

THE CONSPIRATOR



THE AMERICAN FILM COMPANY
WITNESS HISTORY

Educational Resource Guide

The Conspirator Educational Resource Guide

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The Conspirator Educational Campaign

The Conspirator Educational Campaign focuses on the three main topics culled from the feature film *The Conspirator*: the constitutional right to a fair trial, the impact of a presidential assassination, and the historical treatment of women during the time of the Civil War.

The Conspirator Educational Campaign is a multi-tiered campaign that includes three main components: modular lesson plans for educators, user-friendly project ideas for students, and ready-to-implement programming ideas for community based organizations. All of these components utilize the feature film *The Conspirator* as a point of departure to inspire viewers to learn more about this compelling history — and how it applies to today’s society.

About the Film

It is April 1865, and the United States is in a state of turmoil. General Lee’s Confederate Army has just surrendered, and the President has just been shot. In the hours and days after Lincoln’s assassination, the truth is revealed: his murder was orchestrated by a group of Confederate sympathizers who conspired to not only kill the President but simultaneously the Vice President and the Secretary of State as well. As the entire country reels from the shock, seven men and one woman are arrested and charged with the crime.

Against the backdrop of post-Civil War Washington, Frederick Aiken, a newly-minted lawyer and Union war hero, reluctantly agrees to defend Mary Surratt, the only woman accused. As her trial unfolds before a hostile military court, new details about the plot emerge, and questions are raised about her guilt and her ability to receive a fair trial. A largely unknown piece of US history, this is more than a story of personal courage and sacrifice. Through the unique journey of Mary Surratt and Frederick Aiken, audiences see first hand the ever-changing allegiances of a country divided, the insidious impact that fear can have on a struggling nation, and the nuances of political and legal frameworks that are evolving, but sound.

From director Robert Redford, and starring James McAvoy, Robin Wright, Tom Wilkinson and Kevin Kline, *The Conspirator* is a suspenseful thriller with action throughout, telling the true story of a woman who would do anything to protect her family and the man who risked everything to save her.

How To Use This Guide

This Educational Resource Guide was created with educators in mind, and can be used in a variety of ways in the classroom, as well as in more informal educational settings like workshops, after-school programs, or training sessions. Ideally, to begin, participants will watch *The Conspirator* in its entirety. The section on Screening Guidelines provides activities that can be performed in a group or individually, before watching the film, while watching it, and afterwards, to provide an opportunity for analysis and making connections. Each lesson plan provides educators with specific procedures that drill down into some of the important themes and topics that the film presents, making connections to national curriculum standards in a variety of courses. The extension activities provide educators and students opportunities to deepen their exploration of the topics that the film, and this guide, raises, individually or in groups.



Recommended Audiences

The Conspirator is appropriate for any young adult or adult audience interested in sparking an informed dialogue about constitutional rights, legal due process, the impact of the US Civil War and the Lincoln assassination on the course of American history, and more. This film provides an opportunity for classroom and community educators to explore these issues in the context of a number of educational standards, including civics, US history, art, multi-media, language arts, music, and social studies, just to name a few. *The Conspirator* provides viewers with opportunities to explore basic constitutional law, the principles of due process and legal representation, and the complex history of the US Civil War.

Screening Guidelines for *The Conspirator*

The following guidelines can be used by classroom and community educators in a variety of contexts — from an independent study assignment to a formal classroom setting or an evening program or workshop.

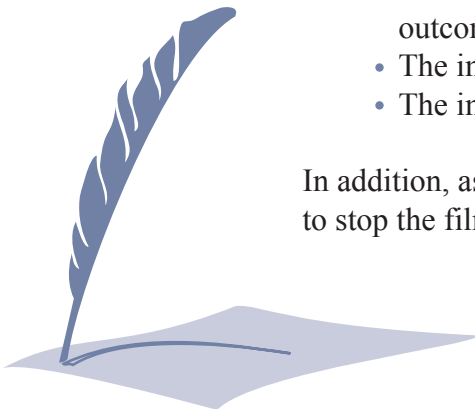
Note to Facilitators

These guidelines can be used when screening the film. They also can be used as a group activity after individuals have seen the film independently in theaters. Pre-viewing activities help facilitators make the most out of the screening, preparing viewers to look for specific topics as they watch the film. Post-viewing discussions can help transition viewers from absorbing information to analytical thinking and a broader application of the data.

If possible, before screening or assigning the viewing of *The Conspirator*, watch the film yourself and create a list of the film’s main points for post-screening discussion. These points might include, among others:

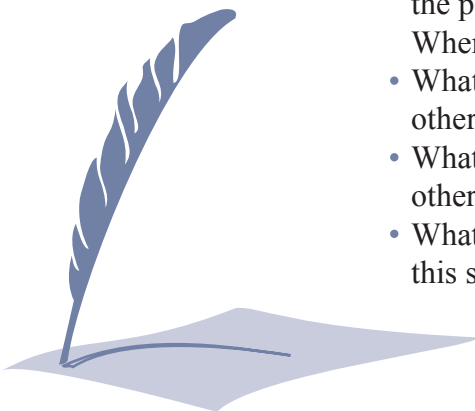
- The nuanced history of the US Civil War — how citizens were traumatized by the impact of the war and the division of the country
- The singularity of the US Constitution and the importance of such a document during times of national upheaval
- The importance of legal due process and the right to a fair trial in the context of our other constitutional rights
- The legacy of the post-Civil War era as it relates to current events
- The impact of the “court of public opinion” and the role of the press in the outcome of national events
- The importance of checks and balances in US government
- The impact of a presidential assassination on society

In addition, as you preview the film, consider and take note of places that would be good to stop the film for interim discussions.



Pre-Viewing Guidelines for *The Conspirator*

1. Before the group views the film, provide a brief introduction. Refer to the section *About the Film* in this Guide for a general description. Then, communicate some of the main themes of the film:
 - Legal Themes — exploring the US legal system, the importance and history of the US Constitution, balances of power in the US government.
 - Historical Themes — the intricacies of Civil War history, how the war impacted the people of that time, how the Lincoln assassination affected the people of that time and throughout history, the historical treatment of women.
 - Narrative Themes — caring about an issue that is larger than yourself, the bonds of family, the morality of war, the morality of the law, and the concept of universal versus subjective truths.
2. Before screening the film, distribute index cards to the group. On one side, instruct viewers to answer the following questions:
 - Write three things you already know about the assassination of President Lincoln.
 - Write three things that you already know about society at the time of the Civil War.
 - Write three things that you already know about the Constitution.
3. Explain to the group that this film touches on these issues and will likely portray details about life at the time of the Civil War and the assassination of President Lincoln that they have not yet heard.
4. On the other side, ask viewers to write thoughts, reactions, and questions that come to mind while they watch the film. Or, they may write a list of things that they learned from the film that they did not know prior.
5. Let viewers know that you will not be collecting the cards, but that the cards are for their own use to help them remember what they were thinking during the viewing of the film.
6. Before screening the film, use some or all of the following questions as a way of encouraging the viewers to think about the larger themes it presents:
 - What is the role of the lawyer in society? The role of the soldier? The role of the politician? The role of the mother? What do they all have in common? Where do they diverge?
 - What moral obligations do politicians have to the people they represent? What other moral obligations do they have?
 - What moral obligations do lawyers have to the people they represent? What other moral obligations do they have?
 - What truth is there to the phrase “all is fair in love and war”? In what ways is this saying untrue?



- What influence does the media have over the general population?
- How does contemporary society react to a crisis situation (think of 9-11, the earthquake in Haiti, Hurricane Katrina)? Think in terms of tactical reactions, policy responses, and personal reactions.
- Do you agree with the statement: “In times of war, the law is silent”? Can you think of examples where this might have been true, resulting in a negative outcome? What about an example of it being true, resulting in a positive outcome?

Note: Keep in mind that each viewing group will be different. Be sensitive to the level of maturity and experience of each audience and structure activities to reflect each group’s abilities and interests.

Post-Viewing Guidelines for *The Conspirator* _____

Post-viewing extensions can support the development of an active learning community where people share ideas, expertise, and prompt ongoing inquiry. Use some of the following ideas to extend the learning of *The Conspirator*:

1. Lead a post-viewing discussion about the film. Use some or all of the questions contained in the *Questions for Further Discussion* section of this Guide.
2. Encourage members of the group to share one question or observation that they wrote on their index card while they were watching *The Conspirator*. Or, to share one thing they learned from watching the film that they did not know before. Use these as prompts for large group dialogue.
3. On the board or on a piece of chart paper, create the following table:

STAKEHOLDER	RESPONSIBILITIES	OUTCOMES (Positive & Negative)
Lawyer		
Politician		
Civilian		
Soldier		
Journalist		
Mother/Father		
Son/Daughter		



4. Complete the chart as a group. Conduct a discussion where you elicit a few examples of responsibilities for each of the stakeholders. Then, in the “outcomes” column, list what happens when that person shirks their responsibilities and what happens when that person fulfills them.
5. As a conversation starter, ask participants: Drawing on what you just watched in *The Conspirator*, what responsibilities do these people have in society — both explicit and implicit? What happens when they fail to meet these responsibilities? What happens when they uphold them?

Note: An example might be as follows:

STAKEHOLDER	RESPONSIBILITIES	OUTCOMES (Positive & Negative)
Lawyer	To enact the Constitution as it relates to individuals, i.e., assume innocence until guilt is proven	Positive: by protecting the Constitution on a personal level, they are ensuring our democracy continues to function Negative: innocent people could be sent to jail; innocent people would not be safe from harassment by law enforcement

6. Alternatively, divide the participants into seven groups and assign each small group a “stakeholder.” Have participants brainstorm responsibilities and outcomes. Once each small group has generated a short list, reconvene and allow time to report back with their findings. Chart small group findings on chart paper.
7. Once the chart is complete, evaluate the results as a group, with the goal to establish how all these people work together to ensure a functioning democratic society.



The Conspirator: Questions for Further Discussion

Use these questions to guide a post-viewing discussion, as essay prompts, or to explore the themes and issues that the film raises in more depth.

