



Curriculum Units by Fellows of the Yale-New Haven Teachers Institute
2003 Volume I: Geography through Film and Literature

How Fear Threatens Freedom, A Thematic Approach: From the Inquisition to the McCarthy Era

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Introduction, Rationale and Narrative

My students are surrounded by events that are terrifying. Terrifying to themselves, to their parents, to nearly everyone: September 11, 2001, the war, here and in Afghanistan, against terrorism, and the war in Iraq. These times supply "teaching moments" in quantity. One thing that students ought to learn in this environment is that fear can compromise civil liberties. Somehow the students know this intuitively, but history can bring intuition to conscious reflection. Examples abound: the Inquisition, the Red Scare, the Cold War, and, of course, the McCarthy Era.

The essential question my unit will attempt to answer will be: "How has fear threatened freedom over time, with special emphasis on the Cold War and the McCarthy Era?" Each student will be able to evaluate the effect of fear on civil liberties, with special emphasis on the Fifth Amendment, and will be able to connect the Cold War and McCarthyism with today's events. The ultimate aims will be to have the students identify and evaluate ways to avoid the most destructive of consequences of justifiable fears of today's new enemies.

The Unit will begin by examining the Bill of Rights, with particular emphasis on the Fifth Amendment. We will begin with essential ideas such as *self-incrimination*, *right to counsel*, *right to remain silent*, *heretic*, *inquisition*, and more. Most students are aware of the basics of the *Miranda* warning, and I plan to use demonstrations/plays to help the students know how to use the Amendment.

In addition, I will take the students back to explore the *origins* of the Fifth Amendment, going back to the Inquisition, the Star Chamber, the pamphlets of the English Levellers, and the Salem witch trials. We will make extensive use of primary sources, including Bernard Gui's suggestions for the conduct of inquiry, first person accounts from the Levellers and witnesses to the Salem witch trials. I will also make use of films/film clips from *A Man For All Seasons*, *St. Joan*, and *The Crucible*, and *12 Angry Men*. Through this approach, students will be able to make connections between times of fear, such as the during the Catholic Church's persecution of heretics, the Cold War and the times they now live in.

The students will study the events following World War II leading to the Cold War, including nuclear proliferation and the rise of McCarthyism. We will make use of world maps so the students can identify the

"Iron Curtain," the geopolitical changes in Europe and Asia, and the events leading to the dangerous tension between the U.S. and its former ally, the USSR.

Then, the students will study the impact that events abroad had on domestic politics. The heart of the unit will involve the rise and fall of Joseph McCarthy/McCarthyism. The students will learn to identify and evaluate the following, and more: *House Un-American Activities Committee, the Hollywood 10, blacklists, the Smith Act, the Army-McCarthy Hearings, Edward R. Murrow, and Joseph Welch.*

The class will be able to identify and evaluate the issues raised in the unit in a CAPT type essay or essays, one of which could involve taking a position on the proposed use of military tribunals. Others could involve the rights, if any, of the prisoners taken in Afghanistan who are currently being held at Guantanamo Bay, Cuba. Primary sources will be used extensively to strengthen the "reading for information" and "persuasive writing" skills.

Students will be assessed throughout the ten-day unit. At the close of the course, the class will be given an examination, which will primarily involve writing a persuasive essay on the central questions of the unit, and the question will involve an application of the lessons learned during the study of the Cold War to various situations in the world and to their lives.

Students, adolescents in general, tend to believe that the events of the world are unique to their generation. Many students talk about the threat to civil liberties arising from the war on terror as if it is the first time that such measures have been contemplated or taken. Students will benefit by knowing that others have come before, and that the Bill of Rights has survived other trials.

The Inquisition, Heresy, and Self-Incrimination

During the medieval Inquisition, heretics were the primary targets of the Roman Catholic Church. Heretics, by definition, were not Jews, Muslims, Buddhists or Hindus. Rather, they were Catholics who had fallen away from, or had chosen a path separate from, strict Church doctrine. The concept of heresy, or deviation from accepted doctrine, predates the Catholic Church. As applied to this Unit, heresy was the main target of the McCarthy Era. During the Red Scare of the 1920's, foreigners were the most prevalent suspects for bringing Communism and Anarchism to this country. Certainly foreigners were feared during the McCarthy Era, but the primary targets now were American Citizens. This is what has given the McCarthy Era its inquisitorial nature and its continuing relevance. How are we better than the Soviet Communists if we are busy creating our own "citizen victims?"

So, what was to be done with heretics? During the medieval Inquisition, the goal was for the heretic to confess the error of his ways, so that he or she may be taken back into the bosom of the infallible Church, and thus his soul would be saved. (However, there was no guarantee that the physical body would be saved by confession.) How was this to be done? The privilege against self-incrimination did not exist. The accused heretic was forced to answer many questions, posed in cross examination form, without right to counsel, rules of evidence, or the presumption of innocence. The accused had to take an oath to tell the whole truth about themselves and their accomplices. Refusal to swear to the oath could result in excommunication, punishment until the "contempt" was purged, or a judgment of heresy. Confessions could be coerced by tortures, such as a "trial by fire." Judgment included excommunication, a finding of witchcraft, and execution by many different means including hanging or burning at the stake. On May 30, 1431, Jehanne, Maid of Orleans (later named Saint Joan, the only person ever sainted after being executed by the Roman Catholic Church as a heretic), was burned at the stake as a heretic and witch. She had claimed to hear voices, and proclaimed that a personal

and direct relationship to God was more important than the temporal authority of the Church. For this she died. And she had no counsel, no right to present witnesses, no rules of evidence, and no right to remain silent.

