

Looking Back to Move Forward:

**Approaches to Teaching Civil Liberties in 21st Century Classrooms using 20th
Century Case Studies**

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Abstract

The history of civil liberties has been fraught with constant violations and infringements. These violations often result from an ignorance of what constitutes civil liberties. It is the duty of teachers in the twenty-first century to prepare students for a globally aware community and for a clear understanding of civil liberties. In four sections this paper will prepare educators by defining civil liberties, illustrating some of the more famous civil liberty violations in the past century, illuminating contemporary civil liberty issues.

Introduction

A battle began in November 2005 over the issue of properly labeling the holiday season to ensure that no one had civil liberties trampled on. Issues that many previously took for granted, such as the naming of a tree or labeling greeting cards, as either Christmas or simply holiday, became the central focus of this debate. The battles escalated until seemingly at stake were the Christian traditions that arguably established this nation. The battle lines seemed foggy and often overlapped as the nightly news and local and national politicians hastened to answer the clarion call of duty. The turmoil dragged Americans of all stripes in; most seemed offended, others defensive, all vocal. A

card stating “Happy Holidays” that at one time seemed to convey a Christmas message became an ambiguous if not outright anti-Christian statement. Consumers blacklisted retailers who refused to leave the “Christ” in Christmas. Some business owners, adhering more to the almighty dollar than to any religious belief, flip-flopped to avoid damaging the brisk holiday sales. Even the American Civil Liberties Union held the stance of ensuring that all people should celebrate as they see fit. While this debate generated many heated arguments, it also presented educators with a unique opportunity to teach American civil liberties by using this recent case study in the classroom as a jumping off point for examining the more egregious civil liberties issues in the last one-hundred years of United States history.

The history of civil liberties has been fraught with constant violations and infringements that often resulted from an ignorance of what constitutes civil liberties. It is the duty of teachers in the twenty-first century to prepare students for a globally aware community and for a clear understanding of civil liberties. This paper provides a basis for teaching civil liberties by defining civil liberties, illustrating some of the more famous civil liberty violations in the past century, illuminating contemporary civil liberty issues, and clarifying these issues so that they can be applied to the modern classroom.

Giving it a name

Civil liberties, by any other name, are still liberties guaranteed by law. A simple definition will not suffice to clarify a term that many in society, including educators and students alike, find confusing, but without a concise definition one does not know what constitutes a civil liberties violation. A textbook definition refers to civil liberties as “freedoms guaranteed to the individual” that “declare what the government cannot do”

(Janda, Berry, & Goldman, 2002, p. 472). Freedom of religion, freedom of expression, and the right to privacy are arguably the three liberties violated most often. Violations, confusion, and misinterpretations concerning civil liberties date back to 1791, the year the Bill of Rights became law and guaranteed these liberties. The Bill of Rights also defines Civil Rights which are “things the government must do or provide” (Janda, et al., 2002, p.472). While separate, their overlapping nature often leads to more confusion, even among the best informed.

The very laws instituted to ensure life, liberty and the pursuit of happiness also allow the formation of groups that seek to infringe upon the rights of others. Nationalist and radical groups, including the Nativists, the Know-Nothings and the Klu Klux Klan, organized much of this nation’s racist and anti-immigration dogma by the turn of the twentieth-century. The xenophobia and venom generated by these groups and others like them helped pave the way for some of the most flagrant civil liberties violations.

Brief Case Studies in the Twentieth-Century: The Eve of the First World War

The arrival of thousands of immigrants from Europe during the turn of the century heightened the already well-established Social Darwinism at work in the U.S. The largest groups to enter the U.S. at the turn of the 19th century included the Germans and Italians who followed a traditional immigration pattern. After obtaining citizenship, they moved to the nation’s large industrial cities into pre-existing ethnic enclaves, thereby preserving their former religions, languages, and customs. While many learned English, most preferred their native tongue and often clung to traditional customs, prohibiting full assimilation into American society.

Recent German immigrants clung to the “old” country and when the First World War began with the German invasion of the Low Countries in 1914, they loudly advocated that the U.S. support the Central Powers, or barring that, remain neutral. The U.S. officially remained neutral, but with greater economic and cultural ties to the Allies coupled with the German use of unrestricted submarine warfare, they declared war on the Central Powers on April 6, 1917. Americans remembered the sentiments of these working class “foreigners” in their midst, many of whom also held membership in labor unions and socialist groups, thus creating ill-will towards these immigrants. The majority of Americans who rallied against all things German did not take time to separate the new German immigrants from well-established ethnic families that had supported the U.S. decision for war and whose long generation span in this nation Americanized them (Ripley, 1976).