How does the scene that depicts Lincoln’s assassination differ from how a similar crisis might be handled today? What outcomes of this catastrophe would have been different if it had happened today, with the benefit of modern discoveries such as those in medicine, forensics, and communications? Compare this scene to what you remember from more recent catastrophes, such as 9-11, Hurricane Katrina, or even the assassination of President Kennedy.

At various moments throughout the film, newspaper headlines are displayed that show the sentiments and news of the moment. How might the press have exacerbated tensions during this painful time in the country’s history? What role does the press play today in heightening or diffusing the population’s tensions during times of crisis?

Why did the government decide to try the conspirators in a military tribunal instead of a civil court? What was the rationale behind this choice? Was this the right choice?

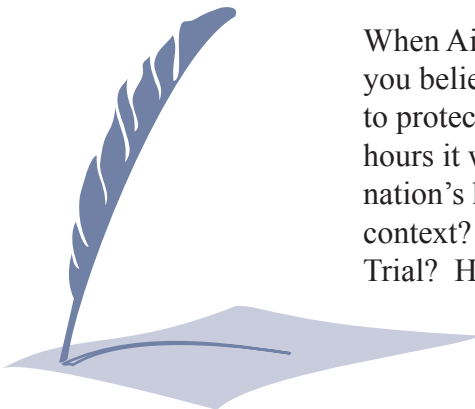
What impact do you think Mary Surratt’s gender had on her trial? How might public perceptions of her have been different because she was a woman? How might the outcome of the trial have been different because she was a woman?

What contemporary parallels can you draw from this story? Is the saying “If we don’t know our history, we are doomed to repeat it” relevant here?

What did Frederick Aiken risk by defending Mary Surratt? Why was he willing to take these risks? What was riskier, in your opinion, his courage on the battlefield or his courage in the courtroom? Why?

At one point Surratt says to Aiken, “You’re so blind with hatred you can’t even see the truth.” Discuss this quote in the context of the different characters in this film, as well as in the context of other periods in history. How has hatred blinded us to the truth? What is the antidote to this sort of blindness?

When Aiken appeals to Judge Wylie for a writ of habeas corpus, he says, “Whether you believe that Mary Surratt is guilty or innocent — the Constitution was intended to protect the rights of all citizens at all time in peace or war and in a matter of hours it will have failed to protect her.” Can you think of other times in this nation’s history when the Constitution failed to protect certain citizens? In what context? What do these examples have in common with the Lincoln Conspiracy Trial? How do they differ?



Aiken accuses Secretary of War Edwin Stanton of being after revenge, not justice. What is the difference?

Stanton claims that his choice is between the survival of the nation and abiding by the Constitution. Do you agree that these two options were mutually exclusive? Explain.

Near the end of the film, as Aiken finds out that the President had overruled his application for a writ of habeas corpus, Judge Advocate Holt turns to him and says “*Inter arma silent leges*,” which is a Latin quote meaning “in times of war the law is silent.” Do you agree with this statement? How is it relevant in the context of this film?

“*Inter arma silent leges*” was also referenced by the Supreme Court in 1866 while discussing presidential suspension of habeas corpus during times of war, when the Court stated: “these [amendments of the Bill of Rights], in truth, are all peace provisions of the Constitution and, like all other conventional and legislative laws and enactments, are silent amidst arms, and when the safety of the people becomes the supreme law.” Do you agree that our civil rights are peace provisions and can be suspended during times of war in order to protect the safety of the people? Consider the Civil War, the Civil Rights Movement, 9-11.

At one point in the film, when Mary refuses to turn her son in, she says to Aiken, “Have you ever cared for something greater than yourself?” Aiken replies, “I’ve spent the last four years fighting for something greater than myself.” Mary tells him, “Then we are the same.” How are these two individuals the same? How are they different? How might the roles of the “mother” and the “soldier” be similar? Have you ever cared about something greater than yourself? Discuss.



Classroom Module: *Right to a Fair Trial*

ABOUT THIS LESSON

The American Film Company provides this lesson about the **Right to a Fair Trial** to help participants understand the importance of due process and equal representation before the law as a basic human and constitutional right. The lesson uses the right to a fair trial as a central theme to explore all the basic rights as listed in the US Constitution. It examines how these rights are related to one another, and what could happen to one if the others are jeopardized. The lesson is geared towards participants aged 13-17 but can be modified for other age groups.

CURRICULUM CONNECTIONS

This lesson fits in perfectly with units that address curriculum standards in language arts, social studies, civics, thinking and reasoning, film studies, media studies, and working with others.

LESSON PREPARATION

- Prepare a DVD player, television set or monitor, and a DVD of the film *The Conspirator*
- Prepare copies of *Student Handouts* for distribution

KEY WORDS AND PHRASES

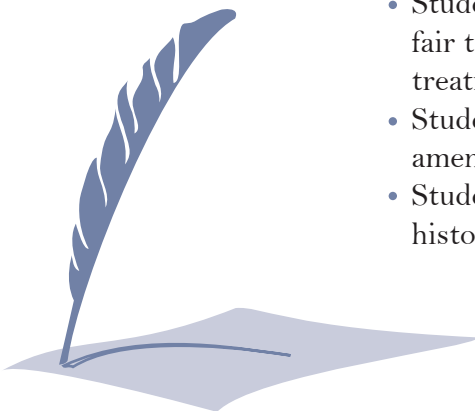
Constitution/constitutional, justice, ideal, democracy, equality, right, impartial, due process, amendment, citizen, fair, conspiracy/conspirator.

RATIONALE

The purpose of this lesson is to explore the importance and implications of the right to a fair trial as a basic human right. Specifically, students will look at the use of military tribunal in the case of Mary Surratt and discuss whether or not she was privy to a fair trial, and why, and then to evaluate how her basic human rights may or may not have been violated as a result.

STUDENT OBJECTIVES

- Students will analyze statements given by former Supreme Court Justices on the importance of a fair trial
- Students will analyze the meaning of the term “fair trial”
- Students will explore international documents that incorporate the idea of a fair trial and compare and contrast their treatment of this right to its treatment in the US Constitution
- Students will work in small groups and pairs to analyze the first six amendments in the US Bill of Rights
- Students will analyze the roles of each amendment within the context of a historical perspective



- Students will learn about the difference between a military court and a civil court
- Students will learn about the use of military courts throughout US history
- Students will view segments of the film *The Conspirator* in which a trial is depicted and analyze the fairness of that trial, based on their own research and learning
- Students will prepare and present their own oral argument exploring the constitutionality of trying civilians with military tribunals

REQUIREMENTS

Materials

- Chalkboard and chalk, or chart paper and markers
- DVD player and television or monitor, and a DVD of the film *The Conspirator*
- *Student Handouts: Equal Justice Before the Law, Fair Trial — A Universal Right?, Citizens' Rights, Rights or Revenge?, and Culminating Project*

Time

- 4 class periods (7 class periods including the culminating project)

TECHNIQUES AND SKILLS

Vocabulary building, reading comprehension, large group discussion, small group work, working in pairs, critical and analytical thinking, supporting ideas with examples, comparing and contrasting information sources, research skills, listening skills, expository, creative, and responsive writing, public speaking.



Procedures

DAY 1

1. Divide the class into two groups. Assign each group one of the following quotes. You may copy them onto the chalkboard or chart paper, or, alternatively, you may distribute copies of *Student Handout: Equal Justice Before the Law* to the class.

“Equal justice under law’ is not just a caption on the facade of the Supreme Court building. It is perhaps the most inspiring ideal of our society.”

—*US Supreme Court Justice Lewis Powell, Jr.*

“Equality before the law in a true democracy is a matter of right. It cannot be a matter of charity or of favor or of grace or of discretion.”

—*US Supreme Court Justice Wiley Rutledge*

2. Instruct the class to write freely for 10 minutes, using their quote as a prompt. Encourage the class to consider the following questions as they write. You may write these questions on the chalkboard or on chart paper, or, alternatively, read them aloud to the class.
 - Why is “equality before the law” so central to our democratic ideals in the United States?
 - Why is the idea of the “right to a fair trial” so important?
 - What would be lost in our society if individuals were not guaranteed “equal justice under law”?
 - What other rights are guaranteed when individuals are protected equally by the law? How are these rights related?
3. Allow 10 minutes for students to share their writing and discuss. You may use some or all of the following questions to guide the discussion:
 - Do you agree with the statement “equal justice under law is one of the most inspiring ideals of our society”? Why, or why not?
 - If not, then what would you say is one of the most inspiring ideals of American society?
 - If you could pick the 5 most important, or central, civil rights, what would they be? Explain your answer.
 - What does it mean when Justice Rutledge says that equality under law cannot be a matter of “charity, favor, grace, or discretion”? Explain.
 - Think of a time in history when equality under law might have been treated as a discretion and not a universal human right. What was society like at that time?



- What do you think would happen if the right to equality under law was a matter of favor? Which members of society might be most affected? How would they be affected?
4. Write the following on the chalkboard or on chart paper:
In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury...and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense.
 5. Lead a large group discussion in which you “translate” this into contemporary language. Use some or all of the following questions to guide the discussion. As students analyze the language, take notes on the chalkboard or on chart paper, so that at the end of the discussion, you have a “translation” of the entire paragraph that is easy to understand. Use some or all of the following questions to guide the discussion:
 - What does a “speedy and public trial” mean? Why is it important for someone accused of a crime to have a trial that is both speedy and public?
 - What is an impartial jury?
 - What does it mean for someone accused of a crime to “be informed of the nature and cause of the accusation”? Why is this important?
 - Why is it important that a defendant be confronted by witnesses against him or her? What might be lost if a defendant is not confronted by witnesses?
 - What does it mean for someone accused of a crime to have “assistance of counsel”?
 6. Once the class has satisfactorily discussed the paragraph and understands its meaning, explain that it is excerpted from the 6th Amendment to the US Constitution. Ask the class if they think that the items listed in this amendment completely constitute a fair trial, or if there are other requisites to a fair trial. If additional items are volunteered, list them on the chalkboard or chart paper.
 7. For homework, students should look up the following documents, and compare and contrast the presentation of the “right to a fair trial” in a one-page expository essay.
 - The Committee on the Rights of the Child
 - The United Nations Universal Declaration of Human Rights
 - The United States Constitution



8. Ask students to consider the following issues in their essay: Who is the audience for each document? What is the main purpose of each document? What might be some of the assumptions upon which each document was conceived? Explain why you think these assumptions might have come into play. What do all the documents have in common? What can one deduce from these commonalities? Why do you think the right to a fair trial is so important that it is listed explicitly in every one of these documents?