In the 16th Century, during Catholic religious persecution in England, John Lambert was burned at the stake as a heretic. He, and the likes of John Lilburne and the pamphleteers known as the Levellers, made the right to remain silent their central cause. These true civil libertarians directly challenged the religious and secular authorities in order to protect individuals. The right not to be forced to be a witness against oneself became the central right enshrined in the Bill of Rights and is a central focus of the Unit. Making the transition between religious persecution of heretics and the Cold War fear of Communism in America may not be self-evident in a chronological study of history, but does make sense and can be done using the thematic approach of the Unit.

The McCarthy Era: Its Causes, Impact, and Significance For Today

Joseph R. McCarthy, elected as junior Senator from Wisconsin in 1948, rode the wave of postwar anti-Communist fear, and along the way gained great power and worldwide political fame. Conditions are rarely right for the emergence of a demagogue in America, but in the late 1940's and early 1950's they were.

McCarthy burst upon the national scene, and revealed his favorite technique for getting press attention, with a speech made in Wheeling, West Virginia on February 9, 1950. He claimed to have a list of 205 Communists or Communist sympathizers who worked in the State Department. Eventually the alleged list was greatly reduced, and ultimately the charges were found nearly baseless. This technique amounted to declaring someone guilty without requiring any proof of guilt, and is known as the "smear."

Another important technique for discovering alleged Communists or other subversives was to force witnesses to "name names" of people they knew or knew of who might have had some association with leftist organizations.

McCarthy's political career has been compared to a Roman candle, but while it burned brightly the civil liberties of many Americans were violated, jobs were lost forever, families impoverished, and some even committed suicide.

Below is a list of just some of the people, concepts, and events of the era, which can help us understand what happened and why. An understanding of the McCarthy Era should provide useful lessons that can be applied today.

Relevant Portions of The Bill of Rights

The First Amendment provides for a free press, free speech, freedom to assemble, freedom to petition the government for redress of grievances, free exercise of religion and prohibition of the establishment of religion. In the context of this Unit, a free press, freedom of speech, freedom to assemble, and the freedom to petition the government for redress of grievances, and the freedom of religion and the prohibition of the establishment of religion have each and all been involved.

The Fourth Amendment guarantees the right to be free from unreasonable searches and seizures. In our treatment of Miranda and related cases and history, the Fourth Amendment has been a constitutional justification for the right to privacy (see below).

Of all of the Bill of Rights Amendments, the Fifth Amendment is at the thematic core of this Unit. The Fifth Amendment is the right to refuse to be witness against oneself i.e. the right to refuse to answer questions on the ground that the answer might incriminate the witness. From the chronological beginnings of the Unit, the medieval inquisition

The right to privacy appears neither in the U.S. Constitution nor the Bill of Rights, but has been recognized by the United States Supreme Court (after the McCarthy Era was over) and other Courts as a "common law right to be left alone," the right to be free from intrusion upon a person's seclusion or solitude, the right to be free from intrusion into a person's private affairs, and the right to be free from public disclosure of embarrassing private facts. The Right to Privacy has served as the Supreme Court's rationale for the landmark *Roe v. Wade* abortion case

Some Important People, Events, and Organizations of the McCarthy Era

House On Un-American Activities Committee ("HUAC")

Established in 1930's to investigate German sympathizers in 1945, HUAC became a permanent investigative committee with broad subpoena powers, which were used primarily to investigate American Communists or alleged sympathizers. HUAC became most famous for its interrogations of Hollywood figures and for the refusal of the "Hollywood 10" to give testimony or otherwise cooperate. Refusal to cooperate, or the assertion of the Fifth Amendment privilege against self-incrimination (those who did assert the privilege were labeled as Fifth Amendment Communists), often resulted in "blacklisting." Blacklisting was, in effect, an unofficial ban from employment in a person's profession or job.

The Smith Act

Passed as the Alien and Registration Act of 1940, the Smith Act made it a crime to advocate or belong to a group that advocated the violent overthrow of the government. After 1948, the Act began to be widely used against Communists and others who were not in fact charged with any overt acts. Instead, they were charged with conspiring to organize as the Communist Party and to willfully advocate and teach the principles of Marxism-Leninism. In 1957 the United Supreme Court drew a sharp distinction between the advocacy of an idea for the purpose of incitement and teaching an idea as an abstract concept. Other Courts were to reaffirm the constitutional protection of free speech and the Fifth Amendment, and the prosecutions effectively stopped. However, the Act was not repealed.

Winston Churchill's Iron Curtain Speech

In 1946, on a tour with President Harry Truman, Winston Churchill made a speech at

Westminster College in Missouri. The speech coined the term "Iron Curtain" to describe Soviet domination of Eastern Europe, which started immediately after the end of World War II. Churchill warned the world of the danger of Soviet Communism and of "Fifth Columns" working within the borders of Western Europe and the U.S.

Russia's first test of the atomic bomb (1949)

Chinese Communists' victory over Nationalists (1949)

Korean War between Communist and non-Communist forces (June, 1950 to July, 1953) and Chinese incursion

(November, 1950)

Margaret Chase Smith, a Republican, was elected to the Senate from Maine in 1948, became an outspoken critic of McCarthy's methods. In 1950, along with six other senators, she issued the "Declaration of Conscience", which, while not mentioning McCarthy by name, decried the climate of fear and the danger to Americans' constitutional freedoms that such fear presented.

Paul Robeson was a world famous African American singer, actor, civil rights activist, athlete, scholar, author, and defender of the Soviet Union even after Stalin's atrocities became known. He was blacklisted in the late 1940's and 1950's.

Lillian Hellman, author of *Scoundrel Time* and one of America's best know playwrights and screenwriters, gained fame before HUAC when she refused to "name names" even while waving the Fifth Amendment for herself.

Edward R. Murrow, CBS television journalist whose broadcast on the program "See it Now" ridiculed McCarthy as reckless, and calling on Americans not to stand silent in the face of McCarthy's tactics.