The policies created by the U.S. government to control information and curtail espionage during the First World War targeted not only German immigrants, but other ethnic minorities, and political groups, and caused some of the most flagrant violations of civil liberties in the nation’s history. The Committee on Public Information (CPI), created by President Woodrow Wilson and placed under the leadership of George Creel, fought a propaganda and information suppression campaign from 1917 through 1918. The CPI distributed factual literature and “encouraged” support from individuals and business. As the war progressed, the CPI conveyed a distorted image of Germany and Austria and by doing so also perverted the image of Americans of Germanic ancestry. The CPI propaganda demonstrated the savage nature of the “Hun” through its poster campaign which depicted images such as the “Prussian Cur” (Brinkley, 1999). It also

warned Americans that spies existed virtually around every corner, even in one's neighborhood. This form of propaganda induced paranoia particularly aimed at the German-Americans and other hyphenated-Americans.

The Espionage Act, created in 1917, provided a legal means of rooting out and punishing those suspected of "spying, sabotage, or obstruction of the war effort" these measures also included censoring and searching the mail for "seditious" material (Brinkley, 1999, p. 791). Some may even compare these "broadly defined" violations to the tenets of the Patriot Act of 2001 (Brinkley, 1999, p. 791). The 1918 Sabotage and Sedition Acts followed the tenor of the Espionage Act. The Sedition Act made any "public expression of opposition to the war" illegal, meaning that "it allowed officials to prosecute anyone who criticized the president or the government" (Brinkley, 1999, p. 791). Historian Paul L. Murphy (1979) put a fine point on these policies when he stated that "the story of civil liberties during World War I is a dreary, disturbing, and . . . shocking chapter out of the nation's past. Americans, committed through their president, Woodrow Wilson, to 'make the world safe for democracy' . . . stood by . . . and saw liberty and justice prostituted in ways more extreme and extensive than at any other time in American history" (p. 15).

During the pivotal year of 1917, as the U.S. debated action and ultimately declared war, Wilson also considered these domestic security measures. At the same time vocal segments of the German-American population lobbied for America to remain neutral. Their political protests and public "outrages" led Wilson to reject as unpatriotic those Americans who needed hyphens in their names, specifically targeting the German and Italian-Americans (Ripley, 1976). Once the U.S. declared war on the Central

Powers, a second reaction against German-Americans led to the renaming of streets, from Bismarck to Wilson, and the dubbing of sauerkraut as liberty cabbage. The overreaching effect caused a low point in domestic relations between the “Germans” and the “Americans” (Ripley, 1976, p. 182). Since America waged war against the German Empire, an Empire being demonized through popular media propaganda as the “Beast from Berlin,” it seemed natural that Americans would rail against all things German.

That the U.S. reactions did not distinguish between German-Americans, those hyphenated Americans and recent immigrants, and older stock Germans, those who had lived in the U.S. for several generations and who considered themselves thoroughly American, only made the situation worse. Some German families had migrated to the U.S. during the colonial period, and many Germans fought on both sides of the Revolutionary War. German-Americans had fought in every American conflict since then thereby proving their loyalty and many became fully integrated generations before the First World War began. Americans of German descent may have only shared a common ethnic heritage with the radical vocal minority among some of the newly immigrated Germans, but American society lumped them together anyway. These “old stock” Germans, however, often found common ground with their distant and more recently arrived German-American kin as they were being driven closer together through discriminatory practices. Mobs sometimes attacked these “unpatriotic” German-Americans, although it must be noted that other immigrants were targets too, especially the Jews, Irish, Catholics, Italians, and Eastern Europeans (Ripley, 1976).

Despite the initial outpouring of support for the Central Powers, however, many German-Americans either supported the U.S. after the declaration of war in 1917 or

maintained a low profile. Yet the repressive measures instituted by the government inhibited the acceptance and assimilation of German-Americans for years after the War ended. Some who thought they had been fully assimilated and accepted into American society never forgave their neighbors, for other “hyphenated” Americans time healed these wounds. By the Second World War most German-Americans considered themselves only Americans, as did most of their neighbors (Ripley, 1976).