Note: The list of documents, essay prompt, and questions for consideration are all listed on *Student Handout: Fair Trial — A Universal Right?* and alternatively, can be distributed to the class.

DAY 2

1. Distribute *Student Handout: Citizens' Rights*. Break the class into groups of 4 and allow 20 minutes for the class to work in their small groups to complete the first page of the handout.
2. When the groups have finished Page 1 of the handout, reconvene as a large group.
3. Explain that the first five amendments to the Constitution are as follows:
 - The 1st Amendment protects the people's right to practice religion, to speak freely, to a free press, to assemble in public, and to petition the government.
 - The 2nd Amendment protects the right to own guns.
 - The 3rd Amendment guarantees that the army cannot force homeowners to give them room and board.
 - The 4th Amendment protects the people from the government taking property, papers, or people, without a valid warrant.
 - The 5th Amendment protects people from being held for committing a crime unless they are properly indicted, from being tried twice for the same crime, and from being forced to testify against themselves.
4. Conduct a large group discussion using some or all of the following questions as a guide:
 - How did your list compare with the actual Constitution? How did your group number the rights differently? Explain the discrepancies.
 - Why do you think freedom of speech, religion, to assemble, and to petition the government are all listed together in the first amendment? Are they related? If so, how?
 - Do you think the framers of the Constitution listed these rights in order of importance? If so, do you think that the right to own guns is more important than the protection against search and seizure without a warrant? Explain your answer.

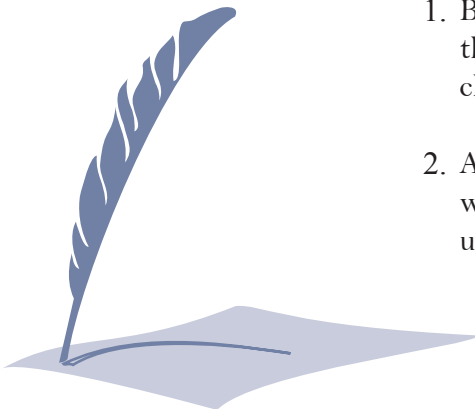


- Is the protection against having to board soldiers more important than the protection against being forced to testify against yourself? Explain your answer.
 - Why is the protection against double jeopardy (tried twice for the same crime) important?
 - How does the 5th Amendment relate to the 6th Amendment, which we just reviewed?
 - Why do you think that the Framers of the Constitution represented protections for individuals who have been accused of a crime so heavily?
 - How do the rights of the accused affect the rights of the general population?
5. Explain that the right to a fair trial ensures that citizens are not randomly deprived of their human rights and liberties. Unless all people in a society are guaranteed, by law, that they cannot be imprisoned without full access to justice, then all their other rights are at risk.
 6. For the remainder of class, students should complete Page 2 of *Student Handout: Citizens' Rights*, individually or in pairs.
 7. For homework, students should finish Page 2 of *Student Handout: Citizens' Rights*. In addition, students should make a list of five examples from their own life, from literature, or from contemporary events where a trial occurred that may or may not have been fair. Next to each trial, students should list what the debate or controversy was that surrounded the particular trial.

Note: Some examples might be: Harper Lee's *To Kill A Mockingbird*, the O.J. Simpson trial, the Scopes Trial, the McCarthy Trials, *Twelve Angry Men* (play by Reginald Rose, film by Sidney Lumet), *A Few Good Men* (film by Rob Reiner/Aaron Sorkin), the Salem Witch Trials, the Chicago 7 Trial, Camus' *The Stranger*.

DAY 3

1. Begin by asking for volunteers to read one of the examples of unfair trials that they listed from last night's homework. Chart responses on the chalkboard or chart paper.
2. Ask the class: What do all of these examples have in common? In which ways are they different? What were the variables in each example that undermined the potential fairness of the trial?



3. Tell the class that in May 1865, just a month after the end of the Civil War, a trial began whose fairness is still contested: the trial of 8 of the people accused of conspiring to murder President Abraham Lincoln, his Secretary of State William Seward, and his Vice President Andrew Johnson.
4. Explain that they are about to view a film excerpt that dramatizes the events leading up to this famous trial.
5. Instruct students to take notes as they watch. As students watch the film clip, they should write down the factors that they think might have contributed to the trial's questionable fairness.
6. Screen the first 24 minutes of *The Conspirator*, from the start of the film until the time code reads 23:58.

Note: This segment ends with Reverdy Johnson's speech that begins "I'm not asking you to betray your allegiances, Freddie. . ."

7. Lead a large group discussion about this segment of *The Conspirator*, using some or all of the following questions as a guide:
 - Who was Frederick Aiken? What kind of a man do you think he was?
 - Describe the events that took place on April 15, 1865. What happened at Ford's Theater? At the Seward House? At the Kirkwood Hotel (where Vice President Johnson was staying)?
 - What was the mood of the country at this time? What did you notice in the segment you watched that gave you this impression?
 - What happened to Lincoln immediately following the shooting? How is this different from, or similar to, what might happen today?
 - What was Secretary of War Edwin Stanton's response to Lincoln's shooting? Why do you think he responded this way?
 - What happened in society in the wake of the assassination? How is this different from, or similar to, what might happen today in the wake of such a national catastrophe?
 - According to Reverdy Johnson, is the trial going to be fair or not? Why?
 - Which constitutional rights of the prisoners were violated in this segment? Which were upheld? Be specific.
 - The conspirators are being tried in a military tribunal versus a civil court. What, according to Johnson, is the difference between the two? How might these differences affect the outcome of the trial?
 - Johnson opens the trial by requesting a delay. Why does he want a delay?
 - What are the prosecution's reasons for denying Johnson a delay in the trial?
 - Johnson requests a termination in the first few moments of the



trial. The reason he cites is that the trial is unconstitutional. What are his reasons for this claim?

- What are the arguments given by Johnson for why Surratt should be tried in a civilian court? What are the arguments given by Judge Advocate Holt and General Hunter for why she should be tried in by a military tribunal?

8. For homework, students should research the differences between a military tribunal and a civil court, and list five major differences between the two.

Note: Some basic differences between military courts and civil courts are as follows:

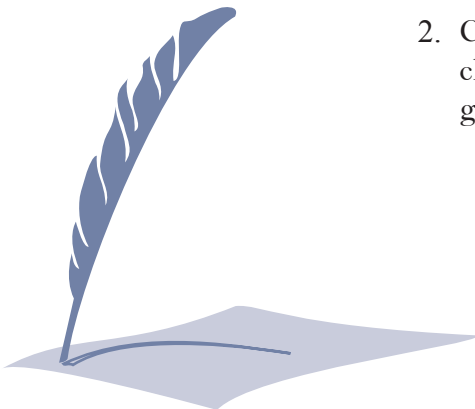
- In a civil court, judges are independent and free from interference from the other branches of government; in a military court, judges are not free from interference and are often appointed by, or are part of, the other branches
- In a civil court there are strict rules regarding evidence (no coerced evidence, no hearsay, no written testimony) whereas in a military court there are no such limits
- Civil trials are public and in front of an impartial jury, military courts are not required to be public and there are no juries
- There is no privilege of habeas corpus in a military trial
- There is no process of appeal in a military trial
- In a civil trial there needs to be a unanimous vote in order to convict; in a military trial, there doesn't need to be a unanimous vote
- In a civil court, the prosecution is independent and in a military court the prosecution is part of the government and makes use of all the benefits of being associated with the government
- In a civil court, witnesses and evidence must be made public, but in a military court there is no requirement to disclose

DAY 4

1. Screen 19 minutes of *The Conspirator* from time code 24:00 to 42:56.

Note: This is to the end of the courtroom scene, concluding with Aiken's line "No sir, I have nothing more relevant to ask."

2. Conduct a large group discussion about the segment of the film that the class just viewed. You may use some or all of the following questions to guide the discussion:
 - When Mary Surratt first meets Aiken she says "they've left nothing to chance." What did she mean by that?
 - Aiken informs Surratt that "in this kind of proceeding, [the judges] can do anything they choose." How does this statement relate to the work we've been doing in class regarding constitutional law?



- What happens when Louis Weichmann takes the stand? Do you think he is a reliable witness? Why or why not?
- What do you notice happening in this courtroom scene that might be considered unconstitutional?
- What did you notice in this segment that you think would not be permissible in a civil court, but which was permissible in this court?
- What does Judge Holt object to in Aiken's line of questioning with Weichmann? Do you think this is a valid objection?

3. Screen 10 minutes of *The Conspirator*, from time code 1:08:00 to 1:17:45.

Note: This is to the end of the courtroom scene where General Hunter says “You had better comport yourself in a more appropriate manner or you will find yourself incarcerated with the others.”

4. Conduct a large group discussion about the segment of the film that the class just viewed. You may use some or all of the following questions to guide the discussion:
- What did you notice in this segment that you think would not be permissible in a civil court, but which was permissible in this court?
 - What seems odd about John M. Lloyd's reaction when Judge Holt asks him about any instructions Mary Surratt might have given him? Why is this relevant?
 - Why is it suspicious to Aiken that no one else heard Surratt and Lloyd's conversation?
 - What is Holt objecting to when Aiken confronts Lloyd about John Surratt?
 - What happens when Aiken questions Captain Cottingham on the stand? Why is this significant?
 - At the end of the scene, when Aiken gets angry, he says, “It's not enough that you set the rules and pick the judges, is it, Mr. Holt? You have to turn my witnesses, too?” To what is Aiken referring?
 - How does this speech relate to recent classwork regarding the Constitution and the right to a fair trial?