Army-McCarthy Hearings

On March 11, 1954, the Army accused Senator McCarthy and his staff of using improper means in seeking preferential treatment for G. David Schine, a consultant to McCarthy's committee, after Schine was drafted into the Army in November 1953. It developed into an investigation into McCarthy's charges that Communists had infiltrated the Army. McCarthy's reputation was dealt a mortal blow during the hearings.

Joseph Welch, Counsel for the Army at the Army McCarthy Hearings, a soft-spoken Boston attorney from the old line firm of Hale and Dorr, was made famous in the stunningly simple question to McCarthy "At long last, have you no sense of decency?"

Stuart Symington, Democratic Senator from Missouri, went head-to-head with McCarthy at the Army-McCarthy Hearings, and ended the hearings when he walked out on McCarthy with McCarthy calling after him to come back. The country had turned its back on McCarthy, and it wasn't long before he was censured.

Ralph Flanders, Republican Senator from Vermont, proposed the Senate censure motion that resulted in McCarthy's censure on December 2, 1954.

Unit Purpose

To understand the role that fear plays in limiting freedom

Academic Setting and Assessments

The unit "How Fear Threatens Freedom, A Thematic Approach: From the Inquisition to the McCarthy Era" is to be used in a large urban public school with great diversity among ethnic groups and levels of past academic preparation. It would be taught in a course entitled United States History II. It also might be taught, given that the chronological scope reaches back as far as the Middle Ages and the Salem Witch Trials, in United States History I. Further, to the extent that the essential question involves limitations on individual freedoms and the Bill of Rights, it might also be taught in a Civics class. The target audience would be either tenth or eleventh grades. Although this unit was written for "college" (middle level) and honors students, with the proper modifications it could be taught at any level, including basic level and to non-native speaking students (taught in English).

The material for the unit is designed to be covered in ten sessions, divided into roughly three sections: *Section One* : Historical precedents for persecution of heretics and denial of the right to remain silent; *Section Two* : The drama of the Cold War, fear of Communist expansion, the Arms race, and the McCarthy Era; and *Section Three* : Fear of the "other", fear of infiltration, terror within the country, recent limitations on civil liberties of foreigners, especially Islamic people, after 9/11.

These lessons were written for use with a combination of 50 minute and 90 minute classes. The longer classes will enable the teacher to use various classroom materials and teaching methods. For example, an LP containing live audio of interrogation by the House Un-American Activities Committee would take 40 minutes if played in full. It is worth doing so because the tension and conflict between the accusers and the accused is so high. Further, as the lesson plans and filmography show, there is a rich film history directly applicable to the Unit's theme and content. Given the total time devoted to the unit, most of the films would have to shown in part only, and placed in a lesson plan as illustrative of the point being made, in order to stimulate discussion and/or writing on the subjects.

The lessons will cover the Medieval Inquisition; witch hunting, persecution of heretics and the meaning of heresy; the Salem Witch Trials; the English Leveller movement; the Bill of Rights, especially focused on the Fifth Amendment; due process and the application of the Fifth amendment to criminal prosecution; the Miranda Rule and presumption of innocence; the Cold War fear of Communism, the Atomic Age and the Arms race; the McCarthy Era; the nature of Soviet style totalitarianism; the fall of McCarthy; and application of the themes to recent world events.

The primary teaching method will consist of class discussion, using primary sources such first person accounts, audio tapes and films of McCarthy Era testimony, autobiographies such as Lillian Hellman's *Scoundrel Time* and Owen Lattimore's *Ordeal by Slander* . We will also use secondary sources such as fictional films, textbook, plays such as Arthur Miller's *The Crucible* and George Bernard Shaw's *Saint Joan*.

Assessments will be in the forms of 1) writing critical and persuasive pieces during the Unit (in the five paragraph format used for the CAPT test (as many as three of these), an end of Unit written examination, and at least one inquiry lesson. The inquiry lesson may have a due date of well after the completion of the Unit. One of the inquiry lessons would involve students investigating and doing a PowerPoint presentation as a group and a newspaper article as individuals, on Edward R. Murrow's landmark "See It Now." television broadcast about Joseph R. McCarthy in 1964. This inquiry project is described in the Day 6 Lesson Plan below.

If possible and feasible, and partly depending on the class level taught, the Unit will help students get ready for the kind of class likely to be taught in a college environment, and help them prepare for the demands of a college class.

The High School Teaching Challenge

While the goal will be to teach college bound students, even honors students will not be prepared for the demands, rigor, or boredom of lecture/discussions or a heavily academic focus. The fact is, students of this age must become engaged on a personal level to stimulate an ongoing interest in the material. One must constantly ask oneself as a teacher, and the students: "Why do we give a damn about what happened to Saint Joan, the murdered heretics in England, or Lillian Hellman before the House Un-American Activities Committee. What does it have to do with us?" The challenge for any teacher of adolescents is how to engage the students. The answer may be to engage their sense of right and wrong, their heightened sense of what is fair, what is just. That is why I chose to design this Unit. So what are the "hooks" for this unit, the strategies that will keep even the most disinterested heads off the desks? That will vary greatly with the teacher's style and preferences, and some techniques are laid out in the lesson plans that follow.

