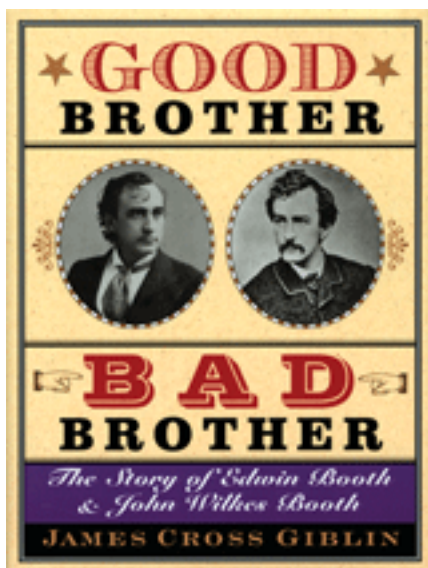


A Teacher's Guide



Good Brother, Bad Brother

by James Cross Giblin

Lesson Six: Liberty in Time of War

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Synopsis

Fanaticism, whether it was northerner John Brown's assault on the federal arsenal at Harpers Ferry or the South's plot to burn New York City, led to authorities taking extraordinary measures, most notably, Lincoln's suspension of the writ of habeas corpus. John Wilkes Booth chafed at the limits on his ability to express his political opinion due to the authorities and public opinion; the Lincoln conspirators were tried by a military tribunal. Students will learn what happens to personal liberties when the nation is threatened by investigating how treasonous behavior was handled by the U.S. government during the Civil War, the Red Scare, World War II, and the McCarthy Era and present their findings in a panel report. This lesson is most appropriate for high school students, grades 9–12, but may be suitable for middle school students, grades 6–8.

National Curriculum Standards

This lesson supports the following themes in Advanced Placement U.S. History that might appear in any one edition of the A.P. United States History Examination:

- Politics and Citizenship — Colonial and revolutionary legacies, American political traditions, growth of democracy, and the development of the modern state. Defining citizenship; struggles for civil rights.
- War and Diplomacy — Armed conflict from the precolonial period to the twenty-first century; impact of war on American foreign policy and on politics, economy, and society.

Mid-continent Research for Education and Learning has created standards and benchmarks for language arts, math, science, geography, economics, and history. This lesson also meets standards and benchmarks for:

United States History Standard (4th Ed.) for Era 5 — Civil War and Reconstruction (1850–1877) including benchmark 14: Understand the course and character of the Civil War and its effects on the American people:

Level III (Grades 7–8)

2. Understands how different groups of people shaped the Civil War (e.g., the motives and experiences of Confederate and white and African-American Union soldiers, different perspectives on conscription, the effects of divided loyalties)

Level IV (Grades 9–12)

4. Understands how the Civil War influenced Northern and Southern society on the home front (e.g., the New York City draft riots of July 1863, the Union's reasons for curbing civil liberties in wartime, Lincoln's suspension of the writ of habeas corpus during the war)

Historical Understanding (4th Ed.) Standard 2: Understands the historical perspective including benchmark:

Level III (Grades 7–8)

1. Understands that specific individuals and the values those individuals held had an impact on history

Level IV (Grades 9–12)

11. Knows how to perceive past events with historical empathy

13. Evaluates the validity and credibility of different historical interpretations

Time Required

This lesson will probably take two class periods, more if research and team planning is not completed outside of class.

Materials Needed

- *Good Brother, Bad Brother: The Story of Edwin Booth and John Wilkes Booth*
- Slips of paper (one per student)
- U.S. Constitution

The Lesson

Lesson-Starter

1. Read aloud the following extracted passage from p. 60 of *Good Brother, Bad Brother* without identifying the speaker. "You all feel the fire now raging in the nation's heart. It is a fire lighted and fanned by . . . fanaticism. A fire which naught but blood & justice can extinguish . . . I tell you . . . [it] is the fire which, if allowed to rage, will consume the house and crush us all beneath its ruins." Give students the four following dates: December 1861, January 1920, December 1941, and September 2001. Hand out one slip of paper to each student and ask them to write the date they think the comment was written, and then turn it in. Tally the numbers, and then announce that the date was

December 1861.

