one of the Cherokee Nation. I moved to Arkansas and traveled to Washington, D.C., to negotiate land treaties on behalf of my tribe.

MY NAME IS BARBARA JOHNS

3

I was a junior in high school when I started to realize how unfair segregation was. *“Some of the boys in the vocational program visited the shop at the white school and came back telling us how nice their whole school was...I remember thinking how unfair it was. I thought about it a lot in bed that night, and I was still thinking about it the next day.”* I organized a student strike in protest. My case was one of many that were part of the landmark Supreme Court case *Brown v. Board of Education* (1954), which declared racial segregation in schools unconstitutional.

MY NAME IS EUGENE V. DEBS

4

I ran for president five times as a member of the Socialist party. I spoke out for nationalization and communal ownership of all industry. I formed the first industrial union in the United States. Years later, I was arrested for giving speeches inciting disloyalty to the government and obstructing the draft during World War I. As I was being sentenced to prison, I told the judge, *"While there is a lower class, I am in it; while there is a criminal element, I am of it; and while there is a soul in prison, I am not free."* I am the only person ever to have campaigned for president while in jail.

MY NAME IS MARY TSUKAMOTO

5

I was a teacher in my 20s living in California when the Japanese attacked Pearl Harbor in 1941. Like over a hundred thousand other Japanese-Americans, I was soon sent to an internment camp during World War II. Later, I described the experience of being forced to leave everything: *"...I started to gather rice...and packages of dehydrated soup, and jell-o and things that were light so they wouldn't be such heavy baggage, because they said you could only take what you could carry."* Decades later, I campaigned for the passage of the Civil Liberties Act of 1987, which was in part an apology to Japanese-Americans for their treatment during World War II.

FREEDOM FILE

PASTE
ILLUSTRATION
HERE

Name: _____

Date of Birth: _____

Place of Birth/Residence: _____

Education: _____

Employment: _____

Which group did this
individual represent?
What challenges did this
group face at the time?

What skills did this
individual use to gain
rights for his/her people?

What obstacles did s/he
have to overcome on the
road to freedom?

What lasting impact did
this individual have on
the spread of freedom to
all people?

What is the most
interesting story from this
individual's life? (Describe
and say why you chose
this one.)

SUGGESTED RESOURCES

Sequoyah

History and biography

<http://www.sequoyahmuseum.org/>

The impact of Sequoyah's alphabet

<http://ngeorgia.com/people/sequoyah.html>

Sojourner Truth

History and biography

<http://www.noho.com/sojourner/history.html>

Narrative of Sojourner Truth's life

<http://digital.library.upenn.edu/women/truth/1850/1850.html>

Eugene V. Debs

History and biography

<http://www.u-s-history.com/pages/h801.html>

Biographical information and audio of 1904 speech

<http://www.eyewitnesstohistory.com/vodebs.htm>

Mary Tsukamoto

An interview with Mary's daughter

<http://memory.loc.gov/learn/lessons/99/fear/interview.html>

The Japanese American Archival Collection

<http://library.csus.edu/collections/jaac/tsukamoto.html>

Barbara Johns

History and biography

http://www.pbs.org/wnet/jimcrow/stories_people_johns.html

Barbara Johns and *Brown v. Board of Education*, 1954

<http://brownvboard.org/brwnqurt/02-3/02-3b.htm#cap1>

I AM...POEM

Directions: Complete the following poem. Your poem should refer to specific ideas, documents, and individuals from American history.

I am an American.

I wonder... _____

I hear... _____

I see... _____

I want... _____

I am an American.

I think... _____

I know... _____

I pretend... _____

I feel... _____

I touch... _____

I worry... _____

I cry... _____

I am an American.

I believe... _____

I understand... _____

I say... _____

I dream... _____

I try... _____

I hope... _____

I am an American.

guardians of FREEDOM



CRITICAL ENGAGEMENT QUESTION

What is the role of the press in a free society?

OVERVIEW

All have heard the expression, “What you don’t know can’t hurt you.” Yet, sometimes not knowing can be hurtful, especially if what we don’t know has something to do with our rights or with wrongs being committed by government. This lesson will introduce students to two very different people who used their First Amendment freedoms to secure the right to know for all Americans.

[The press] is a precious pest, and a necessary mischief, and there would be no liberty without it.

—FISHER AMES

Freedom of the press is not an end in itself but a means to the end of [achieving] a free society.

—FELIX FRANKFURTER

MUSEUM CONNECTION

Help your students understand more about the free exchange of information. Take your class to the **Marketplace of Ideas** exhibit and experience the “Freedom to Know” media presentation at the McCormick Tribune Freedom Museum (www.FreedomMuseum.us).

OBJECTIVES

Students will:

- understand *Near v. Minnesota* (1931) and Edward R. Murrow's challenge of Senator Joe McCarthy.
- evaluate the contributions of Edward R. Murrow and Colonel R.R. McCormick to freedom of the press.
- appreciate the American commitment to press freedom.

STANDARDS

NCHS: Era 7, Standard 3; Era 9, Standard 3
CCE: IID1, IID2, IIIF1, VB2
NCSS: Strands 1, 4, 6, and 10

STUDENT MATERIALS

Handout A: Key Terms

Handout B: Murrow and McCormick

Handout C: Venn Diagram

Handout D: Excerpts from *Near v. Minnesota* (1931) and the *Chicago Tribune*

TEACHER MATERIALS

Edward R. Murrow on the McCarthy hearings

Answer Key

FREEDOM CARDS

Matthew Lyon

Edward R. Murrow

Thomas Paine

Upton Sinclair

Ida B. Wells

See page 107

GRADE LEVEL/TIME

Two 45-minute middle school classes or one 90-minute block

BACKGROUND/HOMEWORK

[10 minutes the day before]

Have students complete **Handout A: Key Terms**. In addition to filling out the Handout, ask students to find and bring in a picture of one of the following:

- Colonel Robert R. McCormick
- Jay Near
- Edward R. Murrow
- Senator Joe McCarthy

WARM-UP

[10-15 minutes]

- Distribute **Handout B: Murrow and McCormick**. Divide the class into two groups. Ask the students to read the handout information, assigning one biography per group.
- Have students assume the persona of either Murrow or McCormick and pair up with a student who read the other biography. Have students pretend they are meeting for the first time and spend ten minutes getting to know each other.

ACTIVITY I

[20-30 minutes]

- Explain to students in a mini-lecture the historical context of Senator Joe McCarthy's search for Communists.

During the 1950s, Americans' fear and hostility toward communism was growing intense. Wisconsin Senator Joe McCarthy began to tap into the public's fears by claiming that the State Department was "riddled with communists." In what many now call a "witch hunt," McCarthy led a charge of accusations. Many of his charges were accurate, but some were not.

Edward R. Murrow disagreed with McCarthy's method. He decided to offer the public a portrait of McCarthy "in his own words and pictures." Murrow and his staff spent months compiling video and audio clips. On the March 9, 1954 broadcast of *See It Now*, he presented the public with McCarthy's own statements and actions, allowing viewers to make up their own minds. Americans saw McCarthy mocking President Eisenhower, insulting an army general, and telling half-truths. Murrow concluded the broadcast by asserting, "We must not confuse dissent with disloyalty." Critics point out, however, that Murrow did not give equal time on his program to the substance of McCarthy's charges, many of which were true.

Following the broadcast, Senator McCarthy asked for a chance to respond, which Murrow agreed to. But McCarthy's rebuttal was full of insults and did little to restore public confidence in him. American public opinion about McCarthy shifted sharply. The Senate censured McCarthy nine months later. In the wake of the controversy, however, CBS discontinued *See It Now*.

- B. Have students listen to a brief audio recording of Edward R. Murrow reflecting on the McCarthy hearings. The recording can be accessed at <http://www.npr.org/templates/story/story.php?storyId=1872668>.
- C. Distribute **Handout C: Venn Diagram**, and have students fill in the side for Edward R. Murrow. Have students write down memorable quotations, specific actions, and other contributions Murrow made for the cause of freedom of the press.

ACTIVITY II

[20-30 minutes]

- A. Explain to students in a mini-lecture about the 1931 case *Near v. Minnesota*.

This case involved Minneapolis publisher Jay Near. Near was disliked by many. He published a “scandal sheet” in which he regularly criticized elected officials and accused them of corruption. He asserted that Jews were “practically ruling” the city, that the chief of police was taking bribes, and that the governor was incompetent. At least one of his stories was proven true when the gangster he named was convicted.

One county official whom Near regularly attacked used a state “gag law” to shut down publication of Near’s newspaper. With the financial backing of Colonel McCormick, Near took his case to the Supreme Court. The Court found in his favor, finding that the gag law was unconstitutional. This case established that the government cannot stop a newspaper from printing something in advance because government officials fear it will be defamatory or offensive. This is known as prior restraint. People could sue for libel once something is published (and prove their case in court), but allowing government to decide on its own to stop publication in advance was unconstitutional.

- B. Distribute **Handout D: Excerpts from *Near v. Minnesota* (1931) and the *Chicago Tribune***. Have students read excerpts from the *Near* decision and the *Tribune* article on the Supreme Court ruling.
- C. Have students complete their Venn diagrams. Have students write down memorable quotations, specific actions, and other contributions McCormick made for the cause of freedom of the press.
- D. Have students share their responses and conduct a large group discussion on the contributions made by Murrow and McCormick. Given their very different backgrounds, is it surprising they would have fought for the same freedoms? Why were Murrow and McCormick’s actions so important for freedom of the press?

HOMEWORK

- A. Have students design a memorial plaque commemorating the contributions made by Murrow and McCormick to freedom of the press. The plaques should contain at least two images for each man and a four or five sentence description of the contributions each made.
- B. Have students complete a reading and critical thinking activity on Edward R. Murrow at the Bill of Rights Institute website. The lesson can be found in the Free Classroom Lessons section at www.BillofRightsInstitute.org.

EXTENSIONS

- A. Have students write a one-page letter from Edward R. Murrow to a modern-day journalist, explaining the principles of responsible journalism and the responsibilities of reporters.
- B. Have students assume the persona of Colonel McCormick. Then have them imagine that they have received a letter from a newspaper publisher who is being sued by the government to stop the publication of secret papers about an unpopular war the nation is fighting. Have them write a one-page response to the publisher as McCormick, offering advice.

**REAL LIFE PORTAL**

Have students design an editorial policy that protects the right to know. Included in the policy should be measures to ensure that what is published is accurate and truthful, including procedures for fact-checking, confirmations, and verification of sources. Finally, policies should contain a plan for dealing with controversial stories and a rationale for publishing information the government may have deemed secret. Students should then submit their policies to their local newspaper for consideration.

KEY TERMS

Directions: Below are some terms you will need to be familiar with for our next lesson on freedom of the press. For each word or phrase, write a definition or other words and phrases that might be associated with it.

key term	definition	words or phrases associated with this term
abolitionist		
socialist		
conservative		
communist		
McCarthyism		
scandalmonger		
prior restraint		

MURROW AND McCORMICK

Directions: Read the biographical information for one individual. Then, when your teacher gives you the direction, assume the identity of that person and talk with a partner who will assume the identity of the other.

Edward R. Murrow

Colonel Robert McCormick

Background

I was born in 1908 in North Carolina. I lived in a log cabin with no electricity or running water, and attended public high school. My parents were Quakers.

I was born in 1880 in Chicago. Growing up, I lived in Chicago and London. I attended Groton, an exclusive boarding school near Boston. My grandfather founded the *Chicago Tribune* and my parents were very wealthy.

Higher education

I studied speech and debate at Washington State University. I was President of the National Student Federation of America and organized the first desegregated convention in the South. I helped German scholars persecuted by the Nazis come to the United States.

I studied law at Yale and Northwestern Universities. My classmates voted me “newsiest man” at Yale. I served during WWI in the 1st Division of the U.S. Army. I introduced new ideas and innovations in technology during my service.

Beliefs

I strongly supported unions. I also favored United States involvement in WWII and sent radio reports from London for years.

I was a conservative Republican, staunch anti-communist, and feared the “Red menace.” I believed labor unions would bring about the end of the “American way.” I did not believe the United States should get involved in WWII.

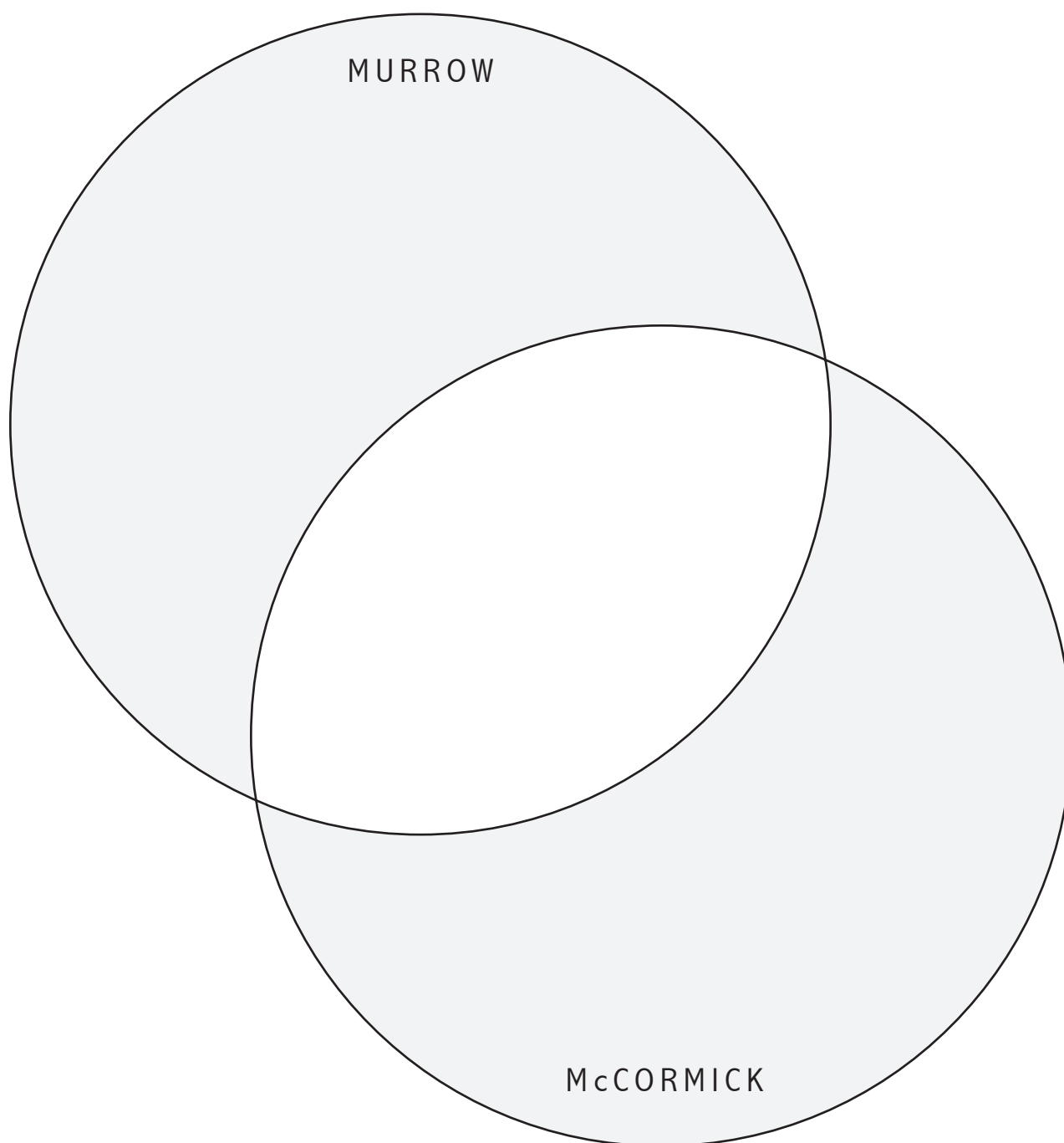
Career highlights

I am considered the founder of broadcast journalism. I created and hosted radio and television shows such as *Hear it Now* and *See it Now*. I challenged Senator Joseph McCarthy’s hunt for communists in government, entertainment, and the arts. Some of my critics, however, pointed out that I did not address the substance of McCarthy’s charges, many of which were later proven true.