The Challenge in Using Films

Showing films is no substitute for teaching. Indeed, it is tempting to show films in their entirety because it is easier than picking key segments and using these within a coherent unit or lesson plan. And, of course, there is the question of time. With a classic 50-minute class, it might take at least three classes to show just one film. In the case of this unit plan, I have listed or suggested the use of many films. One that may be shown in barely over one class is *The Atomic Café*. Only the last 15 minutes of *Fahrenheit 451* need be shown, with careful prior explanation. The most compelling moments come at the end, when, during an early snow, fugitives from a totalitarian anti-utopia are committing books to memory before burning the books. (Books have been outlawed in their society) Only short segments of *A Man For All Seasons* and *Saint Joan* need be used, those that directly involve their "trials" for treason and heresy, respectively. Conversely, *12 Angry Men* should be shown in its entirety because, while it is not directly on the subject of McCarthyism, it is the most compelling illustration of the rights of criminal defendants to an impartial jury, protected by the right to remain silent, with the full burden of proof on the prosecution. For a film with a setting of a small jury room on a stormy afternoon, and given that the film is all discussion, every student I have shown it to has been fully engaged with the characters and the plot.

The films listed in the annotated filmography exceed in number those specifically mentioned in the lesson plans, and are provided as suggestions so that teachers may have more to pick from, and may use some for general background in preparing their units or lesson plans.

Recommendations for prior knowledge

Ideally, the following topics should have been studied in depth, or at least touched upon, in this course or other courses, prior to beginning this Unit: the Ascendancy of the Roman Catholic Church and its dogmas, the Inquisition and persecution of heretics, the early Colonial Settlers and their reasons for coming to America, the Constitutional Convention and the development of and historical precedents for the Bill of Rights, World War I and the 1920's Red Scare; the Soviet Totalitarian state and Soviet Style Communism; and the events of 9/11.

Resources

Resources for teacher and students include those that are contained in the annotated bibliography; there are some secondary sources such as *The Politics of Fear*. More important for the daily classroom use, are the primary sources, such as Owen Lattimore's *Ordeal by Slander*. The teacher resources help the teacher in getting a detailed background of the subject matter, in preparing assessments, leading discussions, preparing question for the students in alignment with the objectives elaborated below. The student reading material will include periodicals from the Cold War, articles with will form the basis of CAPT type essays, segment of a number of the books and some readings from Internet sources e.g. Arthur Miller's *The Crucible*, Lillian Hellman's *Scoundrel Time*, and Ray Bradbury's *Fahrenheit 451*, Leveller Pamphlets, transcripts of the trial of Saint Joan, and others. These will assist the students in gaining a basic background in the subject matter, include primary sources aimed at enabling the students to know how people felt and thought at the time, and to prepare the students for evaluating the essential question posed by the Unit: Can Fear Threaten Freedom? Classroom materials include a slide show, films of various types, audio recordings, handouts of student reading list materials, an inquiry lesson assignment, and other segment of various readings. These directly relate to the goals of the Unit in that they are among the most effective at engaging the students, through primary sources and films.

Unit Outline

Course Title: United States History II

Unit Title: How Fear Threatens Freedom, a Thematic Approach: From the Inquisition to the McCarthy Era

Text Used: *The Americans* by Gerald Danzer. McDougal Littell, 1998

Grade Level: Junior

Approximate Time Period: 10 days

Standards (Connecticut Frameworks):

Content Standard 2: Local, United States and World History

Students will use historical thinking skills to develop and understanding of the major historical periods, issues and trends in United States History, world history, and Connecticut and local history.

Content Standard 3: Historical Themes

Students will apply their understanding of historical periods, issues and trends to examine such historical themes as ideals, beliefs and institutions: conflict and conflict resolution; human movement and interaction; and science and technology in order to understand how the world came to be the way it is.

Content Standard 4: Applying History

Students will recognize the continuing importance of historical thinking and historical knowledge in their own lives and in the world in which they live.

Unit Goals/Objectives:

1. Students will be able to identify the historical antecedents to and reasons for the First, Fifth and Sixth Amendments.
2. Students will be able to define and place in a time line the Medieval Inquisition, witch hunting, the English Levellers and the English Bill of Rights.
3. Students will be able to imitate the Inquisitorial style of interrogating an accused.
4. Students will be able to read maps Eastern Europe during the Cold War.
5. Students will be able to read charts and force comparisons about military power during the Cold War.
6. Students will be able to identify the victims of the inquisition, witch burning and persecution in the 1600's.
7. Students will be able to identify the English Levellers (libertarians) with the struggle for the rights afforded in the First, Fifth and Sixth Amendments.
8. Students will be able to describe a *Miranda* warning and demonstrate its use.
9. Students will be able to define and apply "beyond a reasonable doubt", burden of proof, jury's role a fact finder, right to remaining silent.
10. Students will be able to demonstrate an understanding of the major events following the end of World War II that led to the Cold War.
11. Students will be able to explain the origin of the terms "Cold War" and "Iron Curtain."
12. Students will be able to define "Communism" and "Capitalism."
13. Students will be able to display empathy for the victims of the Inquisition, witch-hunting from the 1600's, and Soviet and Chinese totalitarianism.
14. Students will be able to list the causes of McCarthyism, and the anti-communist fear the allowed McCarthy to succeed, at least for a time.
15. Students will be able to display empathy for the victims of McCarthyism.
16. Students will be able to apply their knowledge to the present fear of international and domestic terrorism and the possible losses of certain constitutional freedoms that such fear can cause.
17. Students will be able to display empathy for Americans who lived in a time of great fear of a nuclear holocaust