The Second World War

Despite the experience and mistakes made during the First World War the U.S. also committed many glaring civil liberties violations during the Second World War. The usual suspects, Socialists, Communists, dissenters, leftists, and racial and ethnic minorities, all suffered discrimination, harassment, and violations of their rights. While the German and Italian minorities also faced discrimination, the most glaring violations of civil liberties concern the treatment of Japanese-Americans.

The activities of naturalized German citizens during the pre-war period had done much to assure their assimilation. Many moved out of the ethnic enclaves, learned and used English, and accepted American culture and values as their own. In this important way, the German-Americans dropped the hyphen and *became* American. Like the vast majority of other Americans, they supported the U.S. war effort and found no link to the culture or ideology of the Nazi movement. Americans of German descent seemed safe, but those living in the U.S. who still held German citizenship had their civil liberties curtailed and hundreds, labeled “enemy civilian aliens,” were interned. This treatment of civilians, not limited only to Germans, became a common practice by nations during the Second World War. One estimate placed the number of German citizens and German-

Americans imprisoned in the U.S. during World War II at 25,000 and claimed that some remained behind barbed wire until 1947 (Krammer, 1997). The mistrust of the German-Americans by the U.S. and the fear of sympathy or sabotage for the Third Reich within the country seemed to justify this reaction. In fact, a small, but fervent group of German-Americans gave support to and received support from the German Nazi Party. These men and women formed the German-American Bund, literally a fifth column inside American borders. President Roosevelt and War Department officials realized the danger that such groups presented; similar sympathetic groups assisted the Nazi conquest of much of Europe. The Federal Bureau of Investigations (FBI) monitored the actions of the Bund and ultimately incarcerated its leading members on various charges ranging from suspicious activity to outright treason (Holian, 1996). In reality, however, the number of German-Americans who supported the Nazis remained small enough that the Third Reich felt it more of a liability than an asset and pulled its funding and support from the Bund (Diamond, 1974).

Unlike the German-Americans, the extent that Italian-Americans dropped the hyphen and became fully assimilated appeared less clear as most still lived in ethnic neighborhoods with many not yet naturalized. According to historian Allan M. Winkler many Italian-Americans lived on the fringes of American society where they remained during the war (Winkler, 1986). A large number of these Italian-Americans looked longingly towards Italy and at Mussolini as a national hero and the U.S. government understandably responded with distrust. U.S. President Franklin D. Roosevelt classified Italian-Americans as enemy aliens on December 8, 1941. In one fell swoop an entire group of people, many American citizens for generations, workers in war industries and

U.S. soldiers and sailors had their civil liberties violated. Successful protest and lobbying by the Italian-American community forced F.D.R., after ten long months, to rescind this executive order on October 13, 1942. Even after this, however, hundreds of “enemy aliens” remained in detention camps (Fox, 1990).

Years of discrimination served to drive Italians closer together. Americans viewed this ethnic group as slovenly, dirty, foreign, and prone to crime, a notion popularized by the mafia in the 1920s and 1930s. Despite racial stereotyping and government repression, the threat of an Italian Fifth Column never truly existed. There was no widespread idea of an Italian Fifth Column. Ethnic Italian prisoners of war even expressed gratitude towards their American captors for their humane treatment. Over half of these POWs eventually left the prisoner of war camps to join the newly established Italian Service Units, organizations created to collaborate with U.S. forces in non-combat roles after Italy joined the Allies (Fox, 1990).

No other group received the same discrimination and loss of civil liberties during the Second World War as the Japanese-Americans. Culturally, the U.S. had expressed racist sentiments for decades prior to the Second World War. This discrimination alternately resulted from and fueled poor diplomatic relations between the U.S. and Japan and other Asian nations. Our nation treated Asians poorly and had little regard for their life or well-being long before the twentieth century. Railroad companies exploited Chinese immigrants by using them for cheap labor and forcing them to detonate demolitions which led to many unnecessary deaths. Asians often formed their own enclaves in cities on the West Coast and experienced racism and harassment by both white and black Americans. American hostility towards Japanese-Americans increased

as relations with the Japanese government deteriorated. Unlike the Germans or Italians, Americans easily distinguished Japanese as Asian (if not Japanese) and non-white. The collapse in American-Japanese relations has a clearly definable line that can be traced back to the administration of U.S. President Theodore Roosevelt and followed into the 1930s when the U.S. attempted to curb Japanese aggression in Asia (Austin, 2004).