5. For homework, students should complete *Student Handout: Rights or Revenge?*



Culminating Project

The purpose of this project is to take the information and insight that students gained during their exploration of the constitutional right to a fair trial and apply it to a real-life example. This project requires critical thinking skills, research skills, analytical skills, as well as the ability to work cooperatively.

1. Have the class count off in fours, dividing themselves into four groups.
2. Explain to the class that they will be participating in an oral argument activity that will explore the constitutionality of Mary Surratt's trial, debating the appropriateness of trying Surratt and the other Lincoln Conspirators by military tribunal versus a civil court, as well as the larger issue of trying any civilian in a military court versus a civil court.
3. Share the following definition of an oral argument debate with the class:

In an oral argument, as opposed to a traditional trial, each side takes turns speaking directly to the judge, or judges, with equal time given. After each party has presented, there is often time allowed for a rebuttal — for each side to try to argue against what their opponent just presented. During an open argument, judges take on a much more active role, often asking difficult questions of each presenter. Open argument format is used in the United States Supreme Court, where a presenting lawyer must be prepared to handle questions from any of the nine justices.

4. Distribute *Student Handout: Culminating Project* to the class.
5. Tell the class that the culminating project will take place over three class periods, and will be organized as follows:

DAY 1

- Group I (Jury) will present background and factual information about the Lincoln Conspiracy trials for 10 minutes.
- Group II (Judges) will present background and factual information about the use of military tribunals with civilians throughout history for 10 minutes.
- Groups III and IV will have 10 minutes to question Groups I and II on their presentations.



DAY 2

- Group III (For) will argue FOR the use of a military court for 10 minutes.
- Group II (Judges) will have 10 minutes to question Group II on their presentation.
- Group IV (Against) will argue AGAINST the use of a military court for 10 minutes.
- Group II (Judges) will have 10 minutes to question Group III on their presentation.

DAY 3

- Group III will have 10 minutes for rebuttal.
- Group IV will have 10 minutes for rebuttal.
- Group I (Jury) will have 10 minutes to present their ruling.

6. Review procedures on *Student Handout: Culminating Project* with the class to ensure that all roles are clear.

Note: Students should be specifically instructed to take notes during the other groups' presentations as they will be responsible for asking substantive questions during the various Q&A sessions, and, alternately, answering those questions during their allotted rebuttal time.

Note: Students should prepare for their presentations in class or outside of class at the teacher's discretion.



Student Handout: Equal Justice Before the Law

Directions: Reflect on one of the following two quotes. Free write for 10 minutes about your quote, considering the following: Why do you think the concept of the right to a “fair trial” is so important? Why would this right be so central to a democracy? What rights do you think stem from the right to a fair trial? What would be lost if the right to a fair trial weren’t part of our Constitution?

1. “Equal justice under law’ is not just a caption on the facade of the Supreme Court building. It is perhaps the most inspiring ideal of our society.”

—US Supreme Court Justice Lewis Powell, Jr.

2. “Equality before the law in a true democracy is a matter of right. It cannot be a matter of charity or of favor or of grace or of discretion.”

—US Supreme Court Justice Wiley Rutledge



*Student Handout: Fair Trial — A Universal Right?*_____

Directions: Conduct some preliminary research on the following documents, and compare and contrast their presentation of the “right to a fair trial” in a one-page expository essay. Consider the following issues: Who is the audience for each document? What is the main purpose of each document? What might be some of the assumptions upon which each document was conceived (explain why you think these assumptions might have come into play)? What do all the documents have in common? What can one deduce from these commonalities?

- The Committee on the Rights of the Child
- The United Nations Universal Declaration of Human Rights
- The United States Constitution



Student Handout: Citizens' Rights

Directions: In the space provided, “translate” each of the following “citizens’ rights” into modern language and/or provide an example that illustrates its meaning. Then, as a group, decide how important each one is by giving them each a number, 1 being the most important and 12 being the least. Be prepared to explain your rationale.

The army cannot force citizens to give them room and board.

_____ (____)

Citizens accused of a crime must be allowed to have a lawyer.

_____ (____)

Citizens cannot be held for committing a crime unless they are properly indicted.

_____ (____)

Citizens have the right to a free and independent press and media.

_____ (____)

The government cannot seize property, papers, or people without a valid warrant.

_____ (____)

Citizens cannot be tried twice for the same crime.

_____ (____)

Citizens have the right to practice any religion of their choosing.

_____ (____)

Citizens cannot be forced to testify against themselves.

_____ (____)

Citizens have the right to a speedy trial in front of an impartial jury.

_____ (____)

Citizens have the right to speak freely and gather in groups in public.

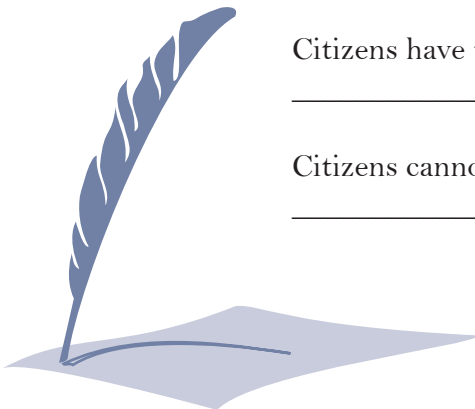
_____ (____)

Citizens have the right to own guns.

_____ (____)

Citizens cannot be held as slaves.

_____ (____)



Student Handout: Citizens' Rights

The rights listed on Page 1 of this handout appear in the first 13 amendments of the US Constitution. Consider the following questions:

1. Why might the right that states, "The army cannot force citizens to give them room and board" have been more important at the time that the Constitution was written? Is it still relevant today? Why or why not?
2. Do you agree that the right to own guns is a central civil right? Why or why not?
3. What is more important to a free society, the right to practice any religion of your choosing, or the right to free speech? Explain your answer.
4. What would be more detrimental to individual rights, losing the right to assemble or the right to a fair trial? Explain.
5. In two or three paragraphs, answer the following: In examining these rights as they are listed, how do they work together to provide protection to citizens in a free and democratic society? What additional rights, if any, do you think are crucial in order to maintain a free and democratic society? Explain why you think these additional rights are important.



Student Handout: Rights or Revenge? _____

Directions: Free write for 15 minutes (or 1 page) using the excerpt from Frederick Aiken’s closing argument, below, as your prompt. Then answer the questions on Page 2.

“For the lawyer as well as the soldier, there is an equally imperative command. That duty is to shelter from injustice the innocent, to protect the weak from oppression and, when necessity demands, to rally to the defense of those being wronged.

At what point shall we expect the approach of danger? Shall some transatlantic military giant step the ocean, and rush at a blow? Never! I answer, if danger ever reach us, it must spring up amongst us. If destruction be our lot, we must ourselves be its author and finisher. As a nation of freemen, we must live through all time, or die by suicide.’

Those words were spoken by a struggling young attorney.
His name? Abraham Lincoln.

Do not permit this injustice to Mary Surratt by sacrificing our sacred rights out of revenge. Too many have given their lives to preserve them.”

—Frederick Aiken, from his closing remarks, *The Conspirator*



Student Handout: *Rights or Revenge?*

QUESTIONS FOR FURTHER DISCUSSION

Directions: Answer each of the following questions in 5-10 sentences on a separate piece of paper.

1. Aiken sets lawyers and soldiers equal in certain ways. In what ways do you agree with this parallel? In what ways do you disagree?
2. Give an example of a lawyer who has fought to “shelter from injustice the innocent, to protect the weak from oppression and, when necessity demands, to rally to the defense of those being wronged.” Give an example of a war that has been waged for the same reasons.
3. Aiken quotes a young Abraham Lincoln in his closing argument. What does the quote mean? How is it relevant to the point Aiken is trying to make?
4. What do you think Lincoln meant when he said, “As a nation of freemen, we must live through all time, or die by suicide?”
5. Aiken finishes the quote by saying the commission has a choice: preserving Surratt’s rights, or revenge. Do you agree that this is their choice? Why or why not?



Student Handout: Culminating Project

Directions: As a class, you will be conducting a form of an oral argument, debating the appropriateness of trying Mary Surratt and the other Lincoln Conspirators by military tribunal versus a civil court. *Because there will be a lot of question-and-answers, make sure you take copious notes when the other groups present! Their presentations will help to inform yours!*

GROUP I: JURY

This group will have two tasks. One is to present background information about the Surratt trial. The second is to furnish a decision (or winner) after all the facts are presented. Group I should consider the following questions as they research their presentation on the Surratt trial:

- Who were the witnesses in the Surratt case? What kind of testimony was given?
- What evidence was presented in the Surratt case?
- What hurdles did Frederick Aiken have to overcome in his defense of Surratt?
- What hurdles did the government have to overcome in their prosecution of Surratt?
- What was Surratt's defense? What were her claims to innocence?
- What were the charges that the government put forward? How did they support these charges?
- How was Surratt treated in the press? How might this have affected her trial?
- What was Surratt's personal history (family, marriage, financial, professional, etc.)? How might this have affected her trial?
- What was Surratt's relationship to John Wilkes Booth and the other conspirators? How might this have affected her trial?
- What was the verdict in the "court of public opinion" about whether or not Surratt was innocent or guilty? Why might this be relevant?
- In the 150+ years since this trial took place, what sort of controversy has there been about the fairness of this trial? What are the discussions on both sides of this argument?

GROUP II: JUDGES

This group will have two tasks. One is to present background information on the use (throughout history) of military tribunals to try civilians. The second is to question the two parties after they've presented their pro and con arguments. Group II should consider the following questions as they research their presentation on the historical use of military tribunals:

- What is a military tribunal?
- What are the defining differences between a military court and a civil court?
- Why have civilians been tried by military tribunal?
- When have civilians been tried by military tribunal throughout history?
- Research the Supreme Court case *Ex Parte Milligan*. Why is this relevant?
- Research the Supreme Court case *Ex Parte Merryman*. Why is this relevant?
- Describe the general debate regarding the use of military tribunals with civilians. Why is it controversial?
- Describe the application of military courts as used during wartime with members of the military. How do they work in this capacity?