I was the owner, editor, and publisher of the *Chicago Tribune*, which was the biggest newspaper network in the world at the time. I gave my support to Jay Near, the publisher of a “scandal monger” newspaper in the landmark Supreme Court case *Near v. Minnesota* (1931). This case established that the government could not ban a publication in advance because it fears the contents will be objectionable.

VENN DIAGRAM

Directions: *Fill in the Venn Diagram with the contributions each individual made to freedom of the press, as well as the contributions they both made. You should also write in anything you believe is particularly important about each individual's background, memorable quotations, or other information that will help you remember their contributions.*



EXCERPTS FROM *NEAR V. MINNESOTA* (1931) AND THE *CHICAGO TRIBUNE*

Directions: Read the excerpts from the *Near v. Minnesota* decision and the *Chicago Tribune* article “*Minnesota act quashed by U.S. Supreme Court.*” This story originally ran on June 2, 1931.

According to the Supreme Court in *Near v. Minnesota* (1931):

The Minnesota gag law “is inconsistent with the conception of the liberty of the press as historically conceived and guaranteed.

“The liberty of the press has been especially cherished in this country as it respects publications censuring public officials and charging official misconduct.”

Chicago Tribune

June 2, 1931

Minnesota act quashed by U.S. Supreme Court

The United States Supreme Court handed down today a decision that constitutes the great charter of the freedom of the American press...

The majority of the Court...held that the Minnesota statute...is “an infringement of the liberty of the press...”

The attorney...retained by Colonel R.R. McCormick, publisher of the *Tribune*...called for “all loyal Americans to demand restoration of the right of free speech.”

fighters for FREEDOM



CRITICAL ENGAGEMENT QUESTION

How have Americans fought for freedom throughout history?

OVERVIEW

America was born out of a struggle against tyranny. That struggle for freedom has continued through the years. In this lesson, students will be introduced to five freedom fighters from U.S. history—Matthew Lyon, Abraham Lincoln, Frederick Douglass, Alice Paul, and Ronald Reagan—and the contributions each made to the defense and expansion of freedom. Students will ultimately gain an understanding of why Thomas Jefferson remarked that the “price of liberty is eternal vigilance,” and an appreciation of those who have fought for it.

Those who profess to favor freedom, and yet depreciate agitation, are men who want rain without thunder and lightning.

—FREDERICK DOUGLASS

I have always thought the actions of men the best interpreters of their thoughts.

—JOHN LOCKE

MUSEUM CONNECTION

Help your students understand and appreciate the contributions of Matthew Lyon, Abraham Lincoln, Frederick Douglass, Alice Paul, and Ronald Reagan. Learn about them at the **President’s Wall, Freedom for All, and U.S. Censorship Then and Now** exhibits at the McCormick Tribune Freedom Museum (www.FreedomMuseum.us).

OBJECTIVES

Students will:

- identify the political actions of Matthew Lyon, Abraham Lincoln, Frederick Douglass, Alice Paul, and Ronald Reagan.
- understand the way each person exercised First Amendment freedoms.
- understand the contributions each person made to preserve, defend, or expand freedom.
- analyze enduring effects of the contributions of each historic figure.

STANDARDS

NCHS: Era 3, Standard 3; Era 5, Standard 2; Era 8, Standards 2 and 3; Era 9, Standard 4
CCE: VB1, VB2, VC1, VC2, VD1, VE1, VE3, VE4, VE5
NCSS: Strands 2, 3, 5, and 6

STUDENT MATERIALS

Handout A: Five Fighters for Freedom
Handout B: Who Am I?
Handout C: Freedom Game Report Sheet
Handout D: Freedom Hall of Fame

TEACHER MATERIALS

Freedom Game Cards
Answer Key

FREEDOM CARDS

All cards
See page 107

GRADE LEVEL/TIME

One 45-minute middle school class

BACKGROUND/HOMEWORK

[10 minutes the day before]

- Distribute **Handout A: Five Fighters for Freedom**. Divide the class into groups of five. Within each group, assign the roles of Lyon, Lincoln, Douglass, Paul, or Reagan. Have students read the information for their assigned person and skim over the biographies of the four others.
- Have students design a name-card for themselves with their name and birth and death years. They should pin their nametags on for class next time.

WARM-UP

[10-15 MINUTES]

- Discuss **Handout A** and answer any questions students have. Make sure students are wearing their nametags and have them sit in their groups of five. *Note: Have a few blank half-sheets of paper and some safety pins ready for those who did not complete the assignment.*
- Distribute **Handout B: Who Am I?** and have students read the statements. Remind the class that each statement could apply to more than one individual.
- Working with only one group while the rest of the class observes, read the first statement aloud, and have the member(s) in that group to whom the statement applies stand up. Allow discussion of each member's contributions, and have students fill in **Handout B** with the correct answer(s).
- Continue until all groups have had a chance to participate and all ten statements have been read.

ACTIVITY

[20-30 MINUTES]

- Give each group one copy of **Handout C: Freedom Game Report Sheet**.
- Make and distribute one full set of **Freedom Game Cards** for every five students. Students should lay all the cards out face down on the floor. Taking turns, each student should turn over a single card. If the card represents the student's role, the student keeps the card. If there is disagreement, the group discusses the card. The majority decides whether the student should keep the card. If the card does not apply, the student should return the card to the floor, face down. Then it is the next students' turn.
- The first student to collect eight cards is the winner. Students should report their score results on **Handout C**. After playing the game, have students discuss each of the figures and complete the rest of **Handout C**.
- Reconvene the class and conduct a large group discussion about the five people they learned about today. Questions for discussion:

- How are they different? What do they all have in common?
 - How did each person exercise First Amendment rights such as speech and press to defend or expand freedom?
 - How did each person's fight for freedom impact students' own rights today?
- E. Distribute **Handout D: Freedom Hall of Fame**. Have students begin to work on it in class, and complete it for homework.

HOMEWORK

- A. Have students complete **Handout D**. Then use the completed assignment to create a Hall of Fame on one wall of the classroom. Give students a few moments to view them all next class.
- B. Have students assume the role of the person they played in class and write a letter, as that individual, to young people today. What advice would they have for those fighting for freedom in modern times?

EXTENSIONS

- A. Have students choose two of the five individuals they learned about and imagine the pair has met. What would they talk about? Would they argue? Have students write a fictional dialogue between the two people.
- B. Have students choose one figure from clues and identify a more modern counterpart who is fighting for the same freedoms. Have them write a one-page biography of each person, and then two or three paragraphs comparing and contrasting their methods.



REAL LIFE PORTAL

Have students imagine it is fifteen years from now and they are nominating themselves for the Freedom Hall of Fame. What have they fought for? How did they do it? Have them write a one-page nomination letter explaining their future accomplishments.

FIVE FIGHTERS FOR FREEDOM

Directions: *Read the biography of your assigned person and skim over the others. Then create a nametag to wear to class next time based on the role you'll be playing. Be sure to include your name and birth and death years.*

Matthew Lyon

I was born in Ireland in 1749 and came to the colonies at the age of 14. I was an indentured servant, and later became a soldier and fought in the American Revolution. After the Revolutionary War, I settled in Vermont, establishing the city of Fair Haven. In 1797, I was elected as a Representative to U.S. Congress from the state of Vermont.

I was not a fan of President John Adams. I criticized President Adams in my weekly newspaper, *The New Haven Gazette*, and I spoke out against him and his policies. One of my more famous speeches led another representative to cane me on the floor of the House! I hit him back with a fireplace tong. Everyone agreed I won that fight.

In 1798, President Adams signed a law that made it a crime to criticize the government. This law was called the Sedition Act. I was the first person to be arrested for violating this law. Since I had broken the law by publicly criticizing the president, I was convicted, served four months in jail, and was fined \$1,000. (This would equal about \$20,000 today.) However, support for me was so strong that I won re-election to Congress even though I was in jail and could not campaign!

Three years later, Congress allowed the Sedition Act to expire. In 1840, Congress passed an act to repay my fine to my heirs. I will be forever remembered for having the courage to criticize the government and fight for my right to freedom of speech, even at great personal cost. I died in 1822.

Abraham Lincoln

I was born in a Kentucky log cabin in 1809. My father died when I was eight, and mother died just two years later. I taught myself to read and write. After several tries, I won a seat in the Illinois state legislature and the U.S. House of Representatives. I ran for the U.S. Senate in 1858. I lost the election, but I did so well in my debates that I gained a national following.

In 1860, I was elected President. In response, seven states immediately left the union. I believed that their secession was illegal. The country was on the brink of Civil War. Throughout my stressful presidency, I vowed to preserve the union, enforce the laws of the United States of America, and end the secession.

I also believed that slavery was an important issue in the war. My most famous speech, the Gettysburg Address, called for the principles of human equality of the Declaration of Independence. I defined the Civil War as a "new birth of freedom" for the United States. Midway through the war, I issued the Emancipation Proclamation, freeing all slaves within the Confederacy. As the presidential election came near, many of my advisors said I should postpone it, to make sure I stayed in office. I decided not to postpone the election, and I was reelected.

My fight to preserve, protect, and defend the Constitution was strong. I was reelected, and eventually won the war. The Union stayed together. However, less than a week after the war ended, in 1865, confederate-sympathizer John Wilkes Booth shot and killed me.

FIVE FIGHTERS FOR FREEDOM (CONT.)

Frederick Douglass

I was born a slave in Talbot County, Maryland, in 1817 or 1818—I am not really sure. My master's wife taught me how to read, even though it was against the law for slaves to learn to read. I loved books and even memorized classic speeches I read from Roman times. I prayed constantly to be delivered from slavery. When I was seventeen, my master allowed me to work in a Maryland shipyard and even keep part of my earnings. In 1838, I escaped from slavery with the help of friends.

I settled in New Bedford, Massachusetts, where I continued to read, go to church, and attend abolitionist meetings. At those meetings, I met others who were also working to end slavery. I began traveling throughout the country giving lectures and participating in conventions, including those for women's rights. I also published numerous weekly journals and newspapers. I was probably the most famous black person in the country by the time the Civil War began. President Abraham Lincoln listened to what I had to say about how black soldiers were being treated by the Army in 1863.

My most famous and important work was my autobiography, which I called *Narrative of the Life of Frederick Douglass, an American Slave*. It was incredibly popular and so well written that many racist people said a black person couldn't have written it by himself. But I did. Many people read it and learned about the terrible conditions of slavery.

In my later life I was appointed to several political offices, and finally settled in Washington, D.C. I continued to work for equal rights for former slaves and for women until I died in 1895.

Alice Paul

I was born in 1885 on a New Jersey farm. I got my master's degree in sociology and then moved to England, where I continued my studies at prestigious universities. I began working for voting rights for women in Britain. My protests were peaceful, but I was arrested and jailed. I decided to go on a hunger strike to bring attention to my imprisonment. Prison authorities force-fed me with a tube through my nose—a violent process that made me very sick.

I came back to the United States in 1910 and turned my attention to winning votes for women in America. I organized large demonstrations and parades in support of women's suffrage. I published and gave out leaflets, and organized daily pickets in front of the White House. My picket signs addressed President Wilson directly. One said, "Mr. President, how long must women wait for liberty?" I burned copies of his speeches, and I even burned an effigy of Wilson at the White House gates. In 1917 I was arrested for peacefully marching. Again I was put in jail; again I began a hunger strike; and again I was force-fed by prison authorities.

My actions alienated some who believed the women's suffragists were becoming too militant. On the other hand, the 500 of us who had been arrested for speaking, publishing, peaceably assembling, and petitioning became known as political prisoners. This helped our cause. The President eventually ordered us released from prison. The President also soon lent his support to votes for women. Congress approved the Nineteenth Amendment within a year and it was ratified by the states in 1920.

I continued working for women's rights until I died in 1977.

FIVE FIGHTERS FOR FREEDOM (CONT.)

Ronald Reagan

I was born in Illinois in 1911. I spent my teenage years in the city of Dixon working as a lifeguard and later enrolling at Eureka College. I worked as a radio announcer for the Chicago Cubs, and later as an actor in Hollywood movies. I applied for combat duty during World War II, but the military turned me down because of my bad eyesight. To serve my country, I made educational and training films for the Army. I was active in politics and gave many speeches through the years, and in 1966 I was elected governor of California.

I ran for president in 1980 and I won in a landslide victory. Just after I took office, a psychiatric patient shot me, but I survived. The focus of my administration was ending the Cold War with the Soviet Union (then-communist Russia and other European states). I confronted the Soviet Union directly. I increased the national defense budget and built more nuclear weapons. I went against the advice of many of my advisors and made a controversial speech, in which I directly challenged the Soviet President to tear down the wall separating East and West Germany and allow East Germans to enjoy their natural freedom. Two years later the wall did come down, and by the end of the 1980s, the Soviet regime had collapsed.

Quoting one of the earliest Americans, I called the United States and its promise of freedom a “shining city on a hill.” When I died in 2004, one of my obituaries said, “Millions of Europeans across half a continent from Poland to Bulgaria, Slovenia to Latvia live in freedom today” because of my fight for freedom.

WHO AM I?

Directions: *After reading the text, decide which of the five fighters for freedom are represented by each statement. There may be more than one correct answer to a question. The first one is done for you.*

1. I held an elected office.

Lyon, Lincoln, and Reagan

2. I exercised my First Amendment freedom of speech to promote freedom.

3. I exercised my First Amendment freedom of the press to promote freedom.

4. I helped end the Cold War.

5. I taught myself to read and write.

6. I was arrested and spent time in jail.









7. My actions affected the lives of millions of people.

8. I traveled the country giving speeches on slavery.

9. Someone shot me.

10. I helped bring freedom to oppressed people.

FREEDOM GAME CARDS

Matthew Lyon	
 <p>I fought against tyranny from England as well as from my own government.</p>	 <p>I opposed a law that violated free speech rights.</p>
 <p>I willingly accepted the consequences for breaking a law I believed was unconstitutional.</p>	 <p>Congress recognized that I had been treated unjustly and repaid my fine to my heirs.</p>
 <p>I was born outside the United States.</p>	 <p>My violation of a law brought about the admiration of the people I represented.</p>
 <p>I was elected to the U.S. House of Representatives.</p>	 <p>I was so popular that I was reelected without even campaigning.</p>

FREEDOM GAME CARDS (CONT.)