2. Ask students if they have any idea who the writer of this passage might have been. Ask if it sounds most like Jefferson Davis, Abraham Lincoln, John Brown, or John Wilkes Booth. Inform them the writer was John Wilkes Booth.
3. Explain that fanaticism is not just a modern problem with jihadists and the War on Terror. Ask students to read the passages in *Good Brother, Bad Brother* on pp. 53–57 about John Brown's raid, trial, and execution, and then discuss how we would view anyone who raided a federal arsenal today.
4. Ask students to read about the limits of free speech that John Wilkes Booth encountered during the Civil War in Albany, New York (pp. 61, 63–4) and St. Louis, Missouri (p. 81). Read his feelings about it on p. 103: "For four years I have lived a slave in the north (a favored slave, it's true, but no less hateful to me on that account). Not daring to express my thoughts or sentiments, even in my own home. Constantly hearing every principle, dear to my heart, denounced as treasonable." Discuss whether modern performers who express political dissent face the same perils as Booth did.
5. Of course, John Wilkes Booth was not merely a dissenter. He was, in fact, involved in smuggling and espionage, in the plot to kidnap Lincoln, and he assassinated him. Look at the U.S. Constitution, Article III, Section 3.

Clause 1: Treason against the United States shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witness to the same overt Act, or on Confession in open Court.

Clause 2: The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

According to the definition of treason in the U.S. Constitution, was John Wilkes Booth guilty?

Procedures

1. Explain to students that they will be working on four teams to look at four periods in U. S. history when there was great fear of treason: the Civil War (1861–1865), the Red Scare (1919–1920), World War II (1941–1945) and the McCarthy Era (1947–1954).
2. Each team needs to determine:
 - a) Which historical event or events triggered the fear
 - b) How the government reacted (specific rights revoked, laws passed, groups targeted by law enforcement or investigation, and so on)
 - c) When the event ended
 - d) Whether the government modified its reaction prior to the end of the event or after

e) If there are standing legal precedents from this event

Students should present their findings in a panel report.

3. At the conclusion of the panel presentations, ask students if they see any patterns that seem to repeat themselves, or if each episode is unique. Students may wish to draw comparisons between past events (such as the military tribunal for the Lincoln conspirators) and the War on Terror (the proposed tribunals for prisoners held at Guantanamo Bay) as well as note differences.

Assessment

The student's assignment may be graded on a twenty point scale (which may be multiplied by five to convert to a one hundred-point scale or for conversion to letter grades) using the following rubric:

	Excellent (5)	Good (4)	Fair (3-2)	Not Satisfactory (1)	No Work (0)
Oral Skills	Effective speaker — tonal variety, speed, volume, clarity	Minor Problems — monotone, soft, mumbling, too rapid	Numerous speaking problems or minimal participation	Communication was lacking Wandered off topic	Did not participate
Historical Research	Located detailed, compelling answers to all five categories No factual errors	Located and used general information and a few examples for all five categories No factual errors	Failed to address one of the categories and/or showed some general research but few specifics Some factual errors	Little research and most categories were unaddressed Limited understanding of the era investigated Many factual errors	No research
Team presentation	Knowledge of information was deep; little need to refer to notes Enthusiastic and persuasive relationship with audience	Above average enthusiasm and audience impact Good knowledge but reliance on notes	Read quite a bit, making little contact with audience Average knowledge	Read and made no contact with audience Limited knowledge and information base	Did not participate
Group Skills	Contributed insight to the presentation but did not monopolize it Displayed courtesy	Participated effectively Displayed courtesy	Monopolized panel presentation	Minimal contribution to team effort	Inappropriate comments or did not contribute