Unit Overview: Lesson Topics, Learning Objectives, And Alignment To Unit Goals

Lesson Lesson Topic Learning Objectives Unit Goals Addressed

1. Historical Roots of the First, Fifth and Sixth Amendments	The students will be able to 1) identify historical antecedents to and reasons for First, Fifth and Six Amendments, 2) define and place in a time line the medieval Inquisitions, witch hunting, and the English Levellers, and 3) imitate the Inquisitorial style of interrogating an accused	1, 2, 3, 6, 7
2. The Miranda Rule in Practice	The students will be able to 1) identify with the victims of the inquisition and witch burning and persecution in the 1600's, 2) identify the English Levellers (libertarians) with the struggle for the rights afforded in the Amendments we are studying, and 3) name the elements of and demonstrate the use of the Miranda Rule	6, 7, 8, 13
3. Jury Trials in a Capital Murder Case	The students will be able to 1) make the connection to due process rights that we have today from the 1600's, 2) define burden of proof, beyond a reasonable doubt, right to remain silent and to refuse to be a witness against one self, 3) evaluate the jury's role as fact finder and determiner of credibility of witnesses, and 4) analyze the plot of a film involving the trial of a murder suspect.	2, 7, 9
4. Introduction to Cold War: The End of World War II and Soviet Domination of Eastern Europe	The students will be able to 1) make connections between fear of Communism during the Cold War and fear of heresy in the middle ages 2) define "Iron Curtain" and "Cold War" 3) define Communism; 4) identify the Eastern European countries under Soviet domination on a map; 5) describe evaluate Soviet totalitarianism.	10, 11, 12
5. The Nuclear Arms Race	The students will be able to 1) analyze comparison tables showing American and Soviet conventional and nuclear arms; 2) Define "mutual assured destruction", 3) evaluate the effect that cold war fear had on daily life in America e.g. "duck and cover," , propaganda films, and popular culture and films 4) evaluate the impact of Soviet and Chinese Communism on the overwhelming sense of fear in the U.S.	10, 12, 13, 16
6. The Rise of McCarthyism	The students will be able to 1) define and apply the concept of blacklisting; 2) explain the threat to the First and Fifth Amendment during the McCarthy Era; and 3) explain the factors that led Joseph McCarthy to prominence	10, 11, 12, 13, 14, 15
7-9. The Fall of Joseph McCarthy; Lessons For Our Time, and Review for Assessment	The students will be able to 1) analyze primary sources, including a segments of Edward R. Murrow's "See It Now" television broadcast 2) explain the connection between McCarthyism and the Inquisition, witch-hunting and the Unit's theme: "Can Fear Threaten Freedom?" 3) evaluate McCarthy's impact on America, and 4) evaluate current events in light of lessons learned during the McCarthy era, such as potential dangers to the Constitution in fighting international terror.	16, 15, 14
10. Student Assessment	Students will demonstrate mastery of the issues raised in the unit	

Day One Lesson Plan: Introduction to the First, Fifth and Sixth Amendment and their Historical Antecedents

A. Learning Objectives-The students will be able to:

1. Identify the historical antecedents to and reasons for the First, Fifth and Sixth Amendments
2. Define and place in a time line the Medieval and Spanish Inquisitions, witch hunting, the English Levellers and the English Bill of Rights
3. Imitate the Inquisitorial style of interrogating an accused

B. Standards Addressed: National Standards "World History Across the Ages-Standard 1"; Connecticut Frameworks Content Standard 5 (United States Constitution and Government) and Content Standard 3 (Historical Themes)

C. Physical Arrangement: Modified V shape

D. Instructional Materials: 1) Primary source document of Bernard Gui's inquisitorial technique; 2) handout with full text of bill of rights; 3) handout on Joan of Arc; and 4) handout defining heresy 5) student worksheet on Miranda and the Fifth and Sixth Amendments; 4) chalkboard; 5) flipchart pages 6) VCR; 7) DVD player

E. Student Groupings: individual and groups of two; demonstration with teacher and one student

Initiation Strategy: The teacher introduces the First, Fifth and Sixth Amendment and tells the students that over the next seven days or so that we are going to discover where they came from, why they exist, and the modern threats to them

F. Lesson Strategy:

1. The teacher leads a class discussion of the text of the three amendments, and asks the class to summarize their meaning, and focuses on the rights to free speech and assembly, freedom of religion and from the establishment of religion, to remain silent and to a jury trial.
- 2 The teacher introduces the students to the Medieval Inquisition's persecution of heretics and suspected witches, and demonstrating Bernard Gui's suggested inquisitorial method with a student.
3. Students are asked to pair up with their neighbor and read a definition of heresy individually,

then share their understanding of that with their partner, then share it with the class.

4. Students read primary source on witch burning budget.

5. Students are introduced to the story of Joan of Arc, and are shown a ten-minute segment of George Bernard Shaw's "St. Joan."

6. Students are introduced to Spanish Inquisition's persecution of Jews and Muslims who remained in Spain after 1492.

7. Throughout the lesson students are asked to keep in mind the theme of the lesson, that during these times people did not have freedom of thought, freedom of religion, the right to a jury trial, the right to remain silent or the right to counsel. It was a very dark period as far as individual rights went. I ask the students to make the connection between these cruelties and the necessity for our Bill of Rights.

8. Closure: Teacher ask students to imagine that they are Joan of Arc, and forced to choose between confessing heresy and having to spend her life in prison and being burned at the stake.

9. Homework: Students are asked to compare Gui's Inquisitorial technique to St. Joan's interrogation, and write a short essay on how both of those together violate the Fifth, First, and Sixth Amendments.

Day Two Lesson Plan: The Miranda Rule In Practice

A. Learning Objectives-The students will be able to:

1. Identify the victims of the inquisition, witch burning and persecution in the 1600's

2. Identify the English Levellers (libertarians) with the struggle for the rights afforded in the Amendments we are studying
3. Name the elements of a Miranda warning and demonstrate it

B. Standards Addressed: National Standards "World History Across the Ages-Standard 1"; Connecticut Frameworks Content Standard 5 (United States Constitution and Government) and Content Standard 3 (Historical Themes)

C. Physical Arrangement: Modified V

D. Instructional Materials: 1) VCR 2) assessment handout on

Miranda and the Fifth and Sixth Amendments; 3) chalkboard; 4) flipchart pages;

5) handouts on John Lilburne and Leveller pamphlets; 6) DVD player

E. Student Groupings: individual; demonstration with teacher and two or three students

F. Initiation Strategy: The teacher leads a class discussion about the early history about the right to keep silent, and then illustrates this discussion by showing a short segment from "A Man For All Seasons" involving Thomas Moore's trial for treason. The film shows that the right to remain silent had been thought of but had not yet become protected under English law.