Abraham Lincoln	
 <p>I lost my bid for U.S. Senate but gained a national following.</p>	 <p>I saw the country through a Civil War.</p>
 <p>I saw a war as an opportunity for a “new birth of freedom.”</p>	 <p>I saw the end of a war but died very shortly after.</p>
 <p>I was born in a log cabin.</p>	 <p>I asked the United States to live up to the principles of human equality laid out in the Declaration of Independence.</p>
 <p>My greatest political goal was not to end slavery, but to preserve the Union.</p>	 <p>I performed really well in the debates for my Senate campaign.</p>

FREEDOM GAME CARDS

Frederick Douglass	
 <p>I was taught how to read, even though it was against the law for me to know how to read.</p>	 <p>I escaped from slavery.</p>
 <p>My autobiography was a bestseller that opened many peoples' eyes to the evil of slavery.</p>	 <p>I fought for women's rights, along with the rights of former slaves.</p>
 <p>I worked in a Maryland shipyard.</p>	 <p>My efforts helped bring an end to slavery.</p>
 <p>Some people claimed my autobiography was a fake. But it wasn't.</p>	 <p>I shared my views about the treatment of blacks in the Union Army with President Lincoln.</p>

FREEDOM GAME CARDS (CONT.)

Alice Paul	
 I lived in Great Britain for part of my life.	 I was force-fed by prison authorities.
 I earned advanced college degrees.	 I was jailed for exercising my First Amendment rights.
 I picketed in front of the White House.	 My efforts led to an amendment to the U.S. Constitution.
 I alienated some people with my militant actions, but I eventually won the nation's support to my cause.	 I openly challenged the President.

FREEDOM GAME CARDS (CONT.)

Ronald Reagan	
 <p>My efforts led to the end of the Cold War.</p>	 <p>My advisors told me not to make a speech that might have been controversial, but I made it anyway.</p>
 <p>My actions affected the lives of millions of people on other continents.</p>	 <p>I survived an assassination attempt.</p>
 <p>I described the United States as a “shining city on a hill.”</p>	 <p>I was an actor before becoming a politician.</p>
 <p>I forcefully confronted the Soviet Union.</p>	 <p>I was not able to fight in WWII, but I made instructional films for the Army.</p>

FREEDOM GAME REPORT SHEET

Directions: After you play the Freedom Game, fill in the score information below. Then discuss the questions below and write your group's response.

CARDS COLLECTED

Matthew Lyon, played by _____, earned _____ cards.

Abraham Lincoln, played by _____, earned _____ cards.

Frederick Douglass, played by _____, earned _____ cards.

Alice Paul, played by _____, earned _____ cards.

Ronald Reagan, played by _____, earned _____ cards.

1. In the opinion of your group, what was Matthew Lyon's greatest contribution?

2. In the opinion of your group, what was Abraham Lincoln's greatest contribution?

3. In the opinion of your group, what was Frederick Douglass's greatest contribution?

4. In the opinion of your group, what was Alice Paul's greatest contribution?

5. In the opinion of your group, what was Ronald Reagan's greatest contribution?

FREEDOM HALL OF FAME

Directions: Choose an individual you learned about today to nominate to the Freedom Hall of Fame. Fill in the information below, and then use the space below to illustrate the contribution of your nominee. Use detail and color to make an impact.

I nominate _____ to the *Freedom Hall of Fame* for his/her efforts in the area of _____.

This person deserves the award for a contribution that still endures. Because of this person's efforts,

windows on FREEDOM



CRITICAL ENGAGEMENT QUESTION

Can there be freedom for anyone if there is no freedom of the press?

OVERVIEW

The Founders saw freedom of the press as one of the natural rights of man. Because of this belief, and the protection that press freedom was afforded in the First Amendment, Americans enjoy the right to publish their sentiments without fear of government censorship. In this lesson, students will compare the American dedication to the natural freedom of man with the conflicting views of other societies. With a special focus on freedom of the press, they will examine the levels of freedom protected by the governments of four other countries. Finally, they will assess their own views about individual rights and freedom.

The cause of America is in a great measure the cause of all mankind.

—THOMAS PAINE

America did not invent human rights. In a very real sense, it is the other way around. Human rights invented America.

—JIMMY CARTER

MUSEUM CONNECTION

Help your students understand how freedoms vary around the world. Take your class to the **A Free Press?** exhibit and learn the levels of press freedom in various countries. Students can also explore international press issues on the McCormick Tribune Freedom Museum website: www.FreedomMuseum.us.

OBJECTIVES

Students will:

- understand natural rights theory.
- understand why the American Founders protected freedom of the press.
- understand how various governments around the world succeed or fail at protecting press freedom.
- challenge preconceived notions about levels of press freedom around the world.

STANDARDS

CCE: IVB1, IVB2

NCHS: Era 10, Standard 2A

NCSS: Strands 4, 5, 9, and 10

STUDENT MATERIALS

Handout A: Know Your Rights

Handout B: Press Freedom

Handout C: Country Cards

Handout D: Reporters

Without Borders Press

Freedom Survey (*optional*)

FREEDOM CARDS

Jimmy Carter

Mavis Leno

See page 107

GRADE LEVEL/TIME

Two 45-minute middle school classes or one 90-minute block

BACKGROUND/HOMEWORK

[10 minutes the day before]

Distribute **Handout A: Know Your Rights**. Have students read the quotations and select the one that best reflects their idea of what rights are and write one paragraph explaining why. If no quotation adequately expresses their opinion, they should write their own definition of “rights” along with a three- or four- sentence explanation.

WARM-UP

[10 minutes]

- Put up a transparency of **Handout A** and have students share their homework responses. Allow students to discuss the quotations.
- Explain to students that the Founders were strongly influenced by natural rights theory, which holds that all people are born with inalienable rights including life, liberty, and the pursuit of happiness. The Founders saw the right to publish one’s sentiments as a natural right of humanity.

ACTIVITY I

[20 minutes]

- Distribute **Handout B: Press Freedom**. Give students time to read each statement and fill in the left side of the chart.
- Discuss each statement one at a time. *Note: Statements 1-4, 6, and 7 are true. Statement 5 is False.* Allow class discussion about each statement and what it means about how freedom of the press is protected in America and around the world. What are the implications of each statement? How does the action described support/threaten freedom?
- Give students a few moments to select the statement that most surprised them and write a paragraph explaining why it surprised them. When students have finished, ask for volunteers to share their paragraphs.

ACTIVITY II

[30-40 minutes]

- Before class, copy, cut out, and laminate **Handout C: Country Cards**. You will need one set of cards for every four students.
- Let students know they will now take a closer look at how press freedom is protected (or not protected) by other governments. Divide the class into groups of three or four and distribute the country cards. Have students read the information about the four countries.
- Have students rank countries A, B, C, and D in order of their level of press freedom with 1 being the highest level of press freedom and 4 being the lowest level.

- D. Once students have determined their rankings, ask them to identify at least five criteria that they used when deciding their list. Have them write five questions they would ask about a country to learn the level of press freedom protected by its government. *Sample responses might include: Are reporters free to write without government censorship? Can journalists publish without fear of physical punishment? Can citizens receive news from various sources? Is private ownership of the media allowed?*
- E. Have students share and discuss their rankings and their criteria questions.
- F. Reveal the names of the countries and their rankings according to Reporters Without Borders. *The correct ranking is A, C, B, D. Country A: Finland (ranking: 2); Country B: Cuba (ranking: 161); Country C: Venezuela (ranking: 90); Country D: North Korea (ranking: 167= last) (The United States was ranked 44th on this survey.)*
- G. Wrap up by asking the class: Can there be freedom for anyone if there is no freedom of the press?

HOMework

- A. Have students imagine they have a friend living in Venezuela, Cuba, or North Korea. Have them write a letter to their friend in which they offer advice about restoring freedom of the press.
- B. Have students read **Handout D: Reporters Without Borders Press Freedom Survey** and write a two- or three-paragraph analysis of the types of questions they find. How do they compare to the ones generated in class?

EXTENSIONS

- A. Have students view the **Reporters Without Borders** rankings of countries according to the levels of press freedom. Have students choose a country struggling for press freedom and do broader research on victories and challenges to press freedom. They should present their research in the form of a two- to three-page essay or ten-minute oral report. The rankings can be found at: http://www.rsf.org/rubrique.php3?id_rubrique=554
- B. Though natural rights theory holds that all people everywhere are born with the same rights, many governments throughout the world infringe on these rights. Have students write one page in response to the question: Do you believe people who have lived under a totalitarian regime for their entire lives “don’t know what they’re missing,” or is there something inherent in the human condition that wishes to speak and write freely?
- C. The United States was ranked 44 (out of 167 countries) on the **Reporters Without Borders** survey. Have students do research to discover and evaluate the reasons for the rankings and present their findings in a one- to two-page essay.



REAL LIFE PORTAL

Have students select and research a country where press freedom is not protected. They should then create an action plan of how they would assist that country to restore that right. Plans should include a list of setbacks that they might encounter in trying to implement their plan, and effective responses to them. Students should then send these action plans to the nearest embassy of their country or to the United Nations.

KNOW YOUR RIGHTS

Directions: Read the quotations below and check the one that best reflects your beliefs about what rights are. Then write a one-paragraph analysis of the quotation and explain your view. If no quotation adequately expresses your idea, then write your own definition and a three- or four-sentence explanation.

☐

All mankind... being all equal and independent, no one ought to harm another in his life, health, liberty or possessions. —*John Locke*

☐

As a man is said to have a right to his property, he may be equally said to have a property in his rights. —*James Madison*

☐

The right of nature ... is the liberty each man hath to use his own power, as he will himself, for the preservation of his own nature; that is to say, of his own life. —*Thomas Hobbes*

☐

Individual rights are not subject to a public vote; a majority has no right to vote away the rights of a minority; the political function of rights is precisely to protect minorities from oppression by majorities (and the smallest minority on earth is the individual). —*Ayn Rand*

☐

A democracy is nothing more than mob rule, where fifty-one percent of the people may take away the rights of the other forty-nine. —*Thomas Jefferson*

☐

The liberty of the individual must be thus far limited; he must not make himself a nuisance to other people. —*John Stuart Mill*

☐

Rightful liberty is unobstructed action according to our will within limits drawn around us by the equal rights of others. —*Thomas Jefferson*

☐

So many fail to assert rights to which they are perfectly entitled because a right is a kind of power, but they are too lazy or too cowardly to exercise it. —*Friedrich Nietzsche*

☐

In law a man is guilty when he violates the rights of others. In ethics he is guilty if he only thinks of doing so. —*Immanuel Kant*

☐

Protecting the rights of even the least individual among us is basically the only excuse the government has for even existing. —*Ronald Reagan*

PRESS FREEDOM

Directions: Mark each statement true or false on the left side of the chart. Then, as you go over the statements as a class, mark the correct answer on the right hand side. Then choose the statement that most surprised you and write a paragraph below explaining why you were surprised.

BEFORE	STATEMENT	ACTUAL
	1. The American Founders believed that individuals' rights to speak, write, and publish their opinions is a right all people are born with.	
	2. Americans are free to publish (articles, books, Internet blogs, etc.) that criticize the government.	
	3. Americans are free to ask government leaders questions about whatever they want and print their answers.	
	4. The First Amendment protects false statements made accidentally, as long as the reporter did not act recklessly.	
	5. People everywhere are free to receive news from other countries in the world through the Internet, radio, or satellite television.	
	6. In many other countries, all news reports are controlled by the government.	
	7. In many other countries, you can go to jail or even be executed for saying bad things about the government.	

COUNTRY CARDS

COUNTRY A

- The country's constitution reads, "Everyone has the freedom of expression. Freedom of expression entails the right to express, disseminate and receive information, opinions and other communications without prior prevention by anyone."
- The country's "Guidelines for Good Journalistic Practice" begins, "The basis of good journalistic practice is a citizen's right to correct and essential information by which he can form a realistic picture of the world and society around him."
- The guidelines also state, "a journalist must aim at truthful, essential and unbiased information."
- The guidelines also refer to the use of information from people who do not want their names to be printed: "Sources of information must be protected. The identity of a person providing confidential information cannot be disclosed without permission."
- Some have been troubled, however, by a considered ban on advertising of "junk food" and sweets on television.
- The national networks also announced in 2004 that they would "agree to restrict the content of television programs (including documentaries) at times when children might be watching."

COUNTRY B

- The country's constitution restricts free speech and bans privately owned media. It says: "Citizens have freedom of speech and of the press in keeping with the objectives of socialist society. ...The press, radio, television, cinema, and other mass media are state or social property and can never be private property."
- The constitution says "there is freedom of artistic creation as long as its content is not contrary to the Revolution [the government's opinion]."
- The Department of Revolutionary Guidance of the ruling party's central committee selects, checks and edits all news articles.
- Individuals who are found to have radio equipment to hear news broadcasts from other countries are punished.
- Twenty-two journalists critical of the president are presently in jail in this country. Their sentences range from fourteen to twenty-seven years in prison.
- According to one recently released journalist prisoner: "Prison conditions are inhuman and cause psychological and physical damage. Sometimes the food is rotten and the water bad...You also have to fight clouds of mosquitoes, as well as cockroaches, rats, ants, bees and flies. The toilets are just a hole in the ground. We were only allowed out for an hour each day into a small yard..."

COUNTRY CARDS (CONT.)

COUNTRY C

- The government has recently passed laws that make it a crime to criticize the government. This new legal code is called “Law on the Social Responsibility of Radio and Television.”
- Insulting the president is punishable by six to thirty months in prison. If another state representative is insulted, the punishment is up to twenty months in prison, depending on the rank of the person insulted.
- Another section of the code specifies that it is a crime for a journalist to “expose another person to contempt or public hatred.” Members of the press who are found guilty of this crime can spend up to four years in jail.
- A person can be sent to prison for working as a journalist without having a college degree in journalism.
- Human Rights Watch noted that this country “has enacted ... restrictions on the press that will shield officials from public scrutiny.”
- The country’s constitution allows voters to recall leaders from office. Yet some citizens who encouraged others to vote the current president out of office have been charged with treason.

COUNTRY D

- No Internet, email, or satellite dishes are permitted. All radios are pre-set to the government frequency and then sealed. Those people who open the radios and attempt to hear other channels are punished.
- Journalists are required to attend weekly, eight-hour lectures on the greatness of the president.
- The government controls news content. One person who worked as a television news editor for twenty years explained, “I would be assigned three reports on [the president’s] greatness and two on the imperialist [western] threat.”
- Reports claim that hundreds of thousands of people (called “Class-enemies”) are kept in concentration camps in horrible conditions. These reports cannot be verified because the country will not allow independent human rights investigators into the country.
- According to Amnesty International, at least 40 journalists since the mid-1990s have been sent to camps to be “re-educated” for errors such as misspelling a senior official’s name.
- Also according to Amnesty International, millions of this country’s residents suffer hunger and chronic malnutrition. Government restrictions on freedom of movement and information make this situation worse, because aid cannot get to those who need it most.

REPORTERS WITHOUT BORDERS PRESS FREEDOM SURVEY

In the past year, how many journalists:

1. Were murdered? _____
2. Were murdered, with the state involved?

3. Were arrested or sent to prison (for however long)? _____
4. Are currently in jail and serving a heavy sentence (more than a year) for a media-related offence? _____
5. Were threatened? _____
6. Were physically attacked or injured?