Student Handout: Culminating Project

GROUP III: FOR/PRO

This group will be responsible for researching and presenting a compelling argument FOR the use of military tribunal in the case of Mary Surratt and the Lincoln Conspirators. Group III should consider the following questions as they research their presentation:

- Why should Surratt and her co-conspirators have been tried in a military court?
- What were the benefits to using this process instead of a civil court?
- What negative outcomes might have been risked if they had been tried in a civil court?

GROUP IV: AGAINST/CON

This group will be responsible for researching and presenting a compelling argument AGAINST the use of military tribunal in the case of Mary Surratt and the Lincoln Conspirators. Group IV should consider the following questions as they research their presentation:

- Why should Surratt and her co-conspirators have been tried in a civil court?
- What would the benefits to using this process have been?
- What were the negative outcomes of trying them in a military court?
- What positive outcomes would have been gained if they had been tried in a civil court?



Classroom Module: *The Impact of Presidential Assassinations*

ABOUT THIS LESSON

The American Film Company provides this lesson about **Presidential Assassinations** to help participants understand the historical significance and impact of presidential assassinations, focusing specifically on the Lincoln and Kennedy assassinations. The lesson explores the social and political context for the assassination attempts, as well as the effect they had on the country at large and on individuals at the time. Through the lens of presidential assassinations, students explore the patterns of change and stasis throughout history and look at how times of social, political, and technological change and growth can result in great upheaval. The lesson is geared towards participants aged 13-17 but can be modified for other age groups.

CURRICULUM CONNECTIONS

This lesson fits in perfectly with units that address curriculum standards in language arts, social studies, civics, thinking and reasoning, film studies, and media studies

LESSON PREPARATION

- Prepare a DVD player, television set or monitor, and a DVD of the film *The Conspirator*
- Prepare copies of *Student Handouts* for distribution

KEY WORDS AND PHRASES

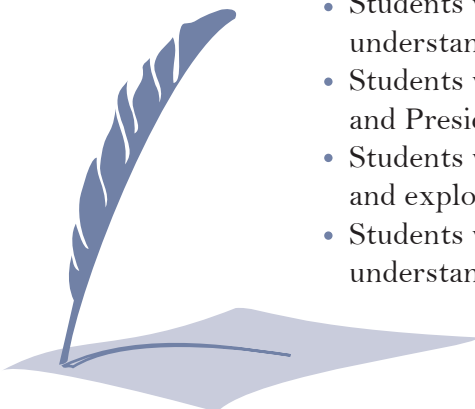
Transition, era, legacy, escalate, integrate, abolish, initiate, inform, conspirator/conspiracy, emancipate

RATIONALE

The purpose of this lesson is to explore the historical impact and significance of presidential assassinations. Specifically, students will look at the Lincoln assassination and the Kennedy assassination and examine the potential causes for the assassination attempts, the implications of the assassinations, and the effect that they had on individuals and society at large. Then, students will analyze how these events were important watershed events in history and how they have impacted the generations that followed.

STUDENT OBJECTIVES

- Students will reflect on the personal impact of change and transition
- Students will read and interpret a timeline of historical events that depicts two influential eras in American history — the 1860s and the 1960s.
- Students will work in small groups to analyze historical facts and arrive at a new understanding of how history informs current events
- Students will learn basic facts relating to the assassination of President Lincoln and President Kennedy
- Students will view segments of *The Conspirator* to learn about society in the 1860s and explore the causes and effects of Lincoln's assassination
- Students will analyze speeches given by Lincoln and Kennedy and apply their new understanding to their knowledge of history and contemporary issues



REQUIREMENTS

Materials

- Chalkboard and chalk, or chart paper and markers
- DVD player and television or monitor, and a DVD of the film *The Conspirator*
- *Student Handouts: Writing Prompt, Timeline, Viewing Log, The Assassination of President Kennedy, Presidential Assassinations: Meaning and Impact, The Emancipation Proclamation and Kennedy's Speech on Civil Rights*

Time

- 3 class periods

TECHNIQUES AND SKILLS

Vocabulary building, reading comprehension, large group discussion, small group work, critical and analytical thinking, supporting ideas with examples, comparing and contrasting information sources, research skills, listening skills, expository, creative, and responsive writing.



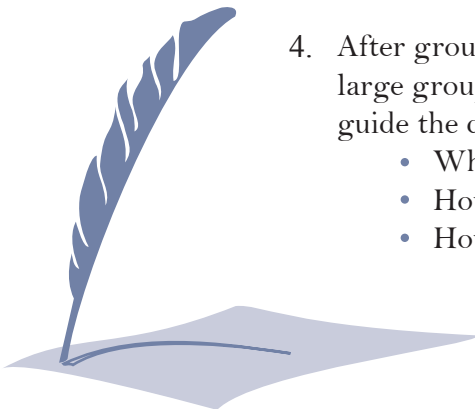
Procedures

DAY 1

1. Begin class with the following responsive writing assignment. You may dictate it to the class, write it on the chalkboard or on chart paper, or distribute it as *Student Handout: Writing Prompt*.

Think about a time in your life when there was great change, or transition. Describe the time in detail. How old were you? What was the big change that you experienced? Did you initiate the change, or was it something that happened to you? Was it a change for the better, the worse, or both? Regardless of the outcome, how did you feel during this time of change? What were the effects of this experience on your emotional state, the different aspects of your life (school, family, friends, etc.), and the other people in your life? Be as specific as possible.

2. After students have had 10–15 minutes to write, allow 10 minutes for students to volunteer and share what they wrote. Conduct a short discussion with the class. Use some or all of the following questions as a guide:
 - How did you feel during this time of transition and change? Why do you think you felt this way?
 - If you didn't initiate your change, do you think this detail affected your emotional response? Explain.
 - Why do big changes happen in people's lives? What sorts of things usually lead up to times of great change?
 - What happens after times of change in people's lives? How were you different after you experienced this transition?
 - How did the other people in your life react to the changes?
3. Divide the class into small groups of 4–5 students. Distribute *Student Handout: Timeline*. Assign one question to each group from Page 2 of the handout. Then, allow 10–15 minutes for students to read over the timeline in small groups and answer their assigned question from *Questions for Further Discussion* on Page 2. Instruct students to consider their writing assignment as they read and analyze the timeline, and consider the effects of great change — personal or societal — on individuals and societies.
4. After groups have had a chance to answer their assigned questions, reconvene as a large group to discuss their responses. Use some or all of the following questions to guide the discussion:
 - What do these two eras have in common?
 - How might the Lincoln era have informed, or influenced, the Kennedy era?
 - How do these two eras inform, or influence, the times that we live in today?



- What were some of the biggest accomplishments or lasting legacies of the Lincoln presidency? What were some of the biggest accomplishments or lasting legacies of the Kennedy presidency?
- What do the Lincoln and Kennedy presidencies have in common?
- What might the Lincoln and Kennedy assassinations have in common?
- In addition to great changes, what facts from the timeline might indicate that society was divided during these two eras? Explain.

Note: Students should begin to see a connection between the personal experience of change and the effect that great times of flux have on societies as a whole.

5. For homework, students should complete the rest of *Page 2 of Student Handout: Timeline* individually.

DAY 2

1. Begin by reviewing last night's homework as a whole group. Particular focus should be given to the answer to question #4: examining the Civil War, the Civil Rights Movement, and the war in Vietnam and their effects on society.
2. Ask students what they know about Abraham Lincoln's assassination. Allow 5-10 minutes for discussion. Chart student responses on the chalkboard or chart paper.
3. Share the following facts with the class as context for the activities that follow:
 - President Lincoln was assassinated merely 5 days after General Lee, the leader of the Confederate army, surrendered.
 - President Lincoln was the first president to be assassinated, making his murder an unprecedented national tragedy.
 - President Lincoln was assassinated by a man named John Wilkes Booth. He killed Lincoln by shooting him in the back of the head while he was seeing a play at Ford's Theatre.
 - John Wilkes Booth was a famous actor.
 - It was alleged that Booth did not act alone. There was a group of eight co-conspirators who were arrested and convicted of participating in his plan.
 - Booth's original plan was to kidnap the President as ransom for the release of all the Confederate prisoners of war.
 - The final plan was to assassinate President Lincoln, and simultaneously Vice President Andrew Johnson, and Secretary of State William Seward.
 - Booth was the only one who succeeded in his mission that night. One co-conspirator, George Atzerodt, who was supposed to assassinate Vice President Johnson, lost his courage and failed to follow through. Lewis Powell, who was supposed to assassinate Secretary of State Seward, carried out a vicious attack but the attack did not prove fatal and Seward survived.
 - Booth escaped authorities and died in a standoff with police 11 days later. The other 8 conspirators were brought to trial.



4. Tell the class that they are about to see the beginning of a film that explores this unique trial of the Lincoln Conspirators.
5. Distribute *Student Handout: Viewing Log*. Then, play the first 17 minutes of the film *The Conspirator* (from the start of the film until the time code reads 16:48). Instruct students to take notes in the chart on their handout as they watch. After viewing, lead a large group discussion. Allow time for students to raise the questions and share observations they wrote as they watched the film clip. In addition, you may use some or all of the following questions as a guide:
 - How did the beginning of the film illustrate how society was in flux, or great change, during this time? What specific lines of dialogue do you recall that showed this?
 - How might this intense level of upheaval set the stage for a presidential assassination attempt?
 - Throughout the clip you just watched, what details did you notice that showed a society in the throes of change?
 - What was the immediate reaction to the news that the president was shot? How did the people around him respond?
 - What did Booth call out after he assassinated the president? Why is this significant?
 - What details do you remember from the scene just after the president was shot?
 - What was Secretary of War Edwin Stanton's response to the attacks? Why might this have been an important influence in terms of society's response?
 - How did the montage of newspaper headlines depict the country's response to Lincoln's assassination? Based on this information, how might you describe the emotional tone of society at this time?
6. Distribute *Student Handout: The Assassination of President Kennedy* and instruct students to complete it for homework.

DAY 3

1. Write the following quote on the chalkboard or on chart paper:

"A house divided against itself cannot stand."

