

Liberty vs. Safety: An American Dilemma



Grades 7–12

Using AIT Products

- *Human Rights: Youth Perspectives*, program #1, “Japanese American Internment Camps”
- *TRACKS: Impressions of America*, program # 5, “INDEPENDENCE!”

Overview

Since the attacks of September 11, 2001, Americans have grappled with the realization that our free society increases our vulnerability to horrific acts of terrorism. To what extent should Americans accept limits on personal freedoms in exchange for increased security? This is a question that Americans have struggled with before.

In this lesson, students will examine their own values about liberty and their concerns about domestic security. They will review the position of contemporary leaders and develop position statements on this issue. Then, they will place this discussion within the context of two of the defining moments in U.S. history when this country’s resolve to liberty was tested. They will learn about the constitutional right of a sitting president to issue executive orders that can circumvent the process of federal law. Given this historical context, students will re-examine their positions and the positions of contemporary leaders. They will learn about the process of consensus and the value of studying history as we try to craft a more perfect society.



“Those who expect to reap the blessings of freedom must undergo the fatigue of supporting it.”

—Thomas Paine

Objectives

- Compare and contrast executive orders and laws.
- Examine President Franklin D. Roosevelt’s decision to incarcerate Japanese Americans in the Western United States, and discuss whether this was an appropriate use of an executive order.

- Conduct interviews and formulate opinions about national security measures.
- Explain how the quest for domestic security has impacted civil liberties.
- Describe Benjamin Franklin's view on civil liberties, and explain how the events of September 11, 2001 have changed our values for liberty.

Vocabulary

executive order
homeland security
personal liberty
terrorism
terrorist

Preparation

Materials needed

- Contemporary magazines and newspaper articles about increasing homeland security or expanding the rights of investigative agencies such as the CIA, FBI, Immigration and Naturalization Service (INS), or local law enforcement agencies.
- Copies of instructions for **Designing a Matrix to Evaluate Issues and Preparing a Consensus-based Position Statement** for each student group.
- AIT video—*Human Rights: Youth Perspectives*, program #1, “The Japanese Internment Camps.” Cue the tape to the beginning of the program.
- AIT video—*TRACKS: Impressions of America*, program # 5, “INDEPENDENCE!” Cue the tape to the segment just as the character of Ben Franklin meets Duncan in front of Independence Hall.

- One copy of the Bill of Rights for each student group.
- Dry Erase boards or large newsprint and markers for each student group.
- Small sticky notes.
- Note pads and pens for each student.

Planning Notes

Arrange students in work groups to complete this project. Groups of four to six are best, because the process of consensus building that is used in developing position statements requires at least some range of opinions to be represented before it is valid. The larger the groups, the more time they will need to build consensus, so plan class time accordingly.

Time

This project will take three to four class periods, in addition to homework time.

Procedure—Day 1

Introduce Topic

Introduce the topic by asking students if they know what new executive department was created by President George W. Bush after the terrorist attacks of September 11, 2001. Explain that Article II, Section 2 of the U.S. Constitution gives the President the power to appoint advisors and establish offices for doing the work of the federal government. The established offices of the President’s Cabinet are maintained under federal law, but special offices may be established by a President under executive order (EO).

Executive orders are presidential directives that are usually based on existing laws. EOs do not need congressional approval; however, Congress can repeal or modify an EO by passing a new law. EOs are published in the Federal Register at the Government Printing Office (GPO). They are

often used to manage the operations of the federal government or as instruments to establish policy.

Previewing Activity

In small groups, invite students to list at least three ways that executive orders and laws are different and one way that they are the same. Students need not research the issue; they can just share their own knowledge. Allow five minutes to complete the task. Consolidate the answers on the board. Make sure that the list includes:

Differences

- A law takes months or years to pass while an EO can be issued much faster.
- A law is subject to more public scrutiny than most EOs.
- An EO can more easily be rescinded or amended than a law.
- Congress may pass dozens of laws in a year while a president enacts many more EOs.
- Only laws are sustained from one administration to the next.

Similarities

- Both EOs and laws have the effect of directing the actions of government.
- Both EOs and laws can inhibit or expand personal freedoms.
- Both EOs and laws may result in spending government money.
- Both EOs and laws are subject to judicial review.

Video

Prepare students for watching the AIT video from *Human Rights: Youth Perspectives* by asking them to consider whether or not President Franklin D. Roosevelt's decision to intern Japanese Americans in the western United States after the attack on Pearl Harbor was an appropriate use of an executive order. Tell them to take notes during viewing that both support and dispute the action. During viewing, PAUSE the video occasionally to allow students time to comment or clarify information on the video and to make their own notes.

Homework

After students have viewed the program, assign them to write a one-to-two paragraph essay supporting or disputing Roosevelt's EO, using their notes as reference.

Procedure—Day 2

Reflection

Invite students to read their essays and to discuss the actions of President F. D. Roosevelt to detain Japanese Americans. Ask students if they considered why the president had not also taken all German Americans or Italian Americans into custody during World War II.

Display news articles about vandalism against Muslims in America since September 11, 2001. Note the official response of the federal government, which has been to vigorously recognize that not all Islamic Arabs are considered to be a threat to America. Discuss what we may have learned from our experience during the Second World War and how it may be influencing our government's response today.

Introduce New Topic

Distribute news articles about homeland security to student groups. Direct them to read the articles and to note any concerns or ideas for improving homeland security that they see. In

addition, ask them to list their own ideas for improving our safety both here and for American citizens traveling abroad. Allow 10 to 15 minutes to review articles and for small group discussion.

