



## Instructional Guide

On anniversaries of the Sept. 11 attacks, we can expect an outpouring of grief, remembrance and patriotism. But will we also take the time to delve into the complex issues and conflicts that both predated and grew out of this event?

With this content, students go beyond patriotic remembrance to explore the roots of some divisive battles over freedom and security in a diverse world. They learn how to engage in inquiry, interpret primary sources, and build and defend an argument. Students will develop perspectives of time and place – and contribute their own – to the continuing civic discourse about balancing freedom and security in a post-9/11 world.

### Contents include:

- How to Use this EDCollection
- Case Studies at a Glance
- From Provocative to Productive: NewseumED's Guidelines for Turning Controversial Topics into Rewarding Conversations

## How to Use this EDCollection

### 1. Pick a **Freedom Question** to explore.

Freedom in the Balance is organized around 11 compelling questions about the tenuous balance between individual liberties and public safety, as highlighted by the events and aftermath of 9/11. Use the Case Studies at a Glance chart to find connections to your curriculum.

### 2. Learn the **Legal Origins** of the question.

Students explore the compelling question in a **past conflict**. They pick a debate position and find evidence in the gallery of primary sources.

Supporting materials include:

- Case study background
- Detailed lesson plan
- Graphic organizers for analyzing sources and building arguments.

**and/or**

### 3. Discuss the **Ethical Considerations** of the question.

Students wrestle with right and wrong as they debate the compelling question in a **current conflict**.

Supporting materials include:

- Case study background
- Detailed lesson plan
- Graphic organizers for analyzing sources and building arguments.

### Discover your Freedom Type with our **Quiz**.

Where do you stand on freedom? Our 10 question quiz can be used **before or after** a case study or **on its own** to help students examine their own perspective on the freedom-security balance.

As students debate the Freedom Questions and Quiz scenarios, several themes will emerge: majority rule versus minority rights; political speech and actions; civic life – ideals and realities; and the practice of democratic principles when working with others. See specific topics in the following case study chart.

## Belief: The Evolution of Religious Freedom

Freedom Question	Case Study	Summary	Topics
Can you insult religions?	1938: Spreading One Religion, Attacking Another	When a proselytizing group of Jehovah's Witnesses offends Catholic listeners, a confrontation turns into a Supreme Court case.	<ul style="list-style-type: none"> <li>Jehovah's Witnesses</li> <li>Catholicism</li> <li>Religious persecution</li> </ul>
	2015: Controversial Transit Ads Attack Islam	When the American Freedom Defense Initiative purchases anti-Muslim ads to display on public transit, cities attempt to block them.	<ul style="list-style-type: none"> <li>Radical Islam</li> <li>Hate speech</li> <li>The public/private divide</li> </ul>
Are all religions treated equally?	1837: Using Religion to Block Catholic Participation	To protect the government from a perceived threat of foreign powers, Protestant New Yorkers petition to ban Roman Catholic residents from voting.	<ul style="list-style-type: none"> <li>Immigration</li> <li>Catholicism</li> <li>Antebellum America</li> </ul>
	2011: Religious Profiling for Public Safety	A controversial New York Police Department program monitors Muslims and mosques after 9/11, although there is no evidence of illegal activity.	<ul style="list-style-type: none"> <li>Racial/ethnic profiling</li> <li>Post-9/11 policing</li> <li>Radical Islam</li> </ul>
Is religion above federal law?	1876: Religious Belief Challenges Marriage Law	On behalf of the Mormon church, George Reynolds defends the practice of polygamy and presents the first test of the First Amendment free exercise clause.	<ul style="list-style-type: none"> <li>Mormonism</li> <li>Religious discrimination</li> <li>Separation of church and state</li> </ul>
	2015: Using Religion for Work Exemption	Kim Davis, a county clerk in Kentucky, refuses to issue marriage licenses to same-sex couples because her religious beliefs don't allow her to endorse the unions.	<ul style="list-style-type: none"> <li>The public/private divide</li> <li>Marriage equality</li> <li>The role of government</li> </ul>