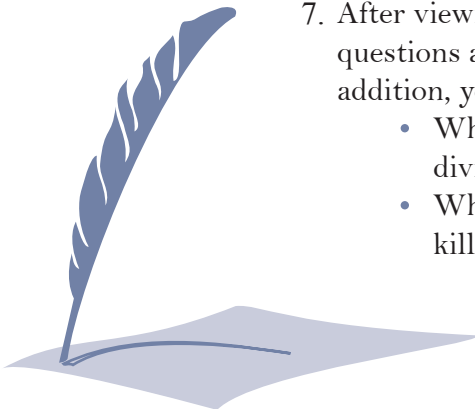
...I do not expect the Union to be dissolved — I do not expect the house to fall — but I do expect it will cease to be divided.

It will become all one thing, or all the other."

—*Abraham Lincoln*



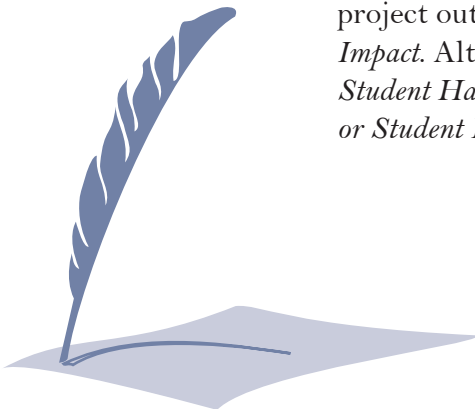
2. Allow 10 minutes for students to write in response to the quote. Ask them to consider both the Lincoln era (1860s) as well as the Kennedy era (1960s) as they write. Consider: Was the United States a “house divided” during both times in our history? Were the divisions ever reconciled? If so, how? How are we a house divided today? Can today’s divisions be reconciled? If so, how? What effects does social division have on society?
3. Allow 5-10 minutes for volunteers to share what they wrote. Use some or all of the following questions to guide a large group discussion:
 - When Lincoln said that the Union would become “all one thing or all the other,” what do you think he was referring to?
 - Based on your research for last night’s assignment, how was the US a house divided during the Kennedy administration?
 - What other times in US history have we been a house divided? How has society responded to this division during those times?
 - In the same speech, Lincoln said, “... [society’s] agitation has not only, not ceased, but has constantly augmented. In my opinion, it will not cease, until a crisis shall have been reached, and passed.” What was the crisis that ceased the agitation in the US at that time? What crisis or crises occurred during the 1960s that might have paved the way for society’s agitation to cease?
 - What positive outcomes might result from having such a division in society?
4. Explain to the class that they will be viewing another segment from *The Conspirator*. This segment consists of several flashbacks that show how the group of conspirators devised their plan, and what some of their motivations might have been for the choices they made. The segment begins with Mary Surratt, one of the conspirators, speaking to her lawyer, Frederick Aiken, in her prison cell about her son’s involvement in the plot.
5. Play the 5-minute segment that begins at time code 47:21. This segment begins with Mary Surratt delivering the line, “My son was in Canada that day.” Stop the film at time code 51:14, when John Surratt says, “If this cause ain’t worth fighting for, what is?”
6. Instruct students to take notes on their *Student Handout: Viewing Log* as they watch.
7. After viewing, lead a large group discussion. Allow time for students to raise the questions and share the observations they wrote as they watched the film clip. In addition, you may use some or all of the following questions as a guide:
 - What details from the dialogue can you cite that shows how the country was divided? Be specific.
 - Why is it significant when Mary Surratt says, “my son did not conspire to kill *your* president.”?



- When John Surratt says, “if this cause ain’t worth dying for, what is?” How does this illustrate the emotional tenor of the time? What is the cause he is ready to die for?
 - The Civil War was a unique time in our nation’s history because it set US citizens against each other — the enemy was often a friend or neighbor. How is this illustrated in the dialogue between Mary Surratt and her lawyer? Why is this dynamic significant?
8. Screen the following 2 short scenes from *The Conspirator*: the first, from time code 58:00 to 1:00:00 and the second, from time code 1:41:42 to 1:43:24. Students should continue to take notes in their chart on the *Student Handout: Viewing Log*.

Note: Before viewing, explain that the first scene depicts a conversation between Secretary of War Edwin Stanton and one of the lawyers involved in Mary Surratt’s defense. The second scene depicts a conversation between Surratt’s lawyer, Frederick Aiken, and Secretary Stanton. Both short scenes convey some aspect of public sentiment in the wake of President Lincoln’s assassination.

9. After viewing, lead a large group discussion. Allow time for students to raise the questions and share the observations they wrote as they watched the film clip. In addition, you may use some or all of the following questions as a guide:
- What is Stanton’s position on coping with the president’s death? How do you think he would have responded differently if the president had died naturally, not at the hand of an assassin?
 - In his conversation with Reverdy Johnson, Stanton worries that the war will not stay won. How might Lincoln’s assassination have undermined the North’s victory and restarted the Civil War?
 - Johnson lists the scare tactics that have been rumored in the papers. Stanton’s response is “who is to say any of this won’t happen? The unimaginable already has.” How might Lincoln’s assassination have created this kind of fear of the unknown?
 - Why is a document like the Constitution important in times such as this one?
 - While talking with Aiken, how does Stanton justify his lack of concern with the conspirators’ civil rights? Is this a valid argument?
10. For homework, and to conclude this lesson, students should complete the research project outlined on the *Student Handout: Presidential Assassinations: Meaning and Impact*. Alternatively, students can complete the expository writing assignment on *Student Handout: The Emancipation Proclamation and Kennedy’s Speech on Civil Rights*, or *Student Handout: Walt Whitman’s Memories of President Lincoln*.



Student Handout: Writing Prompt

Think about a time in your life when there was great change, or transition. Describe the time in detail. How old were you? What was the big change that you experienced? Did you initiate the change, or was it something that happened to you? Was it a change for the better, the worse, or both? Regardless of the outcome, how did you feel during this time of change? What were the effects of this experience on your emotional state, the different aspects of your life (school, family, friends, etc.), and the other people in your life? Be as specific as possible.



Student Handout: Timeline

	1800s	1900s
'60	<ul style="list-style-type: none"> Abraham Lincoln wins presidency with a narrow margin in the popular vote The Pony Express begins — a watershed event for communications South Carolina secedes from the Union 	<ul style="list-style-type: none"> John F. Kennedy wins presidency with a narrow margin in the popular vote The US launches the first weather satellite, an important development for communications The new US flag is released, adding a star for the newly acquired state, Hawaii
'62	<ul style="list-style-type: none"> The Civil War escalates Abraham Lincoln issues the Emancipation Proclamation, ending slavery in the United States 	<ul style="list-style-type: none"> The conflict in Vietnam escalates University of Mississippi is integrated amidst riots and armed guards when James Meredith enrolls as the first black student
'63	<ul style="list-style-type: none"> There are riots in New York in response to the draft, 1,000 people are killed, illustrating the public's lack of support for the draft Lincoln meets with Frederick Douglass, a black leader in the fight for emancipation of slaves Lincoln delivers the Gettysburg Address, a speech that has come to represent the essence of the Civil War 	<ul style="list-style-type: none"> Kennedy meets with Martin Luther King, Jr., a black leader in the fight for equal rights for African Americans Martin Luther King, Jr. delivers the "I Have A Dream" speech, a speech which has come to represent the essence of the Civil Rights Movement President Kennedy is assassinated, Vice President Johnson becomes president.
'64	<ul style="list-style-type: none"> The Civil War continues to escalate, causing division among the US population 	<ul style="list-style-type: none"> The Civil Rights Movement and the conflict in Vietnam both continue to escalate, causing division among the US population
'65	<ul style="list-style-type: none"> President Lincoln is assassinated, Vice President Johnson becomes president The Civil War ends The 13th Amendment, abolishing slavery, is passed 	<ul style="list-style-type: none"> The Voting Rights Act of 1965, protecting all citizens' right to vote, is passed. The first public draft card burning is staged, illustrating the public's lack of support for the draft The Watts race riots occur
'66	<ul style="list-style-type: none"> The Ku Klux Klan is formed, to stop blacks from voting 	<ul style="list-style-type: none"> The first black senator is elected
'67	<ul style="list-style-type: none"> Alaska is purchased and added as a United States territory 	<ul style="list-style-type: none"> The Outer Space Treaty is signed
'68	<ul style="list-style-type: none"> President Johnson is impeached Custer defeats the Black Kettle Cheyenne, putting an end to the Native American organized fight against white settlers in the West 	<ul style="list-style-type: none"> Nixon is elected president
'69	<ul style="list-style-type: none"> The transcontinental railroad is completed, creating the first cross-country network for communications 	<ul style="list-style-type: none"> Alcatraz is occupied by a group of Native Americans to protest the treatment of Native Americans by the United States government The internet is invented

Student Handout: *Timeline*

QUESTIONS FOR FURTHER DISCUSSION

1. What similarities (coincidental or otherwise) can you find by comparing the timeline of the 1860s to the timeline of the 1960s? List at least 3 similarities or parallels that you can identify.
2. What examples of big change or social upheaval do you notice that took place in both the 1860s and the 1960s? What do these examples of change have in common? How do they differ?
3. Race relations figure prominently in society during the 1860s as well as in the 1960s. What similarities can you find in the impact that race relations had on society in both eras? What are the differences? Why is this significant?
4. What impact do you think the Civil War, the conflict in Vietnam, and the Civil Rights Movement all had on society? Were they *divisive* forces, *galvanizing* forces, or both? Explain.
5. Based on the information in the timeline, what breakthroughs occurred in the area of communications during the 1860s and 1960s? Why is this significant?
6. Why might a surge in expansion and invention, such as the acquisition of Alaska, the addition of Hawaii to the union, or the start of the space program, be a cause for social upheaval?
7. Based on the information in the timeline, how would you describe the tone and mood of society in the 1860s? In the 1960s? Why do you think this is so?
8. Based on the timeline, what was happening in American society during the 1860s and the 1960s that might have created a context that would result in an assassination attempt on the President? Explain your reasoning.



Student Handout: Viewing Log

Directions: Use this log to take notes as you watch the film. Jot down observations, scenes or sections of dialogue that you particularly liked. Also jot down questions that occur to you as you watch, for discussion afterwards.