Once the Second World War started, the Chinese-American alliance helped redirect general racist sentiment against Asians solely towards the Japanese. The alliance of the left-the socialist movement, labor movement, and American Communist Party under the Popular Front, thanks in part to their ally the Soviet Union-led to the government easing pressure on these groups and not implementing the stringent controls used during the First World War. These factors, however, isolated the Japanese as the only *real* internal threat to U.S. security. The idea that the surprise attack on Pearl Harbor owed much of its success to Japanese-American spies held sway and created a xenophobic, although seemingly understandable- fear that Japanese-Americans on the West Coast worked to prepare for a Japanese invasion. Investigations returned no signs of disloyalty, but even that could not shake the fervent belief that Japanese-Americans were still Japanese. Roosevelt felt that relocating these individuals preserved the nation's security. On February 14, 1942, F.D.R. signed Executive Order Number 9066 which set in motion the creation of "security zones" to house these "enemy civilians." Nearly 112,000 Japanese-Americans, many born in the U.S., entered into the so-called relocation camps, described at best as prisons, and at worst as concentration camps. These individuals, relocated without their consent, received poor treatment at these camps, and

returned home post-war only to find that for many their possessions had been sold and someone else now lived in their former house (Daniels, 1972; Christgau, 1985).

Minoru Kiyota (2004) lived in one of these centers which “even President Roosevelt referred to as concentration camps.” Kiyota, housed at the Tule Lake center which held those who refused to sign a loyalty oath to the U.S., remembered that

those confined at Tule Lake were considered ‘dangerous’ and many of them were dragged like animals by these guards. Some were hit on the head with baseball bats and left on the concrete floor for hours, and some, like myself, were shot at with a .45 caliber handgun, bullets landing near my feet. A young man, James Okamoto, was shot in the belly and killed. Osaki was dragged into a stockade, a prison within a prison. In due time, I developed hives, lost appetite and suffered from malnutrition. While Ozaki developed recurrent headaches and suffered depression. Both Osaki and I renounced our American citizenship as a protest . . . (Kiyota & Green, 2004).

The Creation of the American Civil Liberties Union

U.S. attempts to maintain a safe home-front while conducting military operations during both world wars led to the glaring civil liberty violations of ethnic and racial minorities and the suppression of dissent and freedom of speech. The creation of the American Civil Liberties Union on January 19, 1920, provided aid to those suffering from violations of their civil liberties (Walker, 1990). Unlike other interest groups, like the National Association for the Advancement of Colored People (NAACP) founded in 1909, the Anti-Defamation League founded in 1913, and the American Jewish Congress founded in 1916, the ACLU “adopted the policy of impartially defending civil liberties,

including the principle of free speech, without reference to the content of that speech” (Walker, 1990). The ACLU’s role in defending civil liberties led to many large battles in more recent U.S. history. The controversial nature of these current issues makes many teaching professionals hesitant to confront these same issues in their classrooms. Only by understanding these current arguments concerning civil liberties, however, can effective teaching methods be devised. The following contemporary cases demonstrate some of the current conflicts concerning violations of civil liberties.

From the 1980s to Now: Current Issues and Violations

The legal issues concerning civil liberties changed immensely in the last twenty-five years. In addition to the national, racial, and ethnic minorities in this country, those with various religious, sexual, political, and social convictions and commitments also alternately became targets of civil liberty violations, legislations, and changing societal norms. Many of these issues fall under the broad heading of freedom of expression, ranging from music censorship, the debate over pornography versus art, abortion, teen pregnancy, separation of church and state, prayer in school, and freedom of speech and expression on campus. Due to space constraints this article will only discuss the controversy over freedom of expression in music, but the conclusions will provide methods for dealing with all of these types of issues within the classroom.