7. Fled the country? _____

Were any journalists (yes/no):

8. Illegally imprisoned (no arrest warrant, in violation of maximum period of detention without trial or court appearance)?

9. Tortured or ill-treated? _____
10. Kidnapped or taken hostage? _____
11. Did any journalists disappear? _____

Over the period, was/were there (yes/no):

1. Armed militias or secret organisations targeting journalists? _____
2. Terrorist action against journalists or media firms? _____
3. Improper use of fines, summonses or legal action against media outlets or journalists?
4. Routine failure to prosecute those responsible for violating press freedom? _____
5. Prison terms imposed for media-related offences defined by law? _____

6. Attacks on or threats to family or friends of journalists? _____
7. Surveillance of journalists (phone-tapping, being followed, etc.)? _____
8. Problems of access to public or official information (refusal by officials, selection of information provided according to the media's editorial line, etc.)? _____
9. Restricted physical or reporting access to any regions of the country (official ban, strict official control, etc.)? _____
10. Media outlets censored, seized or looted? (how many?) _____
11. Searches of media premises or homes of journalists? _____
12. Surveillance of foreign journalists working in the country? _____
13. Foreign journalists deported? _____
14. Problems getting journalist visas (undue delay, demand to know names of people to be interviewed, etc.)? _____
15. Censorship or seizure of foreign newspapers? _____
16. Jamming of foreign broadcasts or regulating who can have satellite dishes?

17. Independent or opposition news media?

18. An official prior censorship body systematically checking all media content?

19. Routine self-censorship in the privately-owned media? _____

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20. Subjects that are taboo (the armed forces, government corruption, religion, the opposition, demands of separatists, human rights, etc.)? _____
21. A state monopoly of TV? _____
22. A state monopoly of radio? _____
23. A state monopoly of printing facilities? _____
24. A state monopoly of newspaper distribution? _____
25. A state monopoly of newsprint supply? _____
26. Government editorial control of state-owned media? _____
27. Unjustified sackings of journalists in the state-owned media? _____
28. Journalists forced to stop working through harassment or threats? _____
29. Opposition access to state-owned media? _____
30. Strictly-controlled access to journalism (compulsory certificate or training, membership of journalists' institute, etc.)? _____
31. Use of withdrawal of advertising (government stops buying space in some papers or pressures private firms to boycott media outlets)? _____
32. Undue restriction of foreign investment in the media? _____
33. Licence needed to set up a newspaper or magazine? _____
34. A state monopoly of Internet service providers (ISPs)? _____
35. ISPs forced to filter access to websites? _____
36. Websites shut down over the period? _____
37. ISPs legally responsible for the content of websites they host? _____
38. Cyber-dissidents or bloggers imprisoned (how many?) _____
39. Cyber-dissidents or bloggers harassed or physically attacked (how many?) _____
40. Opposition access to state-owned media? _____
41. Strictly-controlled access to journalism (compulsory certificate or training, membership of journalists' institute etc.)? _____
42. Use of withdrawal of advertising (government stops buying space in some papers or pressures private firms to boycott media outlets)? _____
43. Undue restriction of foreign investment in the media? _____
44. Licence needed to set up a newspaper or magazine? _____
45. A state monopoly of Internet service providers (ISPs)? _____
46. ISPs forced to filter access to websites? _____
47. Websites shut down over the period? _____
48. ISPs legally responsible for the content of websites they host? _____
49. Cyber-dissidents or bloggers imprisoned (how many?) _____
50. Cyber-dissidents or bloggers harassed or physically attacked (how many?) _____

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FREEDOM *and you*



CRITICAL ENGAGEMENT QUESTION

What is freedom, and what is required to preserve it?

OVERVIEW

Song lyrics, books, and bumper stickers constantly blare messages about freedom and its value. Americans claim to cherish it, and, unlike many in the world, enjoy it each day of our lives. But what does it actually mean? And more importantly, what is required to preserve it? In this lesson, students will challenge preconceived notions about what freedom means, and understand the way individual freedom is inextricably tied to personal responsibility.

Where liberty dwells, there is my country.

—BENJAMIN FRANKLIN

For what avail the plough or sail, or land or life, if freedom fail?

—RALPH WALDO EMERSON

MUSEUM CONNECTION

Help students develop their understanding of freedom. Take your class to the **What Does Freedom Mean?** exhibit to read and analyze the quotations from past presidents and others at the McCormick Tribune Freedom Museum (www.FreedomMuseum.us).

OBJECTIVES

Students will:

- define freedom and responsibility.
- distinguish between liberty and license.
- visually depict the relationship between freedom and responsibility.
- predict the consequences of freedom in the absence of responsibility.
- appreciate the responsibilities of citizenship which protect freedom.

STANDARDS

NCHS: Era 9, Standard 4; Era 10, Standards 1 and 2
CCE: IA, IIB, IIIA, VA, VB
NCSS: Strands 4 and 10

TEACHER MATERIALS

Freedom Slips
Responsibility Slips
Quotes to Consider

FREEDOM CARDS

My Fighter for Freedom
My Freedom
See page 107

GRADE LEVEL/TIME

Two 45-minute middle school classes or one 90-minute block

BACKGROUND/HOMEWORK

[10 minutes the day before]

- Give each student a **Freedom Slip** and a **Responsibility Slip**. Ask students not to reveal the content of their slips to their classmates. Have them read the phrases or quotations on their slips, and then ask them to write out a definition of the word in bold.
- Have students then decide on and write down the opposite of their bolded word.

WARM-UP

[15 minutes]

- Before class, create poster stations by enlarging, printing, and hanging **Quotes to Consider** around the room or placing them on top of various desks.
- Call on one student and ask him or her to share the definition from the **Freedom Slip**. Then ask the class if anyone had a definition that sounds similar. Continue calling on students to share their definitions of “free” or “freedom” and write them on the board, coming to a consensus on the best definition. *Suggested definitions: Freedom means the ability to do what one wills. Freedom means the ability to act without forced restraints.*

ACTIVITY I

[20-30 minutes]

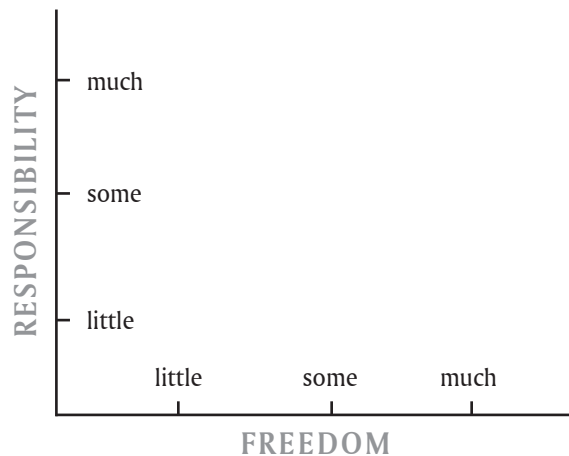
- Give students time to visit each poster in pairs, read each statement, and decide on a scale of 1-5 how much they agree with it (1 representing completely disagree, and 5 representing completely agree). They should then write that number on the poster, along with their initials. Give students about one minute at each poster, and then have them move to the next until all students have seen every poster.
- When students are at the final poster station, have each pair add up the total responses on that poster, then write down and circle the sum. Collect the posters and post them on the board from left to right, in increasing order of agreement.
- Give students time to share their responses to any of the statements and explain why they agreed or disagreed.

ACTIVITY II

[30-40 minutes]

- Have students share their responses for their **Responsibility Slips**. Come to a consensus on the best definition, write them on the board, and leave them up for the remainder of class. *Suggested definitions: Responsibility means to answer for one's conduct. Responsibility means being in charge of or accountable for something.*

- B. Ask students: What does responsibility have to do with freedom? Does freedom mean you are free to do what you would like to do whenever you would like to do it? Why or why not? Help students understand the difference between liberty and license (an abuse of liberty).
- C. Have students work in pairs to brainstorm specific situations where their freedom gave rise to a need to act responsibly.
- D. Draw a large graph on the board, and write “Freedom” on the X axis and “Responsibility” on the Y axis.



- E. Using student responses as a starting point, have one student volunteer plot out and shade in the area representing the level of freedom and responsibility displayed by various responses to each situation. In addition to the ideas generated by students, you may wish to offer additional ideas:
- Your parents go away for the weekend, leaving you in charge of the house. Your friends want you to throw a party.
 - Your teacher assigns a long paper and is giving the class independent research time in the library. When the period begins, you don't feel much like researching.
 - Your teacher invites you stay after class to get extra help in math. When she leaves to use the restroom, you see a copy of the test the class will take next week on top of her desk.
- F. Point out that as the proportion of responsibility to freedom of an action decreases, the action takes on the quality of license, rather than liberty (or freedom). License is an abuse of freedom.

For each situation, discuss possible responses. Discuss the consequences of acting with responsibility, versus acting with license.

- G. Ask students to predict what life would be like if everyone did what they wanted at any time without considering any responsibility toward others.

HOMEWORK

- A. Have students create a collage of words and images that represent freedom and responsibility. Display posters around the room next time, and give students time to view them all.
- B. Have students develop ten school rules that give students certain freedoms while requiring certain responsibilities.

EXTENSIONS

- A. Have students, individually or in small groups, create plans for a student assembly program to help their peers understand the concepts of freedom and responsibility. Plans should include: title of the assembly, speakers who will be invited to present, topics for breakout discussion sessions, suggested readings, and “homework” assignments for participants. When all plans have been submitted, make copies and distribute them to the class. Have students vote on the best plan, and submit it to school officials for consideration.

**REAL LIFE PORTAL**

Have students keep a freedom diary for 24-48 hours in which they keep track of the freedoms they enjoy. They may wish to consider their school, their library, and their town. Then have them choose one or two situations and evaluate the level of responsibility required by each situation in a one-page journal entry.

FREEDOM SLIPS

Let **freedom** ring.

Free at last, **free** at last, thank God Almighty, we are **free** at last!

The land of the **free**, and the home of the brave.

Hey, it's a **free** country.

You're **free** to go.

I'm proud to be an American, where at least I know I'm **free**.

Freedom isn't **free**.

There's no such thing as a **free** lunch.

Free as a bird.

Those shoes are buy one, get one **free**.

The philosophy teacher presented a lesson on **free** will.

The truth will set you **free**.

The skydiver enjoys **free**-falling.

Free your mind.

The health food store sells **free**-range chicken.

RESPONSIBILITY SLIPS

It was my **responsibility** to take out the trash.

Remembering to turn in homework is the student's **responsibility**.

Returning the money she found was a very **responsible** thing to do.

The principal is **responsible** for running the school.

Parents are **responsible** for their children.

She isn't very **responsible**. She's always losing things.

His dad doesn't believe he is **responsible** enough to take care of a puppy yet.

He took **responsibility** for his mistake.

Sometimes it is hard to do the **responsible** thing.

In dreams begin **responsibilities**.

Responsibility is the price of greatness.

QUOTES TO CONSIDER

It is easy to take liberty
for granted, when you
have never had it taken
from you.

—DICK CHENEY

Ask not what your
country can do for you—
ask what you can do for
your country.

—JOHN F. KENNEDY

Individuality is the aim
of political liberty. The
citizen ... is left to pursue
his means of happiness in
his own manner.

—JAMES FENIMORE COOPER

Those who expect to
reap the blessings of
freedom, must, like men,
undergo the fatigue of
supporting it.

—THOMAS PAINE

The basic test of
freedom is perhaps less
in what we are free to do
than in what we are free
not to do.

—ERIC HOFFER

Freedom is the will to be
responsible to ourselves.

—FRIEDRICH NIETZSCHE

Liberty means
responsibility. That is
why most men dread it.

—GEORGE BERNARD SHAW

I think of a hero
as someone who
understands the degree
of responsibility that
comes with his freedom.

—BOB DYLAN

No man is entitled to
the blessings of freedom
unless he be vigilant in its
preservation.

—DOUGLAS MACARTHUR

There's only one basic
human right, the right
to do as you ... please.
And with it comes the
only basic human duty,
the duty to take the
consequences.

—P.J. O'ROURKE

I believe that every right
implies a responsibility;
every opportunity,
an obligation; every
possession, a duty.

—JOHN D. ROCKEFELLER

All I ask is equal freedom.
When it is denied, as
it always is, I take it
anyhow.

—H.L. MENCKEN

FREEDOM *and the future*



CRITICAL ENGAGEMENT QUESTION

What can you do to protect freedom?

OVERVIEW

The Founders understood the importance of protecting not only their own freedom from British tyranny, but also the freedom of future generations. The Preamble to the Constitution explains that the limited government that document established was meant “to secure the blessings of liberty to ourselves and our posterity...” This lesson will ultimately show students that they themselves are the only ones who can make sure that their posterity enjoys the many blessings of liberty.

Those who expect to reap the blessings of freedom, must, like men, undergo the fatigue of supporting it.

—THOMAS PAINE

Freedom has its life in the hearts, the actions, the spirit of men and so it must be daily earned and refreshed—else like a flower cut from its life-giving roots, it will wither and die.

—DWIGHT D. EISENHOWER

MUSEUM CONNECTION

Help your students understand the role they play in securing freedom for the future. Take your class to the **Future of Freedom** exhibit and view the “Freedom in Action Wall” and “Freedom Stations” at the McCormick Tribune Freedom Museum (www.FreedomMuseum.us).

OBJECTIVES

Students will:

- summarize the freedoms they enjoy as citizens of the United States.
- identify strategies used by individuals in history to preserve freedom.
- understand current issues that impact their freedom.
- develop strategies to preserve their freedom in the future.

STANDARDS

NCHS: Era 10, Standards 1 and 2

CCE: VC1, VC2, VD1

NCSS: Strands 2, 6, and 10

STUDENT MATERIALS

Handout A: Freedom Survey

Handout B: Founders' Statements on Freedom and the Future

Handout C: Vocabulary

Handout D: Take Action!

TEACHER MATERIALS

Poster Board and Markers

FREEDOM CARDS

My Fighter for Freedom

My Freedom

See page 107

GRADE LEVEL/TIME

Two 45-minute middle school classes or one 90-minute block

BACKGROUND/HOMEWORK

[10 minutes the day before]

Distribute **Handout A: Freedom Survey**. Ask students to have one adult and one peer (who is not in the class) complete the survey for the next class period.

WARM-UP

[15 minutes]

- Ask students, "What are some of the most important freedoms we have as citizens of the United States?" *Students may suggest: speech, religion, voting, or petitioning. Help students distinguish between natural rights, such as life, liberty, and conscience, from political rights, such as voting or petitioning.*
- Ask students, "Where do these freedoms come from?" Make a list of responses on the board. *Students may suggest: God, nature, the Constitution, the Bill of Rights, the Declaration of Independence, tradition. Help students understand that under natural rights theory, which strongly influenced the Founders, rights come from God or from nature, and the purpose of government is to protect those rights. Therefore, governments and constitutions do not **grant** natural rights; rather, they **protect** them.*

ACTIVITY I

[20-30 minutes]

- Distribute **Handout B: Founders' Statements on Freedom and the Future**. Have students read the quotations and rewrite them in their own words. **Handout C: Vocabulary** will help students understand the quotations. When students have finished, go over each quotation as a class.
- Divide the class into groups of four or five. Give each group a piece of butcher paper/poster board and four or five different color markers. Have students choose a color marker to use for the remainder of the activity and sign their name on an edge of the paper.
- Ask groups to come to a consensus on the statement they believe best reflects their beliefs about individual responsibility in preserving freedom. Have them write the quotation on the center of their paper or poster board.
- Have students create a word web with their responses to the question: "What are future threats to our freedoms?" Have students use their homework survey and own ideas to record their answers.
- Display the posters throughout the room and give students time to view them all. As students view the posters, ask groups to decide on the top three threats to freedom's future and circle them on all the posters.
- Conduct a large group discussion about the most frequently circled threats to freedom, and ask students to consider the best ways to combat them.