IDENTIFY SCENE	NOTE OBSERVATIONS AND/OR ASK QUESTIONS	MAKE CONNECTIONS — TO CONTEMPORARY SOCIETY, PERSONAL EXPERIENCE, AND/OR CLASSROOM INSTRUCTION

Student Handout: *The Assassination of President Kennedy* _____

Directions: Research the Kennedy assassination and write a one-page essay that examines the context for the assassination as well as the impact it had on society at that time. Use at least two primary sources in your research, in addition to whatever secondary sources you may find.

CONSIDER THE FOLLOWING QUESTIONS:

- What was happening in 1963 that paved the way for an assassination attempt on President Kennedy?
- What was the governmental response to Kennedy's assassination?
- What was the law enforcement/legal response to Kennedy's assassination?
- Why did Lee Harvey Oswald kill Kennedy? What were the reasons given or assumed?
- What was the public's response to Kennedy's death?
- How do these details compare to what you have learned about Lincoln's assassination?
- Why is this information significant? What can we learn from it and how can we apply this information?



Student Handout: Presidential Assassinations: Meaning & Impact _____

Directions: Read the following excerpt about the sociology of presidential assassinations. Then, conduct research on the Lincoln and Kennedy assassinations. Specifically, focusing on the reasons that John Wilkes Booth and Lee Harvey Oswald gave for killing the president, the political and social context that gave way to the assassination attempt, and society's response to the assassination. Write a 300-word (approximate) paper that defends or refutes the following statement from the article excerpt below: "The universality of the shocked response [to the assassination], including anxiety on the part of political opponents of the assassinated president, suggest that the intended response is to something deeper and more universal than policies on specific issues." Your research must include at least two primary sources. All sources must be properly cited.

"The political assassin . . . regards his act as virtuous and justifies it only in those terms. Rather than expecting personal gain, he knows in advance that he is making the most severe personal sacrifice for what he imagines will benefit others. In the political opinion he holds, the political assassin always reflects a point of view held with greater or less intensity by many other people as well, though few approve of his means for realizing their values. It is this wide-spread support and opposition to his political views that endows his dramatic action with more than personal meaning. Every presidential assassination has evoked an intense sense of shock among the public generally. After each of these tragic events, newspapers have reported an awesome outpouring of public emotion, grief, and anxiety. Public opinion polls and sample surveys document this response for the Kennedy assassination, but the journalistic and memoir accounts of previous ones leave no doubt that the Kennedy case was typical, not exceptional. . . .The universality of the shocked response, including anxiety on the part of political opponents of the assassinated president, suggests that the intended response is to something deeper and more universal than policies on specific issues."

Edelman, Murray, and Simon, Rita James. "Presidential Assassinations: Their Meaning and Impact on American Society." *Ethics* 79.3 (1969): 199-221. Print.



Student Handout: The Emancipation Proclamation & Kennedy's Speech on Civil Rights _____

Directions: Write an expository essay comparing and contrasting the two excerpts, below. Consider the rhetorical style as well as the content of each speech. What was each president trying to accomplish? What were they trying to convey? What makes each speech historically significant?

I do order and declare that all persons held as slaves within said designated States, and parts of States, are, and henceforward shall be free; and that the Executive government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons.

And I hereby enjoin upon the people so declared to be free to abstain from all violence, unless in necessary self-defence; and I recommend to them that, in all cases when allowed, they labor faithfully for reasonable wages.

And I further declare and make known, that such persons of suitable condition, will be received into the armed service of the United States to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service.

And upon this act, sincerely believed to be an act of justice, warranted by the Constitution, upon military necessity, I invoke the considerate judgment of mankind, and the gracious favor of Almighty God.

—*Abraham Lincoln, The Emancipation Proclamation, 1863*

It ought to be possible, in short, for every American to enjoy the privileges of being American without regard to his race or his color. In short, every American ought to have the right to be treated as he would wish to be treated, as one would wish his children to be treated. But this is not the case.

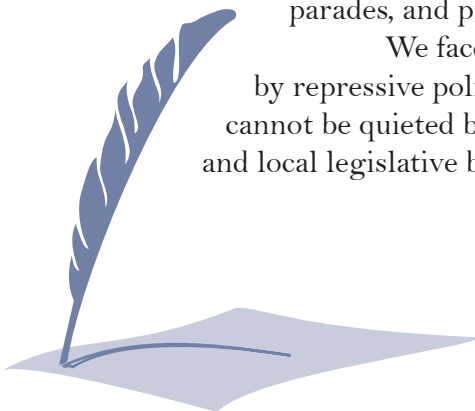
We are confronted primarily with a moral issue. It is as old as the scriptures and is as clear as the American Constitution.

The heart of the question is whether all Americans are to be afforded equal rights and equal opportunities, whether we are going to treat our fellow Americans as we want to be treated.

The fires of frustration and discord are burning in every city, North and South, where legal remedies are not at hand. Redress is sought in the streets, in demonstrations, parades, and protests, which create tensions and threaten violence and threaten lives.

We face, therefore, a moral crisis as a country and as a people. It cannot be met by repressive police action. It cannot be left to increased demonstrations in the streets. It cannot be quieted by token moves or talk. It is a time to act in the Congress, in your State and local legislative body and, above all, in all of our daily lives.

—*John F. Kennedy, Speech on Civil Rights, 1963*



Classroom Module: Women During the Civil War

ABOUT THIS LESSON

The American Film Company provides this lesson about **Women During the Civil War** to help participants understand what life was like for women in the 1860s, and how the status and treatment of women has evolved in the United States over time, using the story of Mary Surratt, the one woman charged in the Lincoln Assassination Conspiracy, as a focal point. By looking at the lives of women in the 1860s and analyzing how society and the law viewed them, students gain a better understanding of whether or not Mary Surratt obtained fair treatment. The lesson is geared towards participants aged 13-17 but can be modified for other age groups.

CURRICULUM CONNECTIONS

This lesson fits in perfectly with units that address curriculum standards in language arts, social studies, civics, thinking and reasoning, film studies, and media studies

LESSON PREPARATION

- Prepare a DVD player, television set or monitor, and a DVD of the film *The Conspirator*
- Prepare copies of *Student Handouts* for distribution

KEY WORDS AND PHRASES

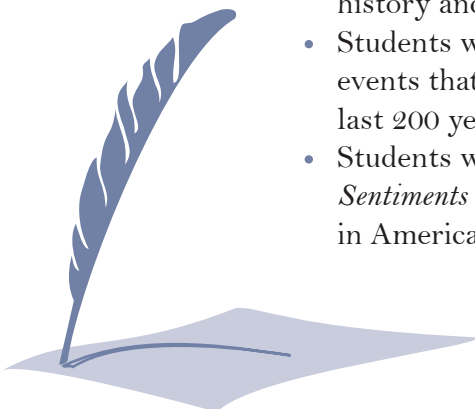
Gender, preconceptions, bias, subordinate, quadrant, influence.

RATIONALE

The purpose of this lesson is to explore the treatment of women throughout history and to understand how and why it has or has not changed over time. Specifically, students will look at the Lincoln assassination through the lens of the one woman who was implicated in it, Mary Surratt. Students will analyze her involvement, treatment, and punishment in the context of her gender and discuss how her gender might have played a role. Then, students will apply their new understandings to gain a new understanding of how women are treated in society today.

STUDENT OBJECTIVES

- Students will evaluate the accomplishments of women over time
- Students will evaluate the restrictions placed on women due to their gender in history and today
- Students will work in small groups to read and interpret a timeline of historical events that depicts a few of the major accomplishments made by women over the last 200 years
- Students will analyze primary source documents such as the original *Declaration of Sentiments* in order to understand, in historical context, the role that women played in American society during the 1860s



- Students will compare the treatment of women using different sources, including film, literature, and primary source documents
- Students will learn basic facts relating to the assassination of President Lincoln and the trial of the conspirators
- Students will view segments of *The Conspirator* to learn about society in the 1860s and explore the role that women played at that time
- Students will analyze the original closing argument given by Frederick Aiken and compare it to the fictionalized version on film in *The Conspirator*
- Students will analyze Aiken's closing argument through a gender lens

REQUIREMENTS

Materials

- Chalkboard and chalk, or chart paper and markers
- DVD player and television or monitor, and a DVD of the film *The Conspirator*
- *Student Handouts: Timeline of Women's Rights, Viewing Log, Hospital Sketches, Declaration of Sentiments, The Treatment of Women in The Conspirator, Quadrants of Influence, Aiken's Closing Argument*

Time

- 3 class periods

TECHNIQUES AND SKILLS

Vocabulary building, reading comprehension, large group discussion, small group work, working in pairs, critical and analytical thinking, supporting ideas with examples, comparing and contrasting information sources, research skills, listening skills, expository, creative, and responsive writing.



Procedures

DAY 1

1. Divide the class into small groups of 4-5 students. Distribute *Student Handout: Timeline of Women's Rights* to each group.
2. Allow 10 minutes for students to work together as a group to complete the first page of the handout and decide where on the timeline each event belongs. Encourage discussion and debate in order for each group to agree by consensus.
3. Once students have had a chance to complete Page 1 of the handout, reconvene as a large group to discuss their answers. Draw a large timeline on the chalkboard or on chart paper and ask the groups to volunteer their answers in order to fill in each event from their handout on the large timeline.
4. Continue to discuss and debate the placement of each event with the class until all of the events are placed correctly on the timeline.

Note: For the answers and the correct placement of all the events, see *Student Handout: Timeline of Women's Rights, Teacher's Answer Key*.

5. You may ask the class to guess the dates for a few additional events in order to provide a larger context for the class, such as:
 - The first telegraph is sent: 1844
 - The speed of light is measured: 1862
 - The telephone is invented: 1876
 - The first airplane flight: 1903
 - The American Medical Women's Association is established (women were barred from the American Medical Association): 1915
 - Birth control is made legal: 1936
 - The transistor radio is invented: 1948
 - The first American female astronaut: 1959
 - Brown vs. Board of Education makes segregation illegal: 1954
 - The first female justice on the Supreme Court: 1981
6. Conduct a large group discussion using some or all of the following questions as a guide:
 - What dates did you find most surprising? Why?
 - Why do you think so much time elapsed between the first female lawyer and the first female Supreme Court justice? The first female doctor and the time that women were allowed to join the American Medical Association? The first US female astronaut and the first US female to go into space?
 - Why is it significant that women did not have the right to vote until 1920?
 - Why might it be surprising that blacks got the vote in 1870, 50 years earlier?
 - Why is the right to vote so important?