Obscenity, in lyrics or print, as a form of free expression is not something that is typically upheld by the Supreme Court since most “states may regulate or even ban obscenity” (Janda, et al., 2002, p. 486). Thus begging the question, what is obscene? Citizens interpret this for themselves, but local, state, and national lawmakers, hoping to create a community standard, stand at an impasse on a clear definition. Even the

Supreme Court judges wrestle with these civil liberties issues in determining obscenity. Justice William J. Brennan, Jr. defined obscenity as “whether to the average person, applying contemporary community standards, the dominant theme of the material, taken as a whole, appeals to prurient interest” (Janda, et al., 2002). Justice Potter Stewart claimed that “he could not define” obscenity “but I know it when I see it ” (Janda, et al., 2002). A more definitive ruling in 1973, resulting from the case of *Miller v. California*, “a play, film, or book-is obscene and may be regulated by the government if (1) the work taken as a whole appeals to prurient interests; (2) the work portrays sexual conduct in a patently offensive way; and (3) the work taken as a whole lacks serious literary, artistic, political, or scientific value”(Janda, et al., 2002).

Musicians claim the freedom to express themselves as they see fit, but at the same time, many entertainers deal with scrutiny and lawsuits and have been banned for their lyrics and “lewd” performances. Decisions to censoring music often become a slippery-slope because the government is forced to make a decision between violating the musician’s civil liberties and allowing potentially vulgar and obscene lyrics to influence the musician’s audience, which may include a number of minors. These decisions have a tremendous effect within high school and college classrooms and, therefore, impact the educator. In the early 1990s, for instance, it seemed that the brand of rap called “gangsta rap” had musicians competing with each other for the most obscene and violent lyrics. Bands like 2 Live Crew pioneered these violent messages and in turn were targeted by politicians and parent groups for censorship. Most notable among these groups is the Parents Music Resource Center (PMRC) headed by Tipper Gore, wife of former Vice-President, Senator Al Gore of Tennessee. Rapper turned actor Ice T saw his album

banned and recalled after he released his early 1990s single “Cop Killer.” Police groups, parents, and politicians alike lobbied to have the album pulled from store shelves. A re-release did not include the offending song, but included others that conveyed similar messages. More recently, the rappers 50 Cent and The Game fought a very public, very real street battle over alleged insults. These rappers sing about violence and then go into the streets and actually beat and shoot their victims. At the same time Eminem bashes homosexuals, advocates killing his mother, and fantasizes about attacking people with a chainsaw. The lingering question here is at what point does the government step in and put a stop to these types of lyrics and performances? At the same time, however, the flip-side is also true, would censorship be a violation of the artists’ civil liberties and a violation of the fans’ right to buy the music?

These issues are not limited to Rap music. Rock music has seemingly always been at the forefront of the obscenity-civil liberties music controversy since Elvis swayed his pelvis on stage and the Beatles did their first “Hippie Hippie Shake.” Over the years other bands have been targeted for censorship, Black Sabbath, KISS, W.A.S.P., and most recently Marilyn Manson. The case of Marilyn Manson proves interesting to the civil liberties controversy. One must ask the question when determining censorship, is the musician simply an artist and his or her musical expression therefore an art form? The members of Marilyn Manson dubbed their individual stage names to reflect the legacy of Charles Manson. They then perform dressed in make-up, drag, and other garb designed to shock the audience and the critics. Marilyn Manson also portrayed Jesus, particularly since the release of his album “Anti-Christ Superstar” and has also emulated Hitler in dress and behavior on stage. They also use lyrics that are also on the cutting edge of

what some define as indecent and songs like “Anti-Christ Superstar” and “Dope Show,” have gained them few supporters among politicians who lobby to ban this type of music. In other cases, however, small communities have proven more successful in their attempts to ban what they deem questionable music. Take the late 1990s case that made national news when Johnson City, Tennessee, banned a scheduled White Zombie concert. Were the bands’ civil liberties violated?

Musicians claim their right to freedom of expression and free speech. Communities that create these bans have defined obscenity and make the same claims to freedom of expression and speech as the musicians. At the same time, however, we must all realize that “free speech is not a blank check” (Colson, 1988, p. 118). Does freedom of expression and speech include license to cuss anyone at any time, to advocate violence, to preach hate and racism, to glorify murder and rape? Where is the line drawn? Even this argument, however, has a counterpoint. As long as there is a divergence in what society deems is obscene reaching a quorum on censorship will be nearly impossible forcing the legal system and groups like the ACLU to step in and regulate these issues without violating anyone’s legal civil liberties.