ACTIVITY II

[20-30 minutes]

- A. Ask students to think of people from American history who have taken action to preserve, defend, or expand freedom. Ask students to recall specific actions the individuals took to achieve their goals. Record the names and actions on the board.
- B. Have students complete **Handout D: Take Action!** individually or in pairs. When students have finished, ask for volunteers to share their responses.

HOMEWORK

- A. Have students choose an individual from American history who was discussed in the activity and prepare a brief biographical sketch. Sketches should include a description of the steps the individual took to defend freedom.
- B. Have students design a button or bumper sticker to communicate to others the importance of individual action to preserving freedom in the future.

EXTENSIONS

- A. Have students compose a one-minute motivational speech or public service radio announcement about freedom and the future. Encourage students to write creatively and not rely on clichés or slogans they've already heard, but to invent new ways of communicating to listeners the importance of preserving freedom in the future.
- B. Have students choose one of the Founders' quotes on freedom, as well as one from the selection below, and write a one-page response to the two quotations:

In Germany, they first came for the communists and I didn't speak up because I wasn't a communist. Then they came for the Jews and I didn't speak up because I wasn't a Jew. Then they came for the Catholics. I didn't speak up because I was a Protestant. Then they came for me and there was no one left to speak up.

—Reverend Martin Niemöller

And in today already walks tomorrow.

—Samuel Taylor Coleridge

In the long run, we shape our lives, and we shape ourselves. The process never ends until we die. And the choices we make are ultimately our own responsibility.

—Eleanor Roosevelt

REAL LIFE
PORTAL

Have students put their action plans from **Handout D** into effect. Using a blank book, have students circulate a class freedom journal in which they record their entries about their progress in preserving freedom.

FREEDOM SURVEY

Directions: Discuss the following questions with an adult, as well as a peer who is not in this class, and record their responses.

1. What are five of the most important freedoms we have as citizens of the United States?

Adult	Peer
A	
B	
C	
D	
E	

2. Where do our freedoms come from?

Adult	Peer

FREEDOM SURVEY (CONT.)

3. List and explain the contributions of at least three people whom you believe were important in establishing or protecting our freedoms.

Adult	Peer
A	
B	
C	

4. List the three most dangerous threats to our freedoms in the future.

Adult	Peer
A	
B	
C	

FOUNDERS' STATEMENTS ON FREEDOM AND THE FUTURE

Directions: Read the following statements and think about what they say about the future of freedom. Then rewrite each statement in your own words.

1. ...[N]o free government, or the blessings of liberty, can be preserved to any people but by a firm adherence to justice, moderation, temperance, frugality, and virtue and by frequent recurrence to fundamental principles. –George Mason, 1776 – *Virginia Declaration of Rights*

2. But a Constitution of Government once changed from Freedom, can never be restored. Liberty, once lost, is lost forever. –John Adams, 1775 – *letter to Abigail Adams*

3. I believe there are more instances of the abridgment of the freedom of the people by gradual and silent encroachments of those in power than by violent and sudden usurpations. –James Madison, 1788 – *speech to the Virginia Convention*

4. For no people will tamely surrender their Liberties, nor can any be easily subdued, when knowledge is diffused and Virtue is preserved. On the Contrary, when People are universally ignorant, and debauched in their Manners, they will sink under their own weight without the Aid of foreign Invaders. –Samuel Adams, 1775 – *letter to James Warren*

5. They that can give up essential liberty to purchase a little temporary safety, deserve neither liberty nor safety. –Benjamin Franklin, 1759 – *Historical Review of Pennsylvania*

VOCABULARY

Directions: *Make sure you understand the definitions of the following terms as you read the quotations on Handout B.*

Vocabulary from Virginia Declaration of Rights

- a. adherence: steady following of
- b. moderation: avoiding extremes or excesses
- c. temperance: moderation in actions and thought
- d. frugality: being careful with money, not spending to excess
- e. recurrence: returning to
- f. fundamental: of central importance

Vocabulary from James Madison's Speech to the Virginia Convention

- a. abridgement: reducing
- b. gradual: moving in slow steps
- c. encroachment: slowly taking away someone's rights
- d. usurpation: bold and sudden taking away by force

Vocabulary from Samuel Adams's letter to James Warren

- a. tamely: weakly
- b. subdued: brought under someone else's control
- c. diffused: spread out or distributed among many
- d. debauched: corrupt, immoral

TAKE ACTION!

Directions: *Decide on a threat to freedom you would like to combat. Then use the questions below as a guide to determine what actions you can take to protect freedom.*

1. What is the problem?

2. What are the possible solutions to the problem?

3. Who can execute the possible solutions?

4. What strategies can I use to influence the people who can solve this problem?

5. What resources would I need to influence these people?

6. Who are the people who can help me gather the resources I need?

7. What is a possible timeline I should follow to take these actions?

8. How will I know if my actions are working?

FREEDOM CARDS

Each lesson in *Faces of Freedom in American History* references two or more Freedom Cards. Designed to be copied front to back, cut out, and laminated, your set of Freedom Cards can complement individual lessons or can be used all at once for longer activities.

John Quincy Adams
Charles Carroll of Carrollton
Jimmy Carter
Frederick Douglass
Fannie Lou Hamer
Thomas Jefferson
Joey Johnson
Martin Luther King, Jr.
Mavis Leno
Matthew Lyon
James Madison
Bridget Mergens
Edward R. Murrow
Thomas Paine
Alice Paul
Ronald Reagan
Upton Sinclair
Mary Beth Tinker
George Washington
Ida B. Wells
My Freedom
My Fighter for Freedom

SUGGESTED APPLICATIONS FOR FREEDOM CARDS

Brief activities

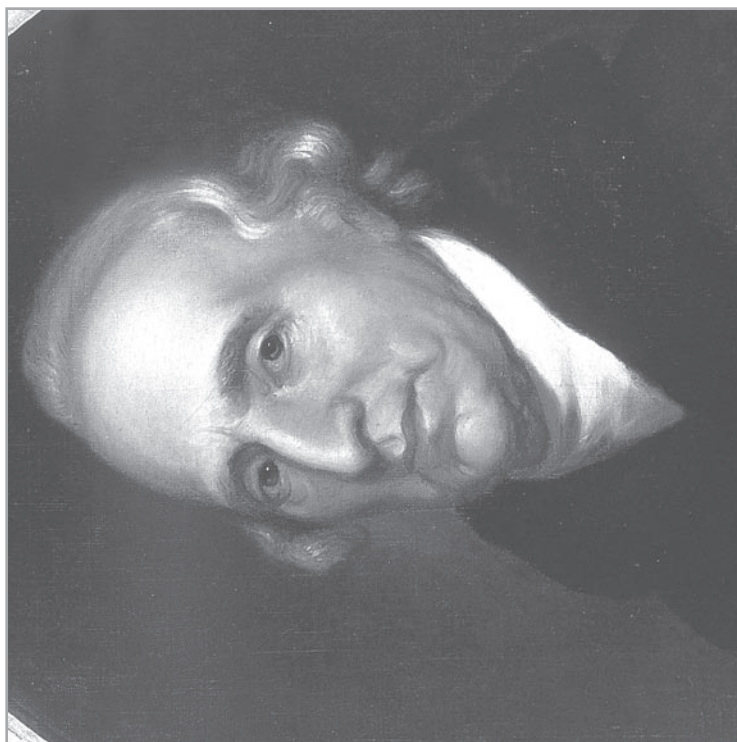
- Make a class set of one or two Freedom Cards and have students design “business cards” for each individual.
- Have students write a three- to five-line epitaph for one or more of the individuals.
- Have students complete the “My Freedom” and “My Fighter for Freedom” Freedom Cards for homework and share their creations with their classmates.
- Have students fill in the “I Am...” Poem (*see page 60*) as though they were the individual on a Freedom Card. (e.g. “I am Mary Beth Tinker...”)

Longer class activities

- **Dinner Party**—Give students one Card each and have them assume the identity of that person. Have students mingle in a 10-15 minute “meet and greet.” After students have gotten to know each other, split them up into groups of five or six to have a “dinner party.” After spending 20 minutes at their dinner party, have each group write a journal about what was discussed and what they learned about the individuals’ contributions to freedom.
- **Freedom Journal**—Make enough Freedom Cards for all students, with as few duplications as possible. Have students read their biographies and write a two- to three-paragraph journal response about the way the individual preserved, defended and expanded freedom. Have students share their responses and conduct a large group discussion about the way individuals can further freedom.
- **Coat of Arms**—Make enough Freedom Cards for all students, with as few duplications as possible. Have students create a coat of arms for their individual with six quadrants. Have them select a different criterion to represent in each quadrant (e.g. occupation, key contribution, etc.). Include in the assignment an explanation sheet in which they describe why they chose certain colors, images and symbols.
- **Fighters for Freedom PowerPoint**—Make enough Freedom Cards for all students, with as few duplications as possible. Have each student create a PowerPoint slide with important facts about their individual, a picture, and other relevant information. Then combine all the slides into one presentation to use for review, or for a special “Fighters for Freedom Symposium.”
- **Freedom Interview**—Make a class set of two Freedom Cards and give one Card to half the class, and the other Card to the other half. Have students assume the identity of the individual on the Card, and “interview” a partner. They should then write a one-page biography of their partner’s individual in a magazine-style feature or Q/A format.
- **Freedom and Civic Values**—Make enough Freedom Cards for all students, with as few duplications as possible. Have students read their biographies and make a list of key character traits exemplified by the individual on their Card. Reconvene the class and have students share their responses (such as courage, perseverance, respect, integrity, and other traits), making a list on the board. Conduct a large group discussion to answer the questions: What are the civic values these individuals share? Why are these civic values important in a free society?

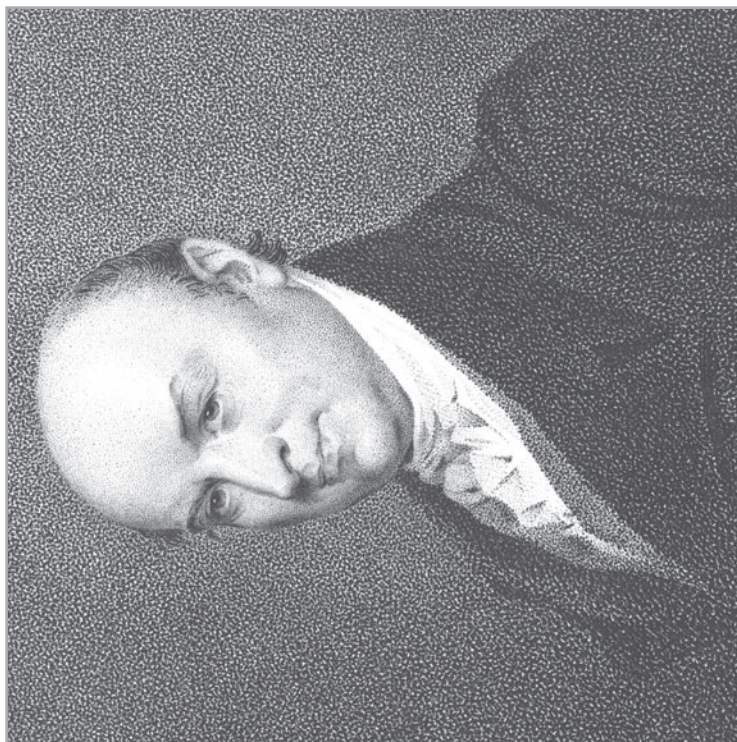
Extension Activities

- **Freedom Diary**—Using Freedom Cards as a starting point, have students conduct research about their individual and select five important days from his or her life. Have them create a “journal” of those five days including the major events, pertinent facts and his or her feelings about the events.
- **Letters on Freedom**—Using Freedom Cards as a starting point, have students conduct research about their individual and locate primary source documents written by the individual, if possible. Pair students up and have them write at least three letters back and forth (with a copy given to the teacher for review and feedback).
- **Individual Timeline**—Using Freedom Cards as a starting point, have students conduct research about their individual. Ask students to select ten key events from their individual’s life and create an illustrated timeline.
- **Museum Scavenger Hunt**—Take your class to the McCormick Tribune Freedom Museum. Divide your class into four groups and distribute a full set of Freedom Cards to each group. Send them on a scavenger hunt for information about the individuals (most individuals are highlighted in the Museum).



God grant that this religious liberty may be preserved in these states, to the end of time.

-Charles Carroll of Carrollton



If your actions inspire others to dream more, learn more, do more and become more, you are a leader.

-John Quincy Adams

Charles Carroll of Carrollton fought for religious freedom for a persecuted minority. Carroll was born in 1737 to a Catholic family in Maryland. There, the Church of England was the official religion and Catholics could not practice law, serve in government, or vote. They were also forced to pay taxes to the Church of England.

In 1772, Carroll became involved in political life. Writing under the name First Citizen, Carroll wrote articles about policies he disagreed with. He continued writing even when others' said he had no right to take part in politics because he was Catholic.

In 1775, Carroll became a leading advocate of independence. He helped convince the Maryland legislature to support the break from England. He "most willingly" signed the Declaration of Independence, the only Catholic to do so.

Carroll helped write a new constitution for his home state. The Maryland Declaration of Rights was a step forward for religious freedom. It declared: "all persons professing the Christian religion are equally entitled to protection in their religious liberty." Thanks in large part to Carroll's efforts, Catholics were now equal citizens under Maryland law.

Some believe John Quincy Adams's greatest contributions to his country came after he was President. He was born in Massachusetts in 1767, the son of President John Adams. After serving in various offices, including the Presidency, he was elected to Congress in 1830.

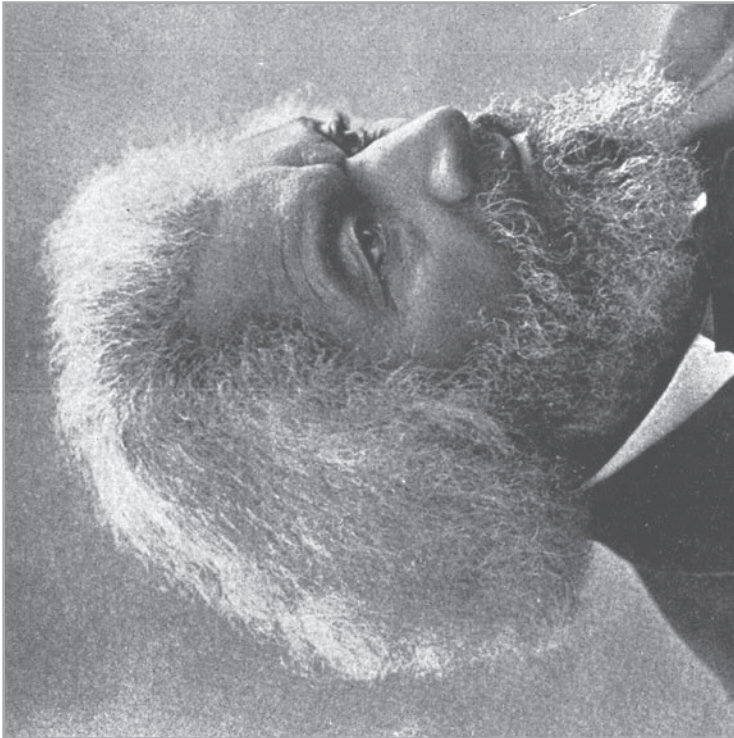
In 1835 the House of Representatives voted to table—or postpone without hearing—any petitions about slavery. Adams, then in his mid-seventies, led a small group of Representatives in the fight against the Gag Rule. Adams said that whatever one's position on slavery, the Gag Rule was a violation of the First Amendment's protection of freedom of petition. "[T]he stake in the question is your right to petition, your freedom of thought and of action, and the freedom in Congress of your Representative," he declared.