Internet Resources

National Archives Digital Classroom, Japanese Relocation During World War II, <http://www.archives.gov/education/lessons/japanese-relocation/> and telegram from Senator Joseph McCarthy to President Truman <http://www.archives.gov/education/lessons/mccarthy-telegram/>

The University of Missouri-Kansas City Law School Famous Trials Web site features:

The Trial of the Lincoln conspirators, including maps, courtroom diagrams, sketches of Ford's Theatre, and much more at <http://www.law.umkc.edu/faculty/projects/ftrials/lincolnconspiracy/lincolnconspiracy.html>

The Sacco and Vanzetti Trial includes a section on the Red Scare, maps, trial transcript excerpts, prison letters, and images at <http://www.law.umkc.edu/faculty/projects/ftrials/SaccoV/SaccoV.htm>

The Nuremberg War Crimes Trials following World War II at <http://www.law.umkc.edu/faculty/projects/ftrials/nuremberg/nuremberg.htm>

The McCarthy era trials of Alger Hiss at <http://www.law.umkc.edu/faculty/projects/ftrials/hiss/hiss.html> and Julius and Ethel Rosenberg's Trial at <http://www.law.umkc.edu/faculty/projects/ftrials/rosenb/ROSENB.HTM>

Edward R. Murrow: Broadcasting History (includes audio file of commentary on Senator Joseph McCarthy, *See It Now* (CBS-TV, March 9, 1954) <http://www.npr.org/features/feature.php?wfId=1872668>

Edward R. Murrow: *See It Now* (CBS-TV, March 9, 1954), program transcript <http://honors.umd.edu/HONR269J/archive/Murrow540309.html>

History Matters — "Have You No Sense of Decency": The Army-McCarthy Hearings, transcript of the committee proceedings on June 9, 1954 <http://historymatters.gmu.edu/d/6444/>

McCarthy-Welch Exchange: "Have You No Sense of Decency," MP3 audio file <http://www.americanrhetoric.com/speeches/welch-mccarthy.html>

The Army-McCarthy Hearings <http://www.museum.tv/archives/etv/A/htmlA/army-mccarthy/army-mccarthy.htm>

Interdisciplinary Activities

Drama

Arthur Miller's play *The Crucible*, set historically during the Salem Witchcraft Trials, was a thinly veiled commentary on the activities of the House Un-American Activities Committee (HUAC) and senator Joseph McCarthy. Elia Kazan's film *On the Waterfront* is also, in part,

a response to his experiences before the HUAC. *The Crucible* is often in production, but if it is not and you wish to see it, a 1996 version, which Miller assisted in, is available on VHS and DVD, as is *On the Waterfront*. For further research, check out:

Books

Miller, Arthur. *Timebends*. (New York: Grove Press, 1989).

Video

In 1993, CBS News produced in VHS format *Edward R. Murrow, The Best of See it Now, 1951–1958*, with Mike Wallace. This show includes portions from the March 9, 1954, program on Joseph McCarthy and gives students the opportunity to look at the film editing techniques used by Murrow to shape the audience's perception of McCarthy.

In 2003, PBS broadcast a two-hour documentary called *Arthur Miller, Elia Kazan, and the Blacklist: None Without Sin* as part of its American Masters series. This show allows students to trace the relationship between the two men before, during, and after the communist witch-hunt and explains how their experiences with the HUAC were expressed in Miller's *The Crucible* and Kazan's *On the Waterfront*.

Internet Resources

Arthur Miller's *The Crucible*: Fact & Fiction (Or Picky, Picky, Picky . . .) by Margo Burns

<http://www.17thc.us/docs/fact-fiction.shtml>

Salem Witch Trials Documentary Archive and Transcription Project

<http://etext.virginia.edu/salem/witchcraft/>

"Why I Wrote The Crucible: An Artist's Answer to Politics," by Arthur Miller

http://warren.dusd.net/~dstone/Resources/11P/M_NY.htm