Approaches for twenty-first century classrooms

The responsibility of preparing students for citizenship and teaching civil liberties lies with all educators regardless of the level of the pupils. Political science professors and college educators Mary Cornelia Porter and Corey Venning (1984) examined the pedagogical issues of this debate and argued that “citizenship in its highest form involves something distinct from alert and faithful attention to the immediacies of political events and options” (p. 217). Preparation for entering society and becoming a good citizen

should be one of the key tenets of receiving an education. Teaching civil liberties in twenty-first century classrooms must be considered one way to measure success of this goal. This section addresses two major questions facing educators: What are the responsibilities of the instructor? Once defined, how does he or she successfully achieve them?

Teaching civil liberties in twenty-first century classrooms challenges most educators. These ideas intrinsically imply controversy, challenge long-standing individual beliefs, and invoke deep emotions. For these reasons they must be studied and disseminated for cultural, community, and individual growth to occur. Proper preparation is essential, as education theorist James Watson (1965) pointed out “when controversy hits head on in the form of a speaker with an uncommon message, a lack of clear purpose and policy often leads to panic and ill-considered action” (p. 18).

These deep-seated beliefs and notions held by students, however, can be modified throughout one’s academic life. Educational theorist Arthur W. Chickering (1970) found that students leaning towards conservative, moderate, or liberal views were initially and greatly affected by their ideals gained before coming to college. Yet, these ideals could be modified over time by several variables including the type of institution they attended, their degree program, their amount of faculty interaction, and the expectations of faculty on students. Yet, Chickering (1970) also felt that peer group interactions held a large degree of influence on the individual. The underlying meaning here then is that educators must permeate an “open-mindedness” among students not only in the classroom, but in interactions outside of the classroom, whether faculty-student, or student-student.

If we are to assume that “college students should learn to think for themselves.” then we as educators must give them the tools to become contributing members of society and understand their own roles in further fostering understanding of civil liberties in the diverse world community (Watson, 1965, p. 18). Porter and Venning (1984) accurately surmised that “the objective of liberal education is, surely, to help students develop the skills, capacities, perceptions, and imagination to enable them to enrich and enhance not only their own lives, but the life of the community as well” (p. 216). They further added that “citizen participation in the political decision-making process is . . . a distinctive mark of the conscientious citizen” (p. 217).

Educators avoid civil liberties issues in classrooms for two reasons, misunderstanding of the concepts and their controversial nature. Misunderstanding is not an excuse, especially for an educator, to avoid any topic. It is hoped that this article has helped promote a greater understanding of what civil liberties are and how to address them in the classroom. Only by addressing these controversial issues can they be demystified to allow students to comprehend them and then to enter society as citizens ready to promote understanding and vanquish ignorance. That, after all, is the greater purpose of high school and college educators. As educational theorists Kenneth W. Kickbusch and Robert B. Everhart (1985) have pointed out “in the continuing theoretical discussion over the social consequences of the selection and distribution of school knowledge, the image of classrooms as neutral or apolitical environments unrelated to a socially stratified society is increasingly untenable” (p. 281). These issues need to be addressed openly with students in a format that allows interaction and questions.

There are methods that can be applied when teaching civil liberties topics in the classroom. Early preparation is a key factor and the instructor should not only have a thorough grounding in the topic, but be open minded to the students' opinions, and anticipate in advance a response to some of the questions and comments. Students must be made to feel comfortable in expressing their questions, comments, and dissent. The success of the session and the mutual comfort level of students and instructor can be premeditated by giving several days or even weeks advance notice of the topic. Encourage students to do some of their own research beforehand by providing bonus credit or some other incentive and directing them to sources of information. When conducting the assignment, place students into a large discussion group with the teacher as the moderator. Small discussion groups should be avoided since the teacher could not actively and continually participate or effectively monitor each group. Smaller groups also prevent the entire class from sharing equally in the diversity of each participant's questions and opinions. Also, give students some guidelines on behavior, for instance, questions are okay, but insults or outbursts are not. If a student feels unready for the assignment, protests, or thinks that he or she may be offended, allow him or her to do an alternate assignment in an alternate location.

You should address certain slurs or comments that should be avoided. In my own experience this simplistic advice has paid dividends in preventing offensive behavior. Here I will add some examples from my personal teaching experience and how I dealt with them and then prepared for them in future occurrences. The first occurred in a graduate seminar where I was a student and another student referred to Boston as being a "haven" for Irish-Americans and probably Italian-Americans since they all spoke a

language she could not understand. The instructor kindly informed her to be careful how she worded such statements, considering how offensive they could be. He then added that he has been to Boston many times and felt that larger older cities have a long-standing history of ethnic communities and that it is part of the American culture. After this well-timed comment from the instructor, we then moved on, a wise decision considering that the discussion in this international affairs course centered on possible future war between the U.S. and China and had nothing to do with Boston or hyphenated Americans in the first place.