The Gag Rule had to be renewed each session, and Adams consistently fought against it. During the nine years that the gag rule was in effect, he was accused of treason and received death threats. The Gag Rule was repealed in 1844, due in part to Adams's fight for the First Amendment right to freedom of petition.



*You can do what you have to do, and sometimes
you can do it better than you think you can.*

-Jimmy Carter



If there is no struggle, there is no progress.

-Frederick Douglass

Frederick Douglass was born a slave in Maryland, in 1817 or 1818. He loved to read and even memorized classical speeches. In 1838, he escaped from slavery. He settled in Massachusetts where he attended abolitionist meetings. He soon began a three-year lecture series. He traveled throughout America and Europe giving speeches.

Douglass published his thoughts in a weekly newspaper. His most important work was his autobiography, *Narrative of the Life of Frederick Douglass, an American Slave*. It was incredibly popular and, like his speeches, opened many peoples' eyes to the horrors of slavery.

Douglass also spoke and wrote in favor of a constitutional amendment securing voting rights and other liberties for former slaves. In this manner, Douglass used his First Amendment rights of free speech and press in order to expand American freedom.

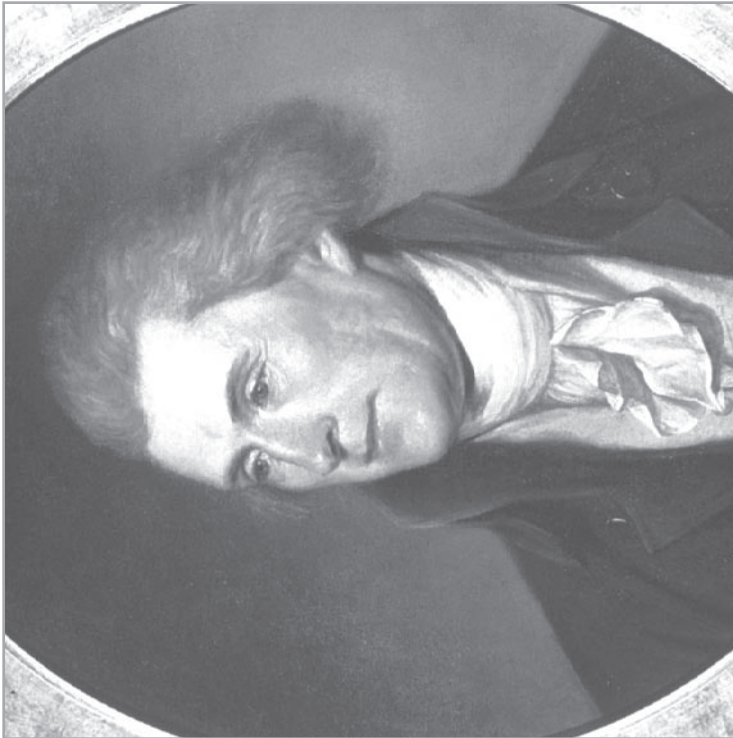
Douglass continued to work for equal rights for former slaves and for women until he died. The boy who memorized classic speeches from Roman times would spend his life delivering original and powerful speeches that changed history.

Jimmy Carter's efforts have helped ensure fair elections in countries throughout the world. Carter was born in Georgia in 1924. He served as governor of Georgia, and was elected president of the United States in 1976.

Carter lost his reelection bid in 1980 but did not end his career in public service. In 1982 he founded the Carter Center. This organization addresses national and international public policy issues. One of its focuses is free and fair elections in new democracies.

Under his leadership, The Carter Center has sent more than sixty election-monitors to dozens of countries in the Americas, Africa, and Asia. In 2005, the Carter Center sent election monitors to Liberia. This African country had just ended fourteen years of civil war in which half a million people died. At the end of that year, Liberians held elections and voted Africa's first elected female president into office.

By helping monitor elections, Jimmy Carter has helped bring democracy to millions of people around the world.



Do you want to know who you are? Don't ask.
Act! Action will delineate and define you.

-Thomas Jefferson



Nobody's free until everybody's free.

-Fannie Lou Hamer

Thomas Jefferson was a champion of freedom and individual rights. He was born in Virginia in 1743. He wrote the Declaration of Independence, proclaiming that “all men are created equal” and have God-given, inalienable rights.

Jefferson fought for individual freedoms. He authored the Virginia Statue for Religious Freedom in 1786. This statute, which is still part of Virginia law, brought an end to the state church.

Jefferson was serving in France while the Constitution was being drafted in 1787. He wrote letters to several Convention delegates, expressing his concern that peoples’ rights should be protected. He wanted a bill of rights to be added to the Constitution. He fought against a 1798 law making it a crime to criticize the government. Two years later, he was elected president in a landslide victory.

After two terms as president, he retired to Monticello. In 1819, he founded the University of Virginia, one of his proudest achievements. He hoped his university would be a “blessing” to his home state and to the country, and that its influence on future generations’ “freedom, fame and happiness” would go on forever.

Fannie Lou Hamer would not back down when it came to her right to vote. Hamer was born in Mississippi in 1917. In 1962 she attended a voter registration meeting. It was there that she first learned the Fifteenth Amendment protected African Americans’ ability to vote. She left that meeting determined to register to vote.

Hamer decided she wanted to help other African Americans participate in American democracy. She began to organize registration drives. On these drives, she became famous for singing hymns. In one 1963 drive, she was thrown in jail. Montgomery County guards beat her and fellow civil rights workers. She lost her job and even received death threats, but she did not give up.

In 1964, Hamer spoke out at the Democratic presidential convention about people being illegally prevented from voting. A year later in 1965, President Johnson signed the Voting Rights Act. This law removed many barriers to voting, and many see it as a fulfillment of the Fifteenth Amendment’s promise.



Our lives begin to end the day we become
silent about things that matter.

-Martin Luther King, Jr.



It's not a big leap to go from 'You can't burn
the flag' to 'You can't speak against the flag.'

-Joey Johnson

Martin Luther King, Jr. fought for freedom by exercising his First Amendment rights to free speech and assembly. King was born in Georgia in 1929. He fought for desegregation and equal rights for African Americans by speaking out and leading marches. He always preached non-violence as a means for change.

The most important march of King's career was the March on Washington in 1963. A quarter of a million people packed the National Mall. King stood on the steps of the Lincoln Memorial. In his speech, King referred to the "architects of our republic" and their commitment to freedom. He electrified the crowd with his speech, saying, "I have a dream that one day this nation will rise up and live out the true meaning of its creed: 'We hold these truths to be self-evident, that all men are created equal.'"

In the years that followed, King led civil rights marches in Selma, Alabama. King was awarded the Nobel Peace Prize in 1964.

Throughout his life, King spoke freely—to people who had assembled freely—in order to promote and expand freedom for Americans. King was assassinated in 1968. His funeral was attended by 300,000 people.

Gregory "Joey" Johnson is a hero to some, a traitor to others. Johnson grew up in 1960s Berlin, Germany. His stepfather, an Army sergeant, was stationed there. He often spoke with American soldiers returning from the Vietnam War. When he returned to the United States, he joined the Communist Party and organized protests against American actions in other countries.

In 1984, Johnson went to Dallas for the Republican National Convention. With hundreds of other protestors, he spoke out against what he called "American imperialism." He burned an American flag during the protest. This violated a Texas law outlawing flag burning. He was given a \$2,000 fine and one year in prison. Johnson believed his conviction was unconstitutional, because the First Amendment protects freedom of expression.

The Supreme Court overturned his conviction and ruled the Texas law unconstitutional. The Court reasoned: "[G]overnment may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable."



We must not remain silent.

-Mavis Leno



*...Everyone who knows me knows that I am
very free in speaking my opinion.*

-Matthew Lyon

Matthew Lyon was thrown in jail for criticizing the government. Lyon was born in Ireland in 1749. He came to Connecticut when he was fifteen. He fought in the Revolutionary War and helped write the Vermont state constitution. He served in the state legislature and later in the U.S. House of Representatives.

Throughout the 1790s, Lyon published pamphlets along with a weekly newspaper. He disapproved of the Alien and Sedition Acts, a 1798 law. This law made it a crime to “write, print, utter or publish” anything critical of the government. In his paper he called President John Adams “foolish” and “selfish” for signing this law. Lyon became the first person charged under the Alien and Sedition Acts.

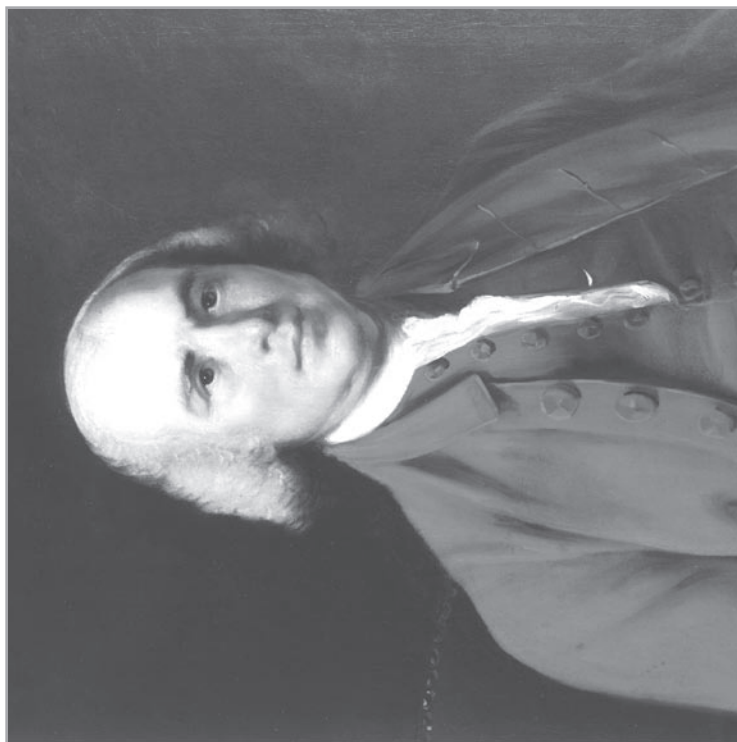
At his trial, Lyon argued that the law was unconstitutional. The First Amendment, he argued, protects free speech and press. The court disagreed and Lyon was fined and sentenced to four months in jail. While serving his sentence, he was reelected to Congress in a landslide.

In part because of Lyon’s fight for freedom of speech and press, public opinion turned against the leaders responsible for the Alien and Sedition Acts. Many were turned out of office, and the new Congress allowed the Acts to expire in 1801.

Mavis Leno was “frantic” to bring the world’s attention to how the Taliban was treating Afghan women. As the wife of well-known comedian Jay Leno, she believed she could use her fame for a good cause.

Leno feared for the women of Afghanistan. Before the Taliban came to power in 1996, women were teachers, nurses, doctors, lawyers and homemakers. Then, the Taliban cut off all communication with the outside world. Women were cut off from society, and could be jailed or killed for “crimes” such as showing too much of their ankles below their full-length *burqas*.

Leno led the Feminist Majority’s Campaign to Stop Gender Apartheid in 1997. She testified before Congress, urged the oil and gas companies funding the Taliban regime to stop, and asked Presidents Bill Clinton and George W. Bush to stop the Taliban’s treatment of women. When Taliban abuses came to light after September 11, 2001, Leno continued to speak out on the need to help Afghan girls and women.



The advancement and diffusion of knowledge
is the only guardian of true liberty.

-James Madison

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Religion is something that each person
has to decide on their own.

-Bridget Mergens

Bridget Mergens helped secure the right of students to freely express their religious beliefs in public school. Mergens was a high school student from Omaha in 1985, when she decided to start a Christian Bible study club after school.

She was shocked when both the principal and the superintendent said the club would not be allowed. They told her the club would violate the Establishment Clause of the First Amendment. But Mergens believed that high school students should have the freedom to form religious clubs. "All we wanted to do was meet like any other club," she said.

Mergens took her case to the Supreme Court. In *Westside Community Schools v. Mergens* (1990), the Court sided with Mergens, saying, "There is a crucial difference between government speech endorsing religion, which the Establishment Clause forbids, and private speech endorsing religion, which the Free Speech and Free Exercise Clauses protect." Mergens's fight helped ensure that public school students have the freedom to form religious clubs and express their religious beliefs in school.

James Madison is known as the "Father of the Constitution." He was born in Virginia in 1751. His family was wealthy and he attended excellent schools.

Madison's imagination and intelligence allowed him to frame a government best suited to nurture freedom. In 1787, he was a leader at the Constitutional Convention. He took notes, spoke often, and helped people come to compromises. He was wise enough to be worried about factions. He suggested a system of checks and balances. He also worked to balance the power of the states and federal government. Both are key ways our American government protects freedom.

When the Constitution was sent to the states, Madison wrote newspaper articles to defend it. He led the debate to approve the Constitution in Virginia. When it became clear that the Constitution would not pass without it, he drafted the Bill of Rights. Madison later served as Secretary of State and our nation's fourth President.

Madison knew that educated people could best ensure liberty. "The advancement and diffusion of knowledge," he said, was the best guardian of freedom.



We have it in our power to begin
the world over again.

-Thomas Paine



We must not confuse disloyalty with dissent.

-Edward R. Murrow

Thomas Paine's writings inspired a nation to win its freedom. Paine was born in England in 1737. He had little formal education. After working various jobs he came to America in 1774. He began writing right away, and published an anti-slavery essay.

Paine's writings would become essential to the revolutionary cause. In February 1776, Paine published the best-selling pamphlet of the revolutionary era, *Common Sense*. Paine condemned British rule of the colonies. He called for independence and saw the American cause as the cause of all people everywhere in their struggle for freedom. Paine donated all his earnings from *Common Sense* to the revolutionary cause. Paine also wrote a series of essays called *The American Crisis* that helped improve morale among the troops during the Revolutionary War.

Paine continued his defense of the American Revolution and the principles of freedom when he returned to England in 1787. His radical writings and views got him sentenced to death in both England and France, though he avoided execution both times. He returned to America in 1802, the country he'd helped found through his writings about freedom.

Edward R. Murrow is known as the "Founder of Broadcast Journalism." Murrow was born in North Carolina in 1908. He reported during World War II and was soon one of the most respected reporters in America.

During the 1950s, Americans' fear of Communism was growing. Wisconsin Senator Joseph McCarthy claimed that the State Department was "riddled with communists." In what many now call a "witch hunt," McCarthy led a charge of finger-pointing and accusation.