Consolidate a comprehensive list on the blackboard for improving the safety of Americans. Accept all ideas and suggestions. Expand the list as much as possible.

Group Work

Direct students to return to the small groups and give each group two or three items on the list to consider. It's okay if more than one group considers an item. Tell students to develop their own criteria for evaluating each idea; use a matrix (such as the one provided at the end of this lesson) to guide their discussion and for reporting on their work. Point out that it is important to strive for consensus during this process. Consensus means that everyone in the group agrees to the findings. If someone disagrees, his or her concerns should be noted. Allow the remainder of the period for discussions.

Homework

Assign students the task of interviewing at least two adults about the matter of homeland security and seeking out their opinions about the items on their chart. Which do they think would work the best? Tell students to write down the responses to their interviews. Invite students to bring in articles and opinions about these issues to broaden the discussion in class.

Procedure—Day 3

Group Work, continued

Students should continue the work in their groups, sharing the results of their research and interviews. Their homework should be attached to the final matrix and position statement of the group.

Determine the items on the list for which the group can achieve consensus. Circle the sticky note with the scoring on those items. For the items that the group continues to have no consensus, take a majority vote and note the concerns of any dissenters in the column on the right. Teachers must note that the goal is not to achieve total consensus, but to experience the process. Groups that do not achieve consensus will not, necessarily, be graded lower. Allow 15 minutes at the beginning of class for this project.

Wrap-up

Consolidate the findings of each group in a class discussion. Note any high point items that do not receive any low scores on any criteria for evaluation. Note any conflict among these items.

Introduce New Topic

Explain that Americans have struggled with these sorts of conflicts since the very beginning of this nation. At the start of the American Revolution, many citizens of North America did not desire a conflict and war with Great Britain. These people were called Loyalists. One of the most compelling arguments against a war was the concern for personal safety and security that was afforded to British subjects under British rule.

Previewing Activity

Prepare students to view an argument between Benjamin Franklin and a Loyalist. This short video segment is from a series about American history where two young people travel across America by train and meet the characters of history at the places they lived. Duncan and Izzie are in Philadelphia, learning about the birth of our nation. To give students a focus for their viewing, tell them to try to see both sides of this issue.

Video

Play the tape until Benjamin Franklin leaves the scene. Discuss how what Ben Franklin said is relevant to today: "Those who give up their liberty

for a little safety deserve neither liberty nor safety.” Have the events of September 11, 2001, changed our values for liberty? Does Franklin’s statement change your opinion about your criteria for evaluating homeland security items?

Group Work

Invite each student group to compose a statement that has the full consensus of the group relating to the issue of homeland security. The statement should be just one to three sentences. Collect all statements and post them on the bulletin board or a classroom wall.

Homework

Write a letter to your senator or representative explaining your position statement.

Assessment

Group Portfolio Assessment

Evaluate the group matrices, interview notes, and notes from the position statement against a rubric which includes assessments of evidence of good discussion, collection of relevant interview and other data, as well as an understanding of the process of consensus building.

Individual Assessment

Homework assignments can be evaluated to determine whether or not students are able to formulate their own opinions and substantiate their positions based on historical study.

References

www.access.gpo.gov

U.S. Government Printing Office (GPO).
Download copies of the U.S. Constitution and Bill of Rights at this site.

www.whitehouse.gov/government/handbook

Access the “Citizens Handbook: Your Guide to the U.S. Government” at the official White House Web site.

www.house.gov/rules_hear08.htm

Find proceedings from a congressional hearing regarding the use of executive orders at the official Web site of the U.S. House of Representatives: Committee on Rules.



“Judge of the Nations,
spare us yet,
Lest we forget lest we
forget!”

— from “Recessional,” by Rudyard Kipling

Designing a Matrix for Evaluating Issues and Preparing a Consensus-based Position Statement

Designing a Matrix for Evaluating Issues

Use a Dry Erase board or large newsprint paper for creating your matrix. It should be large enough so that everyone can see it.

Down the left column, write the items to consider. Along the top, list the criteria and include at least these two:

1. effectiveness at improving safety, and
2. least likely to limit individual freedoms.

Assign a one- to five-point system for each criterion so that the most important criteria receive up to five points, less important three points, and moderately important two points. Criteria 1 and 2 should be listed as 5 points. As students evaluate each item, they can assign any number of points for each criterion, up to the maximum listed.

Leave lots of room on the matrix chart for notes in the left column. Use sticky notes for assigning points, so that the group can easily change the points if their discussion warrants it.

Preparing a Consensus-based Position Statement

Use the Matrix

Place the **Matrix for Evaluating Issues** in full view. The items that have complete consensus on the matrix should be the focus of your position statement. Note any issues that conflict by their nature and leave those for discussion later. Always start with items on which consensus is most easily achieved. Remember, consensus means that everyone agrees, not just that a majority agrees.

Form the statement in two parts

Determine which consensus items represent a belief or a value statement and which ones are directed toward a recommended action. State the beliefs or value statements first, followed by the actions recommended. Have a recorder write down the statement. Modify the statement until everyone agrees to it.

Modify and broaden the statement

Once a statement is agreeable to all the participants, try to add language or modify the language to make it stronger. Consider adding words that address items that most participants agree on or conflicting items. Try to make your statement as broad and comprehensive as possible, while still being agreeable to everyone.