In another instance a female African-American student of non-traditional age approached me after the end of the first class session and told me that she enjoyed the class even though I “wasn’t black.” I laughed and jokingly asked her if she just now realized that or already knew that when class started. She explained to me that during her advising she was nervous about returning to school and was told that she should take my class since as an African-American I would understand her concerns and could relate to her. I am very good friends with this student to this day, but we both felt that the advising could have been handled better.

My advice to all teachers, regardless of what class you are teaching, if it is to have open discussion or analytical writing involved, you must set your parameters immediately in the syllabus and follow this throughout the semester. I had one student during a discussion use a string of African-American racial slurs when discussing slavery in the pre-Civil War United States. I was stunned, not just at the language, but at the matter-of-fact way that it was relayed. I immediately stopped the discussion and explained to the class that this type of language was derogatory and should not be used in the discussion.

I then told them that I knew that sometimes students did not realize how this language made them appear and made others feel, often being part of a familiar vernacular, but we had to be careful of what we said. I must add that this was the first class I ever taught and that ever since I have had a caveat on decorum in discussion and writing. In another instance a student in an online class slandered Native and Irish-Americans in a discussion board post. The rules for the discussions were clearly posted, but this student claimed “freedom of speech and expression.” After consulting with him I explained that he did express himself freely, but now there would have to be consequences. Rather than apologize, this student held on to his beliefs and dropped the class.

With the amount of help readily available in most communities, the industrious educator should be well-prepared for even the touchiest of topics. Many professional groups can offer advice, provide some form of pamphlet or statement, and are often willing to speak to classes. Lawyers and the state or local branch of the ACLU can provide insight into legal aspects, as well as the most current issues concerning civil liberties. Numerous religious groups can provide some advice, brief histories on their faith and how it fits into the framework of U.S. civil liberties. Even social groups, such as the Rotary Club, the Veteran’s of Foreign Wars, or the American Legion can provide assistance. Many Universities have access to different school sanctioned religious, ethnic, racial, and political groups on campus and getting a representative to come to the instructor’s class should not be that difficult with advance notice. Affirmative-Action and Human Resource Offices should not be overlooked as the staff is trained to identify and handle diversity.

The modern educator, public or private, high school or college, has an obligation to learn and teach civil liberties. Obviously a greater understanding of the historical, legal, and moral rationale behind civil liberties is the key to eliminating confusion and misunderstanding and limiting future violations. Educators willing to teach their students about civil liberties face a difficult road. Both the students and the teachers have preconceived norms concerning the various groups and topics to be discussed. Leaving behind these pre-conceived notions and proceeding without offending or provoking anyone can be precarious since even when discussing seemingly safe topics, such as music censorship, a heated debate will likely ensue. In a 1968 article "Controversy in the Classroom," Gerhard Duffy (1968) asked "should the history teacher move his class beyond the interpretation of history and question the morality of war, for instance? Should he move into such areas as the ethics and legality of the Vietnam situation? Should the credibility gap be discussed?" (p. 34). His answer at that time was yes. This nation was founded on freedom and diversity. This argument was relevant forty years ago, it was relevant during World War I as this paper has demonstrated, and it is still relevant. Perhaps the immigrants are arriving from different countries today, Mexico as opposed to Germany or Italy; we are facing the debates of a War on Terror which includes a War in Iraq rather than debating the justification of Vietnam; we are debating the proper naming of that season where a Holiday Tree has replaced a Christmas Tree for some. Without proper understanding and discourse we will be doomed to repeat the failures of the past and dwell in ignorance of our Constitutional, educational, civic, and moral obligations. While this article has only touched on some of the historical and current issues of civil liberties, it has provided a representative sampling of issues that

should be understood and incorporated into classroom instruction. Civil liberties will continually provide challenges for educators teaching in the twenty-first century. These issues should be embraced by teachers and faced within their classrooms as a method of not only promoting understanding of this freedom and diversity, but to prevent future violations and to give students the tools necessary to be successful members of this global community.

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