Murrow did not agree with McCarthy's methods, although many of McCarthy's charges were later proven true. Murrow offered the public a portrait of McCarthy "in his own words and pictures." American viewers saw McCarthy mocking President Eisenhower, insulting an army general, and telling half-truths. Murrow concluded the program by asserting, "[W]e cannot defend freedom abroad by deserting it at home."

Public opinion shifted against McCarthy. The Senate censured McCarthy nine months later. Though he remains a controversial figure, journalist Edward R. Murrow used his First Amendment freedom of the press to promote openness in government.



We must realize that no arsenal ... is so formidable as the will and moral courage of free men and women.

-Ronald Reagan



Most reforms, most problems are complicated. But to me there is nothing complicated about ordinary equality.

-Alice Paul

Ronald Reagan was born in Illinois in 1911. After working as a radio announcer and then an actor, he became active in politics. In 1966, he was elected governor of California.

He ran for president in 1980 and won in a landslide victory. As president, he focused on ending the Cold War with the Soviet Union (then-communist Russia). Reagan confronted the Soviet Union directly and built more nuclear weapons. He went against the advice of many of his own advisors and made a controversial speech. He challenged the Soviet leader to “tear down” the wall separating East and West Germany and to allow East Germans to enjoy their natural freedom. Two years later the wall did come down, and by the end of the 1980s, the Soviet regime had collapsed.

Quoting one of the earliest American colonists, Reagan called the United States and its promise of freedom a “shining city on a hill.” When he died in 2004, one of his obituaries said, “Millions of Europeans across half a continent from Poland to Bulgaria, Slovenia to Latvia live in freedom today” because of his fight for freedom.

Alice Paul fought for political freedom, and didn’t worry about who she offended in the process. Paul was born in New Jersey in 1885. She first became interested in women’s suffrage as a graduate student in England.

She came back to the United States in 1910 and turned her attention to winning votes for women in America. She organized large demonstrations and parades. She published leaflets, and held daily pickets in front of the White House. She burned copies of President Woodrow Wilson’s speeches, calling them “meaningless words” on democracy. She even burned an effigy of Wilson at the White House gates. In 1917 she and many others were arrested for peacefully marching. While in jail, she began a hunger strike and was force-fed by prison authorities.

Paul’s actions alienated some who believed the women’s suffragists were becoming too militant. On the other hand, those who were arrested for exercising their First Amendment rights to speak, publish, peaceably assemble, and petition won the public’s sympathy. The President ordered them released from prison. He also soon lent his support to women’s suffrage. Congress approved the Nineteenth Amendment within a year and it was ratified by the states in 1920.



There have never been major changes in the world
without the active involvement of young people.

-Mary Beth Tinker



I aimed at the public's heart, and by
accident I hit it in the stomach.

-Upton Sinclair

Mary Beth Tinker fought for the right of students to express their personal views in public school. Tinker was a 13 year-old middle school student from Des Moines, Iowa in 1965. She opposed the war in Vietnam. She, her older brother John, and other students decided to wear black armbands to school to protest the war and mourn the dead.

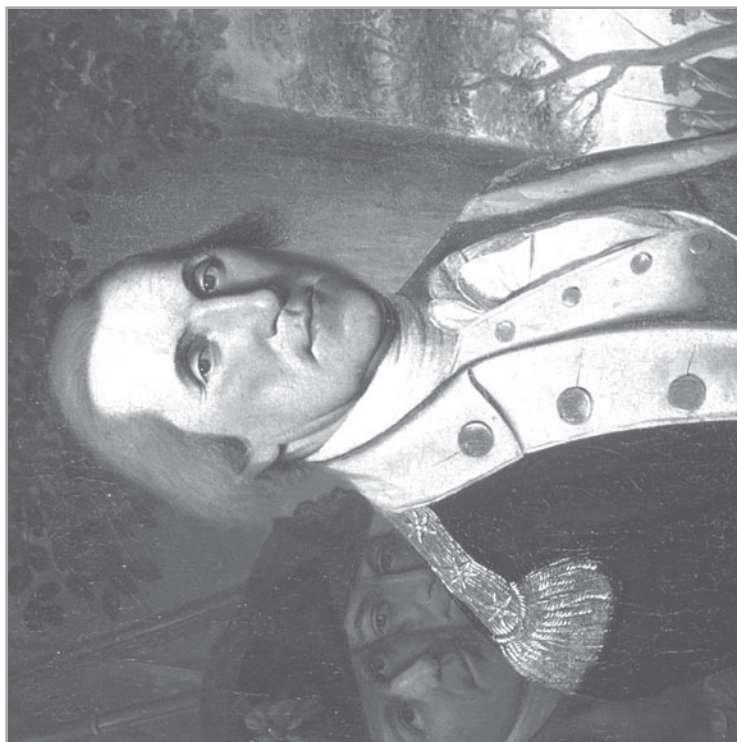
When they got to school on that cold December day, they were told they would be suspended from school until they returned without the armbands. Tinker believed she had a right to express her views in a respectful and non-disruptive way. She believed the armbands were a form of expression (or, symbolic speech). Therefore the First Amendment should protect her right to wear them. She and her brother took their case to the Supreme Court.

In *Tinker v. Des Moines* (1969) Tinker won her case. The Court said that the armbands were “akin to pure speech.” Schools must have the ability to keep order, but teachers and students do not “shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.”

Upton Sinclair wrote more than ninety books, but one in particular changed America. Sinclair was born in Maryland in 1878. He belonged to the Socialist Party and believed unregulated capitalism was responsible for much of the poverty he saw.

He decided to research and write a series of articles on the Chicago meat-packing industry. The series told the fictional story of an immigrant family who found work in the stock yards. They first appeared in a socialist newspaper. In 1906, Sinclair combined them into a novel, *The Jungle*. It was a world-wide best-seller. Americans were shocked and horrified at the working conditions Sinclair described.

President Theodore Roosevelt read *The Jungle* and ordered inspections of the meatpacking industry. Soon after, Congress passed the Pure Food and Drug Act (1906) and the Meat Inspection Act (1906). Americans saw that writers could change the law, and the world, by exercising their right to freedom of the press.



Liberty, when it begins to take root,
is a plant of rapid growth.

-George Washington



There must always be a remedy for wrong
and injustice if we only know how to find it.

-Ida B. Wells

Ida B. Wells exercised her rights to freedom of speech and press to bring national attention to ending injustices. Wells was born in Mississippi in 1862. She was the oldest of eight children. Her parents died when she was 14, and she raised her younger siblings herself. She put herself through college and became a teacher in Memphis, Tennessee.

In 1892, Wells lost three close friends to a lynch mob. These gruesome killings made headlines, but no one was arrested or charged. As a journalist and a newspaper owner and editor, Wells boldly wrote about the racism that motivated such murders. The press attacked her as a “black scoundrel” for saying that lynching had nothing to do with justice or honor. A mob ransacked her office and threatened her life, but she continued her crusade.

Wells later moved to Chicago where she published *The Red Record*, the first documented statistical report on lynching. She became a respected public speaker, and traveled widely, lecturing on anti-lynching activities, speaking out against segregation, and advocating for women's voting rights. She co-founded the National Association for the Advancement for Colored People (NAACP) in 1909.

George Washington is known as the “Father of his Country.” Washington was born in Virginia in 1732. Washington ran his family's farm, Mount Vernon, which spanned 8,000 acres.

Washington fought for freedom as the commander of the Virginia militia. He later served in the Virginia colonial legislature and the Continental Congress. In 1775, Congress selected him to be Commander-in-Chief of the Continental Army. For six years, Washington led the American army in its fight for freedom from British tyranny.

The new nation turned to the business of creating a government. The Articles of Confederation proved inadequate, and Washington was selected to lead the Constitutional Convention in Philadelphia, 1787. Once the Constitution was complete, Washington was unanimously elected to be the first president.

He served two terms as president, discouraging political parties and working to keep the new nation out of foreign wars. In his farewell address, Washington urged his fellow citizens to cherish “the free Constitution, which is the work of your hands” as the best way to ensure their continued freedom.

My Freedom
PASTE PICTURE HERE

Name:
Quote:

My Fighter for Freedom
PASTE PICTURE HERE

Name:
Quote:

Explain how you will preserve, defend and
expand freedom in the future:

My Fighter for Freedom's background
and important contributions:

John Quincy Adams

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THE BIRTH OF FREEDOM

Handout B: *Magna Carta*—the freedom of the Church of England; traditional city liberties and customs; no excessive fines; private property and goods; jury trials; some freedom of travel. Jury trials protect against false imprisonment or exile.

Handout C: English Bill of Rights—The king cannot make or suspend law without consulting Parliament; right to petition; standing armies in peacetime without Parliament's consent are illegal; Protestants have the right to bear arms; free election of Parliament; freedom of speech in Parliament; no excessive bail or fines; no cruel and unusual punishments; fair jury impaneling; frequent meetings of Parliament to address citizens' concerns and amend laws. The law protects rights. Lawmakers in Parliament make the law, and those lawmakers are freely elected by the people.

Handout D: *Second Treatise of Civil Government*—protection of property; government power can only extend to the common good, and the peace, safety and public good of the people. Law by common consent protects rights and settles disputes; an impartial judge interprets law; a third branch of government executes the law.

Handout E: *The Spirit of the Laws*—The way to preserve liberty is to separate the branches of government. Government should have three branches—legislative, executive, and judicial. Liberty ends if the same person or entity controls these three functions. The executive power should be in the hands of a single king or queen, and this branch should control the military.

FREE TO BELIEVE

Handout B: Religion in Public Schools Challenge

1. True
2. False
3. False
4. False
5. True if the school allows other clubs to have faculty sponsors; sponsor must be “non-participating.”
6. True if other non-academic clubs are given the chance to meet during school hours
7. True if other non-academic clubs are given the chance to meet after school hours
8. False
9. False
10. False
11. True
12. False

Handout D: First Amendment Religious Freedoms Cut and Paste

Bridget Mergens: 3, 4, 6, 9, 10, 11

Billy Gobitas: 1, 2, 5, 7, 8, 12

Freedom of Religion Role-Play Cards

1. In *Murray v. Curlett*, (Madalyn Murray O'Hair's case), which was combined with *Abington Township v. Schempp* (1963), the Court ruled that the compulsory prayer was unconstitutional and declared that “in the relationship between man and religion, the State is firmly committed to a position of neutrality....When government allies itself with one particular form of religion, the inevitable result is that it incurs the ‘hatred, disrespect and even contempt of those who held contrary beliefs.’”
2. The Court sided with the Weismans and found government involvement in inviting clergy to say prayers at graduation to be unconstitutional. The Court explained that the action violated the Establishment Clause because it was “a state-sponsored and state-directed religious exercise in a public school.”
3. The Court held that requiring Amish children to attend school when it was “in sharp conflict with the fundamental mode of life mandated by the Amish religion” was unconstitutional. The Court rejected Wisconsin's argument, saying that benefits of children attending two more years of school was not justification enough to violate the Amish's religious freedom.
4. In *West Virginia v. Barnette* (1943) the Court overturned the *Gobitas* decision and ruled that compulsion is not a legitimate means for creating national unity. The minimal harm created by lack of compliance is not great enough to dismiss the rights of the students to exercise their religions.

FREE TO SPEAK

Handout D: Case Report Sheet

Tinker v. Des Moines (1969)

1. The students believed their First Amendment rights to freedom of speech had been violated by the school when they were suspended for wearing black armbands in protest of the Vietnam War.
2. The school said the suspensions were necessary to maintain discipline and order.
3. Answers will vary.
4. Answers will vary.

Texas v. Johnson (1989)

1. Joey Johnson was arrested for burning a United States flag as part of a political protest.
2. Texas said it needed to preserve the flag as a symbol of national unity.
3. Answers will vary.
4. Answers will vary.

FREE TO GATHER

Transparency Master A: Assembly and Petition True/False Challenge

1. True
2. True
3. False: in *NAACP v. Alabama* (1958) the Court held that forcing the NAACP to reveal its membership lists would suppress legal association among group members. To demand this information, the government must show an “overriding valid interest of the State.”
4. False: In *Lloyd v. Tanner* (1972) the Court held that protest groups do not have the right to gather in private shopping malls. The First Amendment applies only to government action, not that of private individuals or companies.
5. False: In *Grayned v. City of Rockford* (1972), the Court held that protests near schools that are intended to disrupt classes are not protected by the First Amendment.
6. False: In *Gregory v. City of Chicago* (1969), the Court held that the government cannot stop protestors from demonstrating because their cause is unpopular.
7. True: In *Madsen v. Women’s Health Center* (1994), the Court upheld some restrictions on abortion protesters, but overturned “floating buffers” around patients.
8. False: In *DeJonge v. Oregon* (1937) the Court held that Oregon could not arrest someone merely for attending a Communist Party meeting.
9. True: In *Meyer v. Grant* (1988) the Court held that states could not bar groups from hiring people to circulate petitions.
10. False: The First Amendment applies only to government action, not that of private individuals or companies.

FIGHTERS FOR FREEDOM

Handout B: Who Am I?

2. All
3. Douglass, Lyon, Paul
4. Reagan
5. Lincoln
6. Lyon, Paul
7. All
8. Douglass, Lincoln
9. Lincoln, Reagan
10. Douglass, Lincoln, Paul, Reagan

GUARDIANS OF FREEDOM

Handout A: Key Terms

1. fought to end slavery
2. believes in an economic and political system that blends private and government ownership of property
3. tends to prefer tradition over innovation
4. believes in the elimination of all private property and the communal ownership of goods by everyone
5. a 1950s attitude suspicious of subversive elements in society, specifically communism
6. a publication that uses sensational reports damaging to others’ reputations
7. order by government to prevent publication of news in advance

Handout C: Venn Diagram

Murrow: Students may note his humble beginnings, his commitment to causes such labor unions, his status as the “Founder of Broadcast Journalism,” and his use of his role as a journalist to bring a picture of Senator McCarthy to the people.

McCormick: Students may note his wealthy family and attendance at exclusive private schools, his military service, his opposition to communism, his financial backing of Jay Near in *Near v. Minnesota* (1931).

Both: Students may note that both people attended college, were journalists, showed a strong commitment to freedom of the press and the right of journalists to publish or broadcast information.

FREEDOM AND THE FUTURE

Handout B: Founders' Statements on Freedom and the Future

1. Unless people are just, moderate, temperate, frugal, virtuous, they will be unable to keep liberty and free government.
2. Once a society loses its freedom, that freedom cannot be brought back.
3. Liberty is more often lost a little bit at a time than all at once.
4. A virtuous and educated society will overcome all obstacles and enemies; a society without virtue and knowledge will destroy itself.
5. People who believe liberty should be given up for safety do not deserve either blessing.

Religious Liberty: Establishment Clause

Everson v. Board of Education (1947)

New Jersey's reimbursement to parents of parochial and private school students for the costs of busing their children to school was upheld because the assistance went to the child, not the church. This case also applied the Establishment Clause to the actions of state governments.

Torcaso v. Watkins (1961)

A Maryland requirement that candidates for public office swear that they believe in God was a religious test and violated Article VI of the Constitution as well as the First and Fourteenth Amendments.

Engel v. Vitale (1962)

New York's requirement of a state-composed prayer to begin the school day was declared an unconstitutional violation of the Establishment Clause.