G. Lesson Strategy:

1. Student and teacher conduct a demonstration of the Miranda Rule and the consequences of a failure by a policeman to read a shoplifting suspect his rights. Scene then changes to Court and demonstration of how the suspect cannot be called as a witness and statements given to police officer cannot be offered into evidence. The students are asked to play a role: the policeman, the suspect, and the store security guard, and the Judge in Court.

3. Class is given assessment handout on Miranda and the Fifth and Sixth Amendments and asked to write the answers on their own.

4. Teacher leads a class discussion about the martyr John Lambert, John Lilburne and the Levellers, and Star Chamber proceedings

5. Closure: Students and teacher discuss the student own assessment of the demonstration which had been put on earlier in the class: whether they were drawn in, whether they had had similar previous experiences or known anyone who had, whether they are familiar with Miranda from watching movies or television.

6. Homework: Students are asked to read handout, which contains much primary source citations and quotes, on the English Levellers, and the students are asked to provide short answers to the following questions:

- a. Why was John Lambert burned at the stake in 1537? (be specific about what question or questions he refused to answer)
- b. For what did John Lilburne become famous overnight in 1638?
- c. Describe the rights that Lilburne and the Levellers demanded which are now the rights of all criminal defendants
- d. Using library or Internet resources, define what the Star Chamber was and what it did.

Day Three Lesson Plan: Jury Trial In a Capital Murder Case

A. Learning Objectives-The students will be able to:

1. Make the connection to the due process rights we have to today from the Levellers from the 1600's;
2. Define burden of proof, "beyond a reasonable doubt", and the right to remain silent and refuse to be a witness against oneself;
3. Evaluate the jury's role as "fact finder" and determiner of the credibility of witnesses;
4. Identify with the accused facing the possibility of execution;
5. Demonstrate an ability to analyze the plot of a film involving the trial of a murder suspect.

B. Standards Addressed: National Standards "World History Across the Ages-Standard 1"; Connecticut Frameworks Content Standard 5 (United States Constitution and Government) and Content Standard 3 (Historical Themes)

C. Physical Arrangement: Modified V, Groups of Five

D. Instructional Materials: 1) VCR 2) assessment handout on "12 Angry Men"; 3) chalkboard; 4) flipchart pages

E. Student Groupings: individual; groups of five

F. Initiation Strategy: The teacher conducts a question and answer session on the homework questions given the night before, to prompt the students to discuss and define concepts such as the presumption of innocence, burden of proof, right to remain silent, right to counsel, which the libertarian Levellers had agitated for. The students are asked to read aloud-primary source segments from the reading to get the feel of the language used at that time

G. Lesson Strategy:

1. After the discussion, the teacher shows substantial segment of "12 Angry Men" (about 20 minutes); During the film, the teacher stops the film at critical moments to point out the concepts and important plot developments which will be important for their deliberations.
2. Show short film clip of Fritz Lang's *You Only Live Once* , and make the connection to the unique contribution of the Bill of Rights to individual freedom.
3. Students are asked to form into groups of five, are given additional facts by the teacher, and are instructed to discuss the evidence, and answer specific prompts from the teacher, such as "who has the burden of proof in a criminal trial? Does a jury have to come to a unanimous verdict? How does a jury determine the credibility of witnesses?"
4. Closure and homework: Students are told to prepare to give their verdict the next day and to explain how they reached the verdict.

Day Four Lesson Plan: Introduction to Cold War: The End of World War II and Soviet Domination of Eastern Europe

A. Learning Objectives-The students will be able to:

1. Evaluate the connection between the fear of heresy, which motivated the Medieval Inquisition, and the fear of world communist domination during the McCarthy Era and the Cold War.
2. Define "Iron Curtain," Communism, and the "Cold War";
3. Identify the Eastern European countries under Soviet domination on a map; and
4. Describe and evaluate Soviet totalitarianism

B. Standards Addressed: National Standards "World History Across the Ages-Standard 1"; Connecticut Frameworks Content Standard 5 (United States Constitution and Government) and Content Standard 3 (Historical Themes)

C. Physical Arrangement: Modified V

D. Instructional Materials: 1) VCR 2) Student textbook, 3) chalkboard, 4) videotapes;

E. Student Groupings: individual and groups of five

F. Initiation Strategy: The teacher review the unit lessons so far: background and historical reasons for First, Fifth, and Sixth Amendments. The teacher explains their relationship to problems posed by Soviet totalitarianism and anti-Communist fear, and the McCarthy Era that we are to discuss in detail.

G. Lesson Strategy:

1. The teacher plays a tape of Churchill's Iron Curtain Speech.
2. The teacher shows about 15 minutes of *The Atomic Café*.
3. The teacher leads a discussion of the Iron Curtain speech and *The Atomic Cafe* .
4. Teacher discusses the essential points about Soviet totalitarianism, including repression of dissent, outlawing of religion, persecution of the intelligentsia, labor camps in Siberia, forced collectivization and famine in the Ukraine.
5. Closure: Teacher summarizes the plot of Ray Bradbury's *Fahrenheit 451* .

6. Homework: Students are asked to read about 20 pages of Ray Bradbury's book *Fahrenheit 451*, and are asked to answer the following questions:

- a. Describe the society of runaways who are living in the woods.
- b. Describe the task they have chosen for themselves and the reasons for it.
- c. If you were among the outcasts, what book or other type of writing would you choose to "become" and why? Write a one-page essay, including a short segment of the book you'd want to become, and tell why you chose it and how you go about memorizing it. Memorize a full paragraph and be prepared to recite it for the class.