## Action: The Evolution of Freedom of Assembly and Petition

Freedom Question	Case Study	Summary	Topics
Are government grounds off-limits to protests?	1894: Coxey's Army Tests Limits on Protest	When Jacob Coxey leads an "army" of unemployed men to the Capitol to protest economic policies, he tests First Amendment limits.	<ul style="list-style-type: none"> <li>Industrial America</li> <li>Forms of public protest</li> <li>Economic policy</li> </ul>
	2015: Bringing Down the Confederate Flag	While legislators delay a decision on removing the Confederate flag from the South Carolina Capitol grounds, activist Brittany Newsome illegally scales a flagpole to remove it.	<ul style="list-style-type: none"> <li>Symbolic speech</li> <li>Civil disobedience</li> <li>Forms of public protest</li> </ul>
Do you have to respect the White House?	1917: Suffragists Target the White House	When suffragists become the first group to directly target the White House, they provoke jeers, condemnation, confusion and praise.	<ul style="list-style-type: none"> <li>The 19th Amendment</li> <li>Women's rights</li> <li>World War I</li> </ul>
	2014: Securing a Symbol	In this midst of a security scare, students tie themselves to the White House fence to stage an attention-getting protest.	<ul style="list-style-type: none"> <li>Student activism</li> <li>Government security</li> <li>Forms of public protest</li> </ul>
Does Congress have to listen?	1836: Anti-Slavery Talk 'Gagged' in Congress	In the name of preserving peace, Congress prevents abolitionists from presenting anti-slavery petitions.	<ul style="list-style-type: none"> <li>Sectionalism</li> <li>The abolitionist movement</li> <li>John Q. Adams and John C. Calhoun</li> </ul>
	2015: Flying a Petition to Congress	A man breaks the law and risks his life to land a gyrocopter on the Capitol lawn and to bring attention to campaign finance issues.	<ul style="list-style-type: none"> <li>Government security</li> <li>Campaign finance</li> <li>Social media/the free press</li> </ul>
What is aiding the enemy?	1954: Communism Fears Challenge Freedom of Assembly	Capitalizing on Cold War fears, Sen. Joseph McCarthy targets suspected members of the Communist Party for public persecution.	<ul style="list-style-type: none"> <li>The Cold War</li> <li>McCarthyism</li> <li>Television</li> </ul>
	2010: Advancing Peace or Terror?	The Humanitarian Law Project challenges a law that bans working with foreign groups designated by the U.S. as terrorist organizations.	<ul style="list-style-type: none"> <li>Terrorism</li> <li>Foreign aid</li> <li>National security</li> </ul>