Abington School District v. Schempp (1963)

A Pennsylvania law requiring that each public school day open with Bible reading was struck down as violating the Establishment Clause.

Murray v. Curlett (1963)

A Maryland law requiring prayer at the beginning of each public school day was declared unconstitutional as a violation of the Establishment Clause.

Epperson v. Arkansas (1968)

An Arkansas law prohibiting the teaching of evolution was unconstitutional, because it was based on "fundamentalist sectarian conviction" and violated the Establishment Clause.

Lemon v. Kurtzman (1971)

The Court struck down a Pennsylvania law reimbursing religious schools for textbooks and teacher salaries. The decision held that a program does not violate the Constitution if: (a) it has a primarily secular purpose; (b) its principal effect neither aids nor inhibits religion; and (c) government and religion are not excessively entangled.

Stone v. Graham (1980)

State laws mandating the display of the Ten Commandments in public school classrooms were declared unconstitutional as a violation of the Establishment Clause.

Marsh v. Chambers (1983)

States had the right to hire a chaplain to open legislative sessions with a prayer or invocation. The traditional practice did not violate the Establishment Clause.

Lynch v. Donnelly (1984)

The Court upheld a nativity display among other symbols in a public park "to celebrate the Christmas holiday and to depict the origins of that holiday."

Wallace v. Jaffree (1985)

An Alabama law setting aside a moment for "voluntary prayer" and allowing public school teachers to lead "willing students" in a prayer was struck down. The law had no secular purpose and endorsed religion, violating the Establishment Clause.

Edwards v. Aguillard (1987)

Louisiana could not require public schools that taught evolution to teach creationism as "Creation Science." The law had no secular purpose and endorsed religion, violating the Establishment Clause.

Allegheny County v. Greater Pittsburgh ACLU (1989)

A nativity scene with the words "*Gloria in Excelsis Deo*," meaning "Glory to God in the Highest," placed alone on the grand staircase of a courthouse endorsed religion and violated the Establishment Clause.

Board of Education of Westside Community Schools v. Mergens (1990)

The 1990 Equal Access Act, which required that public schools give religious groups the same access to facilities that other extracurricular groups have, was upheld. Allowing religious clubs to meet did not violate the Establishment Clause.

Lee v. Weisman (1992)

Officially approved, clergy-led prayer at public school graduations led to subtle religious coercion, and violated the Establishment Clause.

Zobrest v. Catalina Foothills School District (1993)

A school district had to provide a sign interpreter to a deaf child at a religious school. The aid was constitutional because it went to the student, not the church.

Kiryas Joel School District v. Grumet (1994)

A New York law creating a special school district to benefit disabled Orthodox Jewish children was struck down because it benefited a single religious group and was not neutral to religion.

Capitol Square Review and Advisory Board v. Pinette (1995)

A cross placed by a private group in a traditional public forum adjoining the state house did not violate the Establishment Clause, as the space was open to all on equal terms.

Santa Fe Independent School District v. Doe (2000)

A public school district's policy of having students vote on a prayer to be read by a student at football games violated the Establishment Clause. The voting policy resulted in religious coercion of the minority by the majority.

Mitchell v. Helms (2000)

The federal government could provide computer equipment to all schools—public, private and parochial—under the Elementary and Secondary Education Act. The aid was religiously neutral and did not violate the Establishment Clause.

Good News Club v. Milford Central School (2001)

Religious clubs were allowed to meet in public schools after class hours as other clubs were permitted to do. Allowing religious clubs to meet did not violate the Establishment Clause.

Zelman v. Simmons-Harris (2002)

A government program providing tuition vouchers for Cleveland schoolchildren to attend a private

school of their parents' choosing was upheld. The vouchers were neutral towards religion and did not violate the Establishment Clause.

Elk Grove Unified School District v. Newdow (2004)

A father challenged the constitutionality of requiring public school teachers to lead the Pledge of Allegiance, which has included the phrase "under God" since 1954. The Court determined that Mr. Newdow, as a non-custodial parent, did not have standing to bring the case to court and therefore did not answer the constitutional question.

Van Orden v. Perry (2005)

A six-foot monument displaying the Ten Commandments donated by a private group and placed with other monuments next to the Texas State Capitol had a secular purpose and would not lead an observer to conclude that the state endorsed the religious message, and therefore did not violate the Establishment Clause.

McCreary County v. ACLU (2005)

Two large, framed copies of the Ten Commandments in Kentucky courthouses lacked a secular purpose and were not religiously neutral, and therefore violated the Establishment Clause.

Religious Liberty: Free Exercise Clause

Reynolds v. United States (1879)

A federal law banning polygamy was upheld. The Free Exercise Clause forbids government from regulating belief, but does allow government to regulate actions such as marriage.

Minersville v. Gobitas (1940)

The Court upheld a Pennsylvania flag-salute law, because "religious liberty must give way to political authority." This was reversed in *West Virginia v. Barnette* (1943).

Cantwell v. Connecticut (1940)

States could not require special permits for religious solicitation when permits were not required for non-religious solicitation. The Court began

applying the Free Exercise Clause to the states and recognized an absolute freedom of belief.

Braunfeld v. Brown (1961)

The Court upheld a Pennsylvania law requiring stores to be closed on Sundays, even though Orthodox Jews claimed the law unduly burdened them since their religion required them to close their stores on Saturdays as well. The Court held that the law did not target Jews specifically as a group.

Sherbert v. Verner (1963)

The Court ruled that states could not deny unemployment benefits to a person for turning down a job because it required him/her to work on the Sabbath. Requiring a person to abandon their religious convictions in order to receive benefits was a violation of the Free Exercise Clause.

Wisconsin v. Yoder (1972)

The Court ruled that Amish adolescents could be exempt from a state law requiring school attendance for all 14- to 16-year-olds, since their religion required living apart from the world and worldly influence. The state's interest in students' attending two more years of school was not enough to outweigh the individual right to free exercise.

McDaniel v. Paty (1978)

A Tennessee law barring members of the clergy from public office was overturned because it directly targeted people because of their religious profession.

Thornton v. Caldor (1985)

Private companies are free to fire people who refuse to work on any day they claim is their Sabbath, because the First Amendment applies only to government, not to private employers.

Goldman v. Weinberger (1986)

Air Force penalties against a Jewish chaplain who wore a yarmulke (skull cap) on duty in defiance of regulations were upheld. The military's interest in uniformity outweighed the individual right to free exercise.

Employment Division v. Smith (1990)

Oregon could deny unemployment benefits to someone fired from a job for illegally smoking peyote during a religious ceremony. The Free Exercise Clause does not excuse people from obeying the law.

Church of the Lukumi Babalu Aye v. City of Hialeah (1993)

Laws passed by four Florida cities banning animal sacrifice were targeted at the Santeria religion, which employs animal sacrifice in prayer, and therefore the laws were unconstitutional.

Speech: General

Schenck v. United States (1919)

Freedom of speech can be limited during wartime. The government can restrict expressions that "would create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent."

Abrams v. United States (1919)

The First Amendment did not protect printing leaflets urging to resist the war effort, calling for a general strike and advocating violent revolution.

Debs v. United States (1919)

The First Amendment did not protect an anti-war speech designed to obstruct military recruiting.

Gitlow v. New York (1925)

The Supreme Court applied protection of free speech to the states through the due process clause of the Fourteenth Amendment.

Chaplinsky v. New Hampshire (1942)

The First Amendment did not protect "fighting words" which, by being said, cause injury or an immediate breach of the peace.

West Virginia v. Barnette (1943)

The West Virginia Board's policy requiring students and teachers to recite the Pledge of Allegiance was unconstitutional. Reversing *Minersville v. Gobitis* (1940), the Court held government cannot "force

citizens to confess by word or act their faith” in matters of opinion.

United States v. O'Brien (1968)

The First Amendment did not protect burning draft cards in protest of the Vietnam War as a form of symbolic speech.

Tinker v. Des Moines (1969)

The Court ruled that students wearing black armbands to protest the Vietnam War was “pure speech,” or symbolic speech protected by the First Amendment.

Brandenburg v. Ohio (1969)

The Supreme Court held that the First and Fourteenth Amendments protected speech advocating violence at a Ku Klux Klan rally because the speech did not call for “imminent lawless action.”

Cohen v. California (1971)

A California statute prohibiting the display of offensive messages violated freedom of expression.

Miller v. California (1973)

This case set forth rules for obscenity prosecutions, but it also gave states and localities flexibility in determining what is obscene.

Bethel School District v. Fraser (1986)

A school could suspend a pupil for giving a student government nomination speech full of “elaborate, graphic, and explicit sexual metaphor.”

Texas v. Johnson (1989)

Flag burning as political protest is a form of symbolic speech protected by the First Amendment.

R.A.V. v. St. Paul (1992)

A criminal ordinance prohibiting the display of symbols that “arouse anger, alarm or resentment in others on the basis of race, color, creed, religion or gender” was unconstitutional. The law violated the First Amendment because it punished speech based on the ideas expressed.

Reno v. ACLU (1997)

The 1996 Communications Decency Act was ruled unconstitutional since it was overly broad and vague in its regulation of speech on the Internet, and since it attempted to regulate indecent speech, which the First Amendment protects.

Watchtower Bible and Tract Society v. Stratton (2002)

City laws requiring permits for political advocates going door to door were unconstitutional because such a mandate would have a “chilling effect” on political communication.

United States v. American Library Association (2003)

The federal government could require public libraries to use Internet-filtering software to prevent viewing of pornography by minors. The burden placed on adult patrons who had to request the filters be disabled was minimal.

Virginia v. Hicks (2003)

Richmond could ban non-residents from public housing complexes if the non-residents did not have “a legitimate business or social purpose” for being there. The trespass policy was not overbroad and did not infringe upon First Amendment rights.

Virginia v. Black (2003)

A blanket ban on cross-burning was an unconstitutional content-based restriction on free speech. States could ban cross burning with intent to intimidate, but the cross burning act alone was not enough evidence to infer intent.

Speech: Campaign Finance

Buckley v. Valeo (1976)

“Reasonable restrictions” on individual, corporate and group contributions to candidates were allowed; limits on campaign expenditures were unconstitutional since these placed “substantial and direct restrictions” on protected political expression.

Colorado Republican Federal Campaign Committee v. FEC (1996)

The Court ruled that campaign spending by political parties on behalf of congressional candidates could not be limited as long as the parties work independently of the candidates.

McConnell v. Federal Election Commission (2003)
Limitations on “soft-money” contributions and political advertisements were acceptable infringements of free speech because of the government’s interest in preventing corruption or the appearance of corruption in elections.

Speech: Commercial

Virginia Board of Pharmacy v. Virginia Citizens Consumer Council (1976)

A pharmacy had the First Amendment right to advertise prices.

Linmark v. Willingboro (1977)

A town prohibition on “For Sale” and “Sold” signs was unconstitutional. The ban was an unreasonable restriction on the flow of commercial information.

United States v. United Foods (2001)

A law forcing cooperatives of mushroom growers to pay advertising fees was “contrary to First Amendment principles” as a form of compelled speech.

Press

Near v. Minnesota (1931)

A state law allowing prior restraint was unconstitutional. This decision also extended protection of press freedom to the states through the Fourteenth Amendment.

New York Times v. Sullivan (1964)

The First Amendment protected all statements about public officials unless the speaker lied with the intent to defame.

Garrison v. Louisiana (1964)

A Louisiana law that punished true statements

made with “actual malice” was overturned. The Court ruled that unless a newspaper shows “reckless disregard for the truth,” it is protected under the First Amendment.

Curtis Publishing Co. v. Butts and *AP v. Walker* (1967)

A “public figure” who is not a public official may recover damages for a defamatory falsehood what harms his or her reputation, if the newspaper’s actions were an “extreme departure” of the standards of reporting.

New York Times v. United States (1971)

A claimed threat to national security was not justification for prior restraint on publication of classified documents (the Pentagon Papers) about the Vietnam War.

Nebraska Press Association v. Stuart (1976)

A judge’s order that the media not publish or broadcast statements by police in a murder trial was an unconstitutional prior restraint. The gag order violated the First Amendment rights of the press and the community.

Zacchini v. Scripps-Howard Broadcasting (1977)

The Court ruled that the First Amendment does not give a television station to right to broadcast the entire act of a performance without the performer’s permission.

Hustler v. Falwell (1988)

The First Amendment prohibits public figures from recovering damages for intentional infliction of emotional harm unless the publication contained a false statement made with actual malice.

Hazelwood School District v. Kuhlmeier (1988)

Public school officials can censor school-sponsored newspapers, because the newspapers are part of the school curriculum rather than a forum for public expression.

Freedom of Assembly and Association

Dejonge v. Oregon (1937)

Federal protection of the right of peaceful assembly for lawful discussion was extended to the states.

NAACP v. Alabama (1958)

An Alabama law requiring associations to disclose their membership lists was struck down. This requirement would suppress legal association among the group's members.

Edwards v. South Carolina (1963)

The convictions of students arrested for peaceful demonstrations against segregation were overturned because the state could not "make criminal the peaceful expression of unpopular views."

Lloyd Corporation v. Tanner (1972)

Shopping mall owners may prohibit demonstrators from assembling in their private malls since the First Amendment applies to public, not private property.

Village of Skokie vs. National Socialist Party (1978)

The National Socialist (Nazi) Party could not be prohibited from marching peacefully because of the content of their message.

Rotary International v. Rotary Club of Duarte (1987)

California state law requiring Rotary Clubs to admit women was constitutional. Because women members would not prevent the group from accomplishing its goals, the Court held that the state's compelling interest in ending sexual discrimination outweighed the infringement on the group's right of association.

Madsen v. Women's Health Clinic (1994)

Some restrictions on protesters at a Florida abortion clinic, including limits on noise amplification and a required buffer zone, did not violate the First Amendment. The restrictions that "burden[ed] no more speech than necessary" to protect access to the clinic and ensure orderly traffic flow on the street were upheld. The restrictions that burdened "more speech than necessary" were struck down.

Hurley v. Irish American GLIB Association (1995)

Forcing a privately-organized parade to include homosexual and bisexual groups would be a form of coerced speech and violated the organizers' First Amendment rights.

Schenck v. Pro-Choice Network of Western New York (1997)

"Fixed buffers" around abortion clinics were constitutional since they protected the government's interest in protecting private property and preventing illegal activity. A fifteen-foot "floating buffer" around patients leaving or entering an abortion clinic was struck down as an infringement of the protestors' First Amendment rights.

Boy Scouts of America v. Dale (2000)

Forcing the Boy Scouts to admit a gay scout leader would violate the private organization's rights to freedom of association and expressive association.

Freedom of Petition

NAACP v. Button (1963)

States could not stop the NAACP from soliciting people to serve as litigants in federal court cases challenging segregation.

Meyer v. Grant (1988)

States could not bar groups from hiring individuals who circulate petitions in support of a ballot measure.

Buckley v. American Constitutional Law Foundation (1999)

The Court ruled that states could not require petition circulators to be registered voters, wear name badges, or disclose information about themselves and their salaries.

The McCormick Tribune Freedom Museum Teacher Advisory Committee played a vital role in advising the Museum about content as well as practical matters of concern to visiting teachers.

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CCE: Center for Civic Education

NCSS: National Council for the Social Studies

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