Day Five Lesson Plan: The Nuclear Arms Race

A. Learning Objectives-The students will be able to:

1. Analyze comparison tables of American and Soviet missile and submarine forces during the Cold War's height;
2. Define "Mutually Assured Destruction"
3. Imagine and explain what it would be like to have survived a nuclear holocaust. The students are asked to imagine and agree upon what they should do for the first week, what their priorities would be for survival and beyond. Thereby, the students will be able to empathize with American citizens living in those times of fear.
4. Evaluate the impact of Soviet and Chinese Communism on the overwhelming sense of fear in the U.S.

B. Standards Addressed: National Standards "World History Across the Ages-Standard 1"; Connecticut Frameworks Content Standard 5 (United States Constitution and Government) and Content Standard 3 (Historical Themes)

C. Physical Arrangement: Modified V and groups

D. Instructional Materials: 1) VCR 2) handout, 3) chalkboard, 4) Flip chart 5) videotapes

E. Student Groupings: individual

F. Initiation Strategy: The teacher hands out worksheets related to the missile and nuclear force comparison and asks students to fill it in.

G. Lesson Strategy:

1. Students fill out the handout on the statistics and force comparison during the nuclear arms race, along with a question about their understanding about what would happen if there had been an exchange of nuclear missiles
2. The teacher leads a discussion about the students' findings from the comparison table. The teacher defines "mutually assured destruction" and asks the students to describe what they know about the arms race. Teacher discusses the fear of nuclear holocaust exemplified by the need then for "duck and cover" exercises, and bomb shelter building in homes and schools, and the ever present fear of the sound of an air raid siren.
3. The students are shown a twenty-minute segment of *The Atomic Café* episode on nuclear destruction and a fine minute segment from the ending of a *Twilight Zone*. (It is about a nearly blind man who is a shy bookworm. He alone survives the blast and is relieved to find a library full of books. Bending down to pick one up, his glasses fall off and the lenses shatter) This is the jumping off point to a student-centered discussion of what they would do if they alone, as far as they knew, survived the war.
4. The students are put into groups of five and asked to imagine and agree upon what they should do for the first week, what their priorities would be for survival and beyond.
5. Closing: Teacher asks each group to announce their decisions and the reasons for it. The students are told that they might try to come up with a class consensus.
6. Homework: Students are asked to make a graphic organizer showing the reasons for fear in the U.S. during the Cold War.

Day Six Lesson Plan: The Rise of McCarthyism

A. Learning Objectives-The students will be able to:

1. define blacklisting;
2. explain the threat to the First and Fifth Amendment during the McCarthy Era; and
3. explain the factors that led Joseph McCarthy to prominence

B. Standards Addressed: National Standards "World History Across the Ages-Standard 1"; Connecticut Frameworks Content Standard 5 (United States Constitution and Government) and Content Standard 3 (Historical Themes)

C. Physical Arrangement: Modified V

D. Instructional Materials: 1) record player, 2) chalkboard, and 3) primary source recording of House Un-American Activities Committee interrogation of doctors and lawyers, and 4) a ten-minute slide presentation on the McCarthy Era

E. Student Groupings: individual

F. Initiation Strategy: The teacher continues with prior day's discussion

G. Lesson Strategy:

1. Teacher leads a detailed discussion about blacklisting, careful to explain that there is no one list of people who were denied employment. The teacher explains and asks the students questions about what a loyalty oath is. The teacher discusses how being required to take a loyalty oath directly threatens the rights of free speech, the right of free thought, and the right to remain silent when being asked to potentially incriminate one self. Teacher also explains what it means to be expected to "name names" i.e. turn informer in the context of those times.
2. Teacher leads a class discussion about Joseph McCarthy's rise to power and some about his early years as a small town Judge in Wisconsin. Teacher shows a ten-minute slide presentation about the rise and fall of Joseph McCarthy.
3. As illustrations of the discussions initiating the lesson, the teacher plays segments of the House Un-American Activities Committee hearings from Los Angeles in 1952.
4. Closing (about 15 minutes): Teacher interrogates students about certain subjects that the students would not likely want to testify about or name names about: membership in a political club, membership in the Gay Straight Alliance, member of the Stratford Yearbook Committee

responsible for choosing and printing the yearbook cover including two students giving the Nazi salute, and others.

5. Homework: Students read twenty-page segment of Lillian Hellman's *Scoundrel Time* , and answer the following question, in complete sentences in one page:

What did Lillian Hellmann get away with before the House Un-American Activities Committee that no one had before? Describe the hearing room atmosphere and the response from the gallery.

Longer term homework/project: Inquiry lesson on topics such as: An internet and media based inquiry leading to an evaluation of Edward R. Murrow's "See It Now" television expose of Joseph R. McCarthy, and the historical events that led Murrow to conclude that McCarthy was a dangerous man. Students would do a group PowerPoint presentation, and an individual newspaper articles or editorials.

Annotated Bibliography: Resources for Teachers and Students

Anderson, Jack and May, Ronald W. *McCarthy: the Man, the Senator, the "Ism"* . Boston: The Beacon Press, 1952 (Readable biography of "Tail Gunner Joe" McCarthy, written before the Army-McCarthy affair. It includes a useful "pro and con" appendix.)

Belfrage, Cedric. *The American Inquisition 1945-1960: A Profile of the McCarthy Era* . New York: Thunder Mouth Press, 1973 (Foundations, institutionalization, chronology of McCarthy Era inquisition. It includes extensive primary source documents e.g. loyalty board transcripts, press conferences.)