## Expression: The Evolution of Freedom of Speech and Press

Freedom Question	Case Study	Summary	Topics
Is criticism subject to censorship?	1798: Sedition Act Reins in Newly Established Freedoms	Congress makes criticism of the government a crime for which offenders can be fined or jailed.	<ul style="list-style-type: none"> <li>The two-party system</li> <li>The early republic</li> <li>National security</li> </ul>
	2015: Debating the USA PATRIOT Act	Congress debates renewing an act that expanded government power to combat terrorism but potentially infringed on citizens' privacy.	<ul style="list-style-type: none"> <li>Privacy and technology</li> <li>Post-9/11 policing</li> <li>National security</li> </ul>
Should top-secret information remain secret?	1971: Pentagon Papers Test Limits of a Free Press	<i>The New York Times</i> and <i>The Washington Post</i> publish a top-secret study of the Vietnam War over government objections.	<ul style="list-style-type: none"> <li>The Vietnam War</li> <li>National security</li> <li>Counterculture/the peace movement</li> </ul>
	2013: Snowden Spills Government Secrets	NSA contractor Edward Snowden works with journalists to leak classified information from the U.S. government.	<ul style="list-style-type: none"> <li>Cybersecurity</li> <li>Privacy and technology</li> <li>International relations</li> </ul>
Can you punish the press?	1864: Lincoln Administration Seizes Opposition Newspapers	When two anti-Lincoln newspapers publish a fake proclamation that makes the administration look bad, the secretary of war closes the newspapers.	<ul style="list-style-type: none"> <li>The Civil War</li> <li>Draft riots</li> <li>Wartime government</li> </ul>
	2014: Press Coverage of Ferguson Protests	When Ferguson, Mo., erupts in violence after a police shooting, some journalists face harassment and arrest as they try to cover the breaking news story.	<ul style="list-style-type: none"> <li>Race/diversity in America</li> <li>Post-9/11 policing</li> <li>#blacklivesmatter</li> </ul>
Is hate speech protected?	1927: Publishers Test Right to Print Scandalous Stories	Jay Near and Howard Guilford write sensational stories in <i>The Saturday Press</i> . After being shut down for publishing "scandalous" material, they sue for violation of free press.	<ul style="list-style-type: none"> <li>Censorship</li> <li>Criticism of public officials</li> <li>Government corruption</li> </ul>
	2014: Westboro Baptist Church	When a church group publicly blames catastrophes on America's sexual immorality, the country and courts debate First Amendment limits for offensive speech.	<ul style="list-style-type: none"> <li>Religious extremism</li> <li>Student protest</li> <li>21st political landscape</li> </ul>

## From Provocative to Productive: NewseumED's Guidelines for Turning Controversial Topics into Rewarding Conversations

The Newseum is committed to advocating for the First Amendment. The 45 words that protect freedom of religion, speech, press, assembly and petition are carved in stone – 74 feet high – on the front of the Newseum building. But since its ratification in 1791, this amendment has engendered vigorous debate – sometimes civil, sometimes not – about exactly what these freedoms should mean and how they should apply. With these debates touching on topics from sex and drugs to profanity and racism, teaching about the First Amendment inevitably invites controversy. But rather than back away from these potential flashpoints, we believe that the passion and interest these topics elicit can make them a powerful teaching tool.

The four guidelines below, based on NewseumED's experiences and widely held best practices, are meant to provide a foundation for those seeking to steer productive conversations about controversial subjects. They represent the first steps toward creating a respectful yet vibrant environment to explore diverse ideas.

- **Overview**

- **Guideline 1: Be confident in your content.**
  - Be prepared with background and materials.
  - Be committed to your objective.
- **Guideline 2: Respect your participants.**
  - Understand their perspective.
  - Set a clear purpose and ground rules.
  - Value their ideas.
- **Guideline 3: Ask questions.**
  - Minimize explanation.
  - Use tiered questions, from comprehension to analysis and evaluation.
- **Guideline 4: Encourage debate.**
  - Create an even playing field.
  - Include time for small and large group discussions.
  - Stir the pot; take every side.

### **Guideline 1: Be confident in your content.**

To be confident in your content, you must be two things: prepared and committed.

Being prepared means reading up on any necessary background material in order to feel comfortable with the topic at hand and share it in a way that meets your participants' needs. You don't have to be an overnight expert, but you do need to anticipate the types of basic questions your students might have and be prepared to answer them. You should also be prepared to be honest about what you don't

know. If a student asks a question that falls outside of what you've reviewed, commend them on their insight and make a plan to find the answer – immediately, if you're wired and teaching an informal lesson, or later if that makes more sense.

- NewseumED recommends these sources as a starting point for reading up on 9/11 and its aftermath.
  - [The 9/11 Memorial Museum FAQs](#)
    - Answers to broad questions about the who, what, where, when, why and how of Sept. 11, 2001.
  - [The 9/11 Memorial Museum Timeline](#)
    - An in-depth chronology of the day's events.
  - [The 9/11 Commission Report Executive Summary](#)
    - Key facts and findings from the official government committee that investigated the attacks.
- NewseumED has background information about each Freedom in the Balance case study, available as a download on each case study page.
- We have also prepared [Pinterest pages](#) with links to additional resources related to the case studies. These Pinterest links can be found in the Materials section of each case study on NewseumED.org.

Being prepared also means having solid resources ready to share with your students that can help shape and scaffold their conversation. Freedom in the Balance provides reliable, fact-checked resources including case studies, scaffolding questions and worksheets; we design these resources to help students confront new ideas and develop well-reasoned opinions.

The other element of confidence in your content is being committed. Being committed means believing that the conversation you are undertaking, while it may take effort to prepare and may lead to some uncomfortable moments, is a worthwhile endeavor. Establish a clear learning objective and commit to helping your students reach it. Think about why you're having this conversation and how to convey that purpose to your students.

## **Guideline 2: Respect your participants.**

Every teacher has heard the adage about student performance rising to meet expectations. When dealing with controversial topics, it is particularly important to enter the conversation with elevated but realistic expectations that respect your students' own ideas and agency.

The first part of respecting your participants is trying to understand their mindset and frame of reference for the topic you're discussing. The adolescent mind can be a mysterious place, but make a sincere effort to predict how your students will approach the topic at hand. What do they already know about it? What will they be curious about? What will make them laugh? Groan? Clam up? Thinking in advance about these reactions won't necessarily make it possible to avoid them, but you can plan to emphasize the elements of the conversation that will bring out the best in your students and not get caught off guard by their reactions. By thinking through your participants' perspectives, you can also be sure you've picked an appropriate topic. Almost all groups can engage in productive conversations about a



difficult topic, but not every difficult topic is a good fit for every group.

The second part of respecting your participants is giving them clear information about what they will be talking about, why and how. Students can't meet your expectations if they don't know what they are. So refer back to the objective you set with Guideline 1 and find a way to spell out the purpose of your conversation and how it will take place. Who will talk when? What should they do if they disagree with an idea? What if time runs out before they've had a chance to be heard? Laying some ground rules will make participation feel less risky and quell some potential frustrations.

The final part of respecting your participants is valuing their ideas. Make it clear to your students that you're inviting them to join this conversation because you genuinely want to know what they think – and make sure your actions back up your interest. Haven't you ever wondered what goes on in those brains? Treat this as your chance to get a peek inside. Listen attentively. Don't cut them off unless it's necessary, and don't immediately discount even the strangest statement, but rather ask for more explanation. There's more on fostering a positive exchange of ideas in Guideline 4: Encourage debate.

### **Guideline 3: Ask questions.**

Every productive discourse about a controversial topic should be modeled on a genuine conversation with a give-and-take of ideas, not a lecture. From the beginning, make it clear to students that their participation is vital and that their ideas will drive the experience. Then use tiered questions to help your students ramp up into the topic at a pace that won't overwhelm them. Like a streamlined version of Bloom's Taxonomy, you should plan a series of questions that will move your students from basic comprehension of facts through analysis and evaluation of ideas.

As the leader of the conversation, avoid spending too much time on up-front explanation that might put your students into an information-receiving mode rather than an information-sharing mode. Instead, let your students provide as much of the needed background as possible, and let their own questions drive the information you share. For example, if you're opening the conversation by looking at one of the 9/11-related images that frames the case studies, ask students about their own knowledge about the events of 9/11 and its aftermath. To fill in the holes, ask them what questions they have about what happened and answer as best you can, or point students to other resources that will help them fill in these gaps in knowledge.

As you get into the meat of the conversation, help shape it by feeding students questions that build toward more complex debate and analysis. For example, if you're planning a discussion around a contemporary case study from Freedom in the Balance, begin by asking students to recap the information that's in the case study. This both reinforces important facts and gives students a straightforward way to begin participating in the conversation.

Then move on to what position they would take. NewseumED believes that providing multiple-choice responses for these types of case studies broadens the conversation rather than narrowing it, by giving students a safe way to answer a very daunting question. You avoid the dreaded silence that follows a question students aren't prepared to answer. Always make it clear to students that they can invent their



own response or alter the given responses to better express their own ideas. Finally, move into discussion of why they made this choice and allow them to begin engaging with each other over differences of opinion. There's much more on how to foster a productive debate in Guideline 4.