Goldston, Robert. *The American Nightmare: Senator Joseph R. McCarthy and the Politics of Hate* . New York: Bobbs-Merrill, 1973 (The rise and fall of Joseph R. McCarthy, a biography, with photo illustrations)

Gordon, Bernard. *Hollywood Exile, or, How I Learned to Love the Blacklist: A Memoir*. University of Texas Press, 1999 (Memoir of a blacklisted Hollywood producer/writer who did more than just survive)

Griffith, Robert. *The Politics of Fear: Joseph R. McCarthy and the Senate* . Lexington, Kentucky: University of Kentucky Press, 1970 (McCarthy's career, focus on the Senate and the Army-McCarthy hearings)

Gui, Bernardo. *Practica Inquisitionis Heretice Pravitatis* , trans. Peter Amann, in *The Medieval World and its Transformations*, ed.

Gerald M. Straka, Vol. II of *Western Society: Institutions and Ideals*. McGraw-Hill, New York, 1967 (Instructions on how to conduct an effective inquisitorial interrogation. Great for primary source material on the methods of legalized persecution.)

Hellman, Lillian. *Scoundrel Time*. New York: Bantam Books, 1976 (A riveting memoir of the famous playwright's confrontation with The House Un-American Activities Committee)

Lattimore, Owen. *Ordeal by Slander*. Boston: Little, Brown and Company, 1950 (A memoir by a top American State Department expert on China. Lattimore was accused by McCarthy of being the most important Soviet spy in the U.S.)

Miller, Arthur. *The Crucible*. New York: Penguin Books, 1952 (Drama of the Salem Witch Trials and the baseless charges and hysteria that brought them about. The volume includes many useful critical essays, some of which discuss the parallels with the McCarthy Era.)

Levy, Leonard W. *Origins of the Fifth Amendment: The Right Against Self Incrimination*. Ivan R. Dee Publisher, 1999 (Study of the historical origins of the Fifth Amendment and the Constitutional framers' intent)

Annotated Filmography

The Atomic Café. Dir. Kevin Rafferty, Jayne Loader, and Pierce Rafferty. 1982. USA (Darkly satiric documentary about the Cold War, McCarthyism, and the Arms Race)

Dr. Strangelove or: How I Learned to Stop Worrying and Love the Bomb. Dir. Stanley Kubrick. With Peter Seller and George C. Scott. 1964. UK (Black comedy about Cold War paranoia and nuclear Armageddon)

The Crucible. Dir. Nicholas Hitner. With Daniel Day Lewis, Winona Ryder, and Paul Schofield. 1996. USA (Schofield, in a role diametrically opposite his role in *A Man For All Seasons*, plays Judge Danforth, chief judge responsible for the persecution of alleged witches in Salem, Massachusetts.)

Guilty by Suspicion. Dir. Irwin Winkler. With Robert DeNiro. 1991 (Well illustrates Hollywood blacklisting during the era of HUAC's reign, when witnesses were required to "name names" or suffer the consequences.)

Fahrenheit 451. Dir. François Truffaut. With Oskar Werner and Julie Christie. 1966. UK (In a totalitarian anti-utopian future, firemen burn books and the people are sedated with television. One fireman, played by Oskar Werner, rebels.)

The Front. Dir. Martin Ritt. With Woody Allen and Zero Mostel. 1976. USA (The plight of blacklisted screenwriters during the McCarthy Era)

Invasion of the Body Snatchers. Dir. Don Siegel. With Kevin McCarthy and Dana Wynter. 1956. USA (Residents of a small town are replaced by alien duplicates.)

A Man For All Seasons. Dir. Fred Zinneman. With Robert Shaw, Susanna York and Paul Schofield. 1966. UK (Schofield plays Sir Thomas More, who resists Henry III's demand that the Pope grant Henry a divorce so he can marry his mistress Ann Boleyn.)

Point of Order. Dir. Emile de Antonio. 1963. USA (Documentary consisting of edited television broadcasts of the 1954 Army McCarthy

hearings. McCarthy's accusations of Communists in the military were shown to be without foundation. The proceedings turned into a dual, with minor players on the side, between McCarthy and the Army's lawyer Joseph Welsh: "At long last, Senator, have you left no sense of decency?"

St. Joan . Dir. Otto Preminger. With Jean Seberg, Richard Widmark and John Gielgud. 1957. USA (Joan of Arc's insistence on her personal relationship with God, even while she proclaimed her allegiance to Rome, led to her martyrdom at the stake as a heretic.)

12 Angry Men . Dir. Sidney Lumet. With Henry Fonda, Lee J. Cob and others. 1957. USA (One holdout juror votes innocent, refusing to send a young man to his execution for murder without fully examining the facts, and wins over the other 11 jurors.)

Turning Points in History: The McCarthy Era . Prod. Sarah Brochin. 2000 (a two-projector slide/sound production, finalist at National History Day)

Internet Resources

The Internet Movie Database. July 6, 2004 <http://imdb.com>> (excellent internet site on films)

Ward, Kyla. "Witch is Witch" *Tabula Rasa #1* . (1994) July 1, 2003 <http://www.tabula-rasa.info/DarkAges/Inquisition.html>> (background on the why and how of the Inquisition's persecution of heretics and witches)

Wheeler, Bonnie. "Joan of Arc Class Materials " *Southern Methodist University*. July 1, 2002 http://faculty.smu.edu/bwheeler/Joan_of_Arc/class.html> (University course syllabus on St. Joan, encompassing Joan of Arc in history, literature and film)

Paperless Archives, FBI McCarthy Files . (April, 2003) July 1, 2003 <http://www.paperlessarchives.com/mccarthy.html>> (almost 5,000 pages of recently declassified materials on the McCarthy Era, available on CD Rom)

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