If you ever do encounter silence, try to rephrase your question or take a step back to re-engage your students. If, for example, they're unable to explain the reasoning behind their choice, ask why they didn't choose another option, or what outcome they think this option will lead to, or zero in on a specific element of their chosen response.

## **Guideline 4: Encourage debate.**

When discussing a hot-button topic, the goal should be a healthy debate, not a final answer. In some instances, a consensus may begin to emerge, but even then, your role as the facilitator should be to find ways to continue pressing students to refine and defend their ideas. To encourage a vigorous debate: create an even playing field, exact the benefits of small and large group discussions, and stir the pot by providing counterpoints to every side of the debate.

First, maximizing participation in this type of debate begins with evening the playing field. No students should feel that are at a disadvantage due to a lack of prior knowledge or experience. The Newseum<sup>ED</sup> case studies are designed to help achieve this goal by spelling out a specific scenario and providing options for action. There's no way and no need to bar outside knowledge from influencing the debate, but the structure of these case studies is meant to allow even those who've never encountered this topic before to begin forming and sharing ideas.

To further nurture a healthy debate, give your students time for small group as well as class discussion. By discussing the case studies independently in small groups, students have the opportunity to try out their raw ideas in a less intimidating setting than raising their hand and their voice in front of the whole class. This practice also ties back in to Guideline 2 by showing that you respect their ability to discuss and engage with these ideas on their own. The multiple choice format helps keep them focused on an end goal.

Following small group discussion, coming together as a class provides an opportunity to present a broader range of ideas and begin testing and defending the ideas that came out of the small group discussions. Choosing a spokesperson to share the conclusions reached by each group is a good way to open the larger-scale debate and build the momentum for others to share ideas, including new thoughts that come out of the larger-scale exchange.

Finally, the key to keeping the debate vibrant and active is for the facilitator not to stay neutral, but rather take all possible sides of the debate. By taking on the role of official pot-stirrer, the facilitator can inject energy into the debate to ensure that no voice or voices become unfairly dominant. At the Newseum, the Newseum<sup>ED</sup> educators often think of our role as playing devil's advocate. We are purposefully contrary and challenge as many ideas as possible. This serves two useful purposes. First, it allows us to shape the debate to make sure as many perspectives as possible are heard and protects us from being perceived as taking any single side. Second, it feeds on middle- and high-school

students' innate desire to argue with authority. In this case, their contrary nature is an asset and helps drive the debate.

## **Final thoughts**

In every instance, the success of a conversation about a controversial topic depends on many factors, from the facilitator's preparation to the mood of the students on the given day. Some of these you can control and some you cannot. These guidelines are designed to help you prepare and plan for as many of the controllable factors as possible and create a flexible environment and experience that can meet your students at their level. Think about these conversations as embarking on a sort of "choose your own adventure" lesson plan. Be prepared to twist and turn in response to your students' questions and answers, and keep in mind that the measure of success will not be a single final product, but the overall exchange of ideas.

## From Provocative to Productive: Debate Leader Checklist

### Before the debate

- ✓ Read up on the topic of the debate.
- ✓ Establish and commit to an objective for engaging in this debate.
- ✓ Think about your participants' possible perspectives on and responses to this issue.
- ✓ Find or prepare background/debate materials as needed to create an even playing field for all participants.
- ✓ Write or think through possible questions you can ask to introduce the topic and guide the debate, ranging from straightforward to complex.

### During the debate

- ✓ Share the objective for engaging in this debate.
- ✓ Set ground rules for participation.
- ✓ Ask questions to encourage participation and guide the debate, ranging from straightforward to complex.
- ✓ Listen to participants' ideas and ask for clarification as needed.
- ✓ Allow time for small and large group discussions.
- ✓ Do not take a side; instead play devil's advocate and present opposing viewpoints to balance the debate.