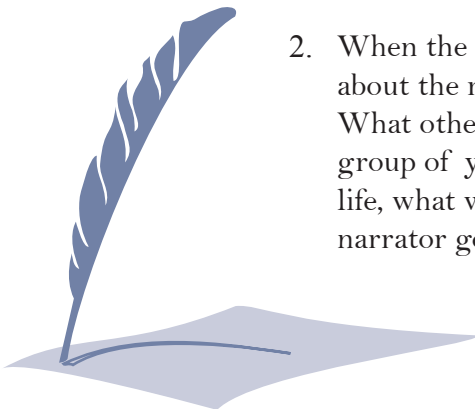
- What do you think life was like for a woman in the 1860s? What has changed for women since then? What hasn't?
7. Distribute *Student Handout: Declaration of Sentiments*. Read the introductory text as well as the first four paragraphs of the Declaration as a large group, “translating” the language as you go.
 8. Use some or all of the following questions to guide the discussion:
 - The first paragraph states that “one portion of the family of man” wishes to “assume among the people of the earth a position different from that which they have hitherto occupied.” To which portion is this referring, do you think, and what position?
 - In the second paragraph, there seems to be an implied threat. What is the threat?
 - The third paragraph states that “governments long established should not be changed for light and transient causes.” Why do you think this is included here?
 - What is the demand that is made at the end of the third paragraph?
 - Much of the language and structure of this document is modeled after another famous document that was written as a demand for equal treatment and fair representation. What document was the model for this one?

Note: The document that the Declaration of Sentiments is modeled on is the Declaration of Independence.

9. For homework, students should read the “facts” as listed in the Declaration of Sentiments and then translate them into contemporary language. Alternatively, students can compare and contrast the Declaration of Sentiments to the Declaration of Independence in a short essay, looking at language, structure, content, and intent.

DAY 2

1. Distribute *Student Handout: Hospital Sketches*. Tell the class that this is an excerpt from a book that Louisa May Alcott wrote in the 1860s about her experiences nursing Civil War soldiers. Allow 10 minutes for students to write in response to the excerpt.
2. When the class has completed the responsive writing, ask them what they thought about the responses the speaker got to her statement, “I want something to do.” What other options might have been there for a woman in the 1860s? If you told a group of your friends or your family that you wanted to do something with your life, what would the response be? How would that be different from the response the narrator got in *Hospital Sketches*?



3. Explain to the class that they will be learning about the events surrounding the assassination of President Abraham Lincoln in 1865, through the lens of one woman's experience. This woman, Mary Surratt, was one of the 8 people accused of conspiring to kill President Lincoln, his vice president, and his secretary of state. Explain that much of her treatment, both in the courtroom and in the press, was inevitably colored by her gender.
4. Read the following paragraph aloud to the class, to provide some background about Surratt's life.

Mary Surratt was born Mary Jenkins in 1823. She married John Surratt in 1840. They had three children, Isaac, Anna, and John, Jr. In 1852, John Surratt purchased a farm in southern Maryland, just outside of Washington, DC. On the farmland he owned, he built a two-story house where the family lived, and that also served as a tavern, polling site, and a post office. The house also became a safe house for the Confederate underground. In 1862, John Surratt died suddenly in his sleep, leaving his widow Mary with a great deal of debt. Mary rented out their house and moved to another small townhouse that the family owned in Washington, DC with her two younger children. She opened this townhouse to boarders in order to get by.

5. Tell the class that they are about to see an excerpt from a film that tells the story of the Lincoln conspirators' trial. The film focuses primarily on Mary Surratt.
6. Distribute *Student Handout: Viewing Log*. Instruct students to use this handout to take notes as they watch the film. Let them know that they will use these notes to complete their homework.
7. Screen the first 29 minutes of the film *The Conspirator*, stopping when the time code reads 29:12. Stop the DVD right after Surratt says "I haven't a word from my daughter since I've been in here. Would you look in on her for me? I'd be most grateful."
8. For homework, students should complete *Student Handout: The Conspirator: Questions for Further Discussion*.



DAY 3

1. Allow 10-15 minutes to discuss last night's homework as a large group.
2. Ask students to take out yesterday's *Student Handout: Viewing Log*. Tell the class that they will be watching another excerpt from the film *The Conspirator*.
3. Play 7 minutes of the film, from time code 1:00:00, the scene that begins with Mary Surratt, lying ill in her cell. Stop the film at time code 1:07:06, with the scene that ends with Sarah saying, "Does the captain remember how to dance?"
4. Divide the class into pairs. Distribute *Student Handout: Quadrants of Influence*. Then have the pairs count off in fours so that each pair is assigned one number, one through four.
5. Tell the students that they will be completing one quadrant of influence for the character of Frederick Aiken, according to the directions on the handout. Instruct all the "1's" to complete the "individual" square, all the "2's" to complete the "family/friends" square, all the "3's" to complete the "society" square, and all the "4's" to complete the "law" square.
6. Students should work with their partners to fill in their quadrant, based on what they know of Frederick Aiken from watching the film. Instruct students to complete their assignment and prepare to report back to the class on their answers. Allow 10 minutes for students to work in pairs.
7. Once the pairs have had a chance to fill in their quadrant, conduct a large group discussion about the activity. Draw the four boxes on the chalkboard or on chart paper and ask students to volunteer some of their responses. Populate the four boxes on the board, so that the class can see how their peers filled in the other quadrants. In addition, you may use some or all of the following questions to guide the discussion:
 - When you think of how Aiken's friends chided him for defending Surratt, and how his initial response was that he would not "betray his country or his friends who died fighting for it" by defending Surratt, how do you think his friends and family might have influenced his behavior, or his attitude towards Surratt's innocence or guilt?
 - Aiken is a lawyer, sworn by oath to defend the Constitution. How does this relationship to the law impact his belief system? His choices? His behavior?
 - What inner struggle did Aiken face during this film? What personal preconceptions did he carry with him? How did these play out in the film in terms of his treatment of Surratt?
 - Which quadrant carries more influence over a person's behavior? Which quadrant carries less? Why?
 - Are there other aspects of a person's life which influence a person's behavior that are not listed on this graph? Explain.

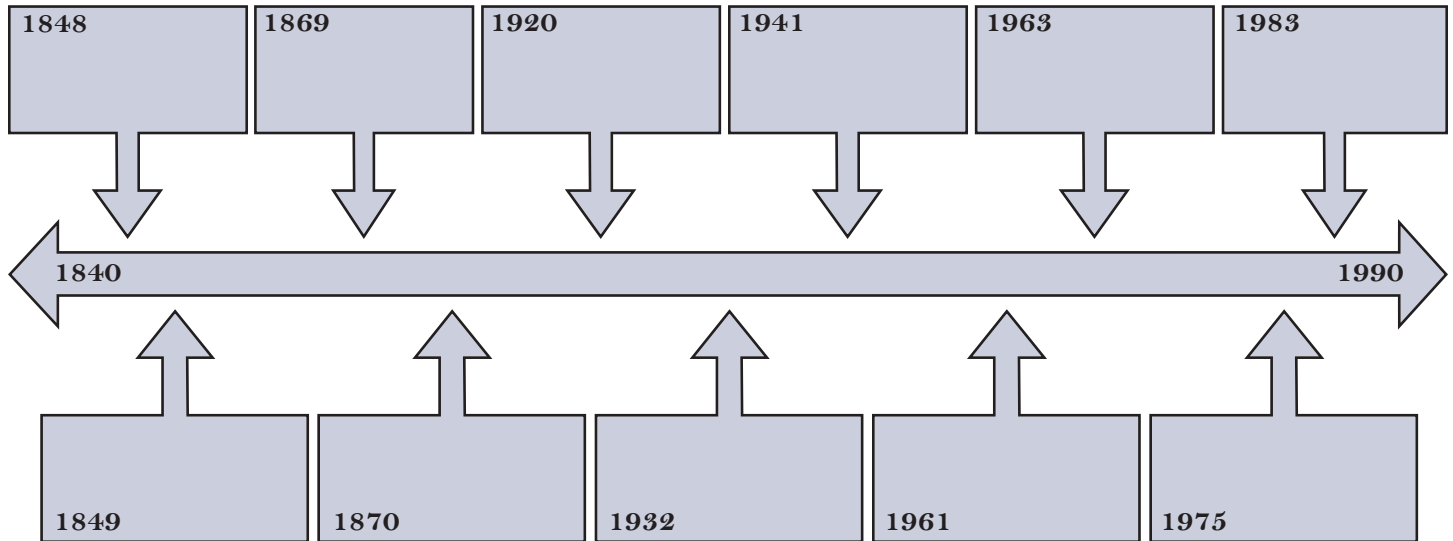


8. For homework, students should complete another *Student Handout: Quadrants of Influence* for Mary Surratt, and explore the following questions in a one-page essay: How might have Mary Surratt's gender influenced her implication in the assassination conspiracy? How might her gender have influenced her treatment by the press, society, and the law? How might (or might not) gender, socio-economic status, and race play a similar role in people's lives today?
9. Optional Culminating Project: Complete the essay assignment on *Student Handout: Aiken's Closing Argument*.



Student Handout: Timeline of Women's Rights

Directions: Test your knowledge! Which came first? Place the number that corresponds with each historical milestone in the box that corresponds with the year in which it occurred.



HISTORICAL MILESTONES

1. Government makes it illegal to pay a woman less than a man for performing the same job
2. First convention on Women's Rights
3. First female lawyer in the US
4. First female Army Corps (WAC)
5. Women are allowed to enroll in military academies
6. First woman elected to US Senate
7. African Americans get the vote
8. Women get the vote
9. First female doctor in the US
10. First man in space
11. First woman in space



Student Handout: Timeline of Women's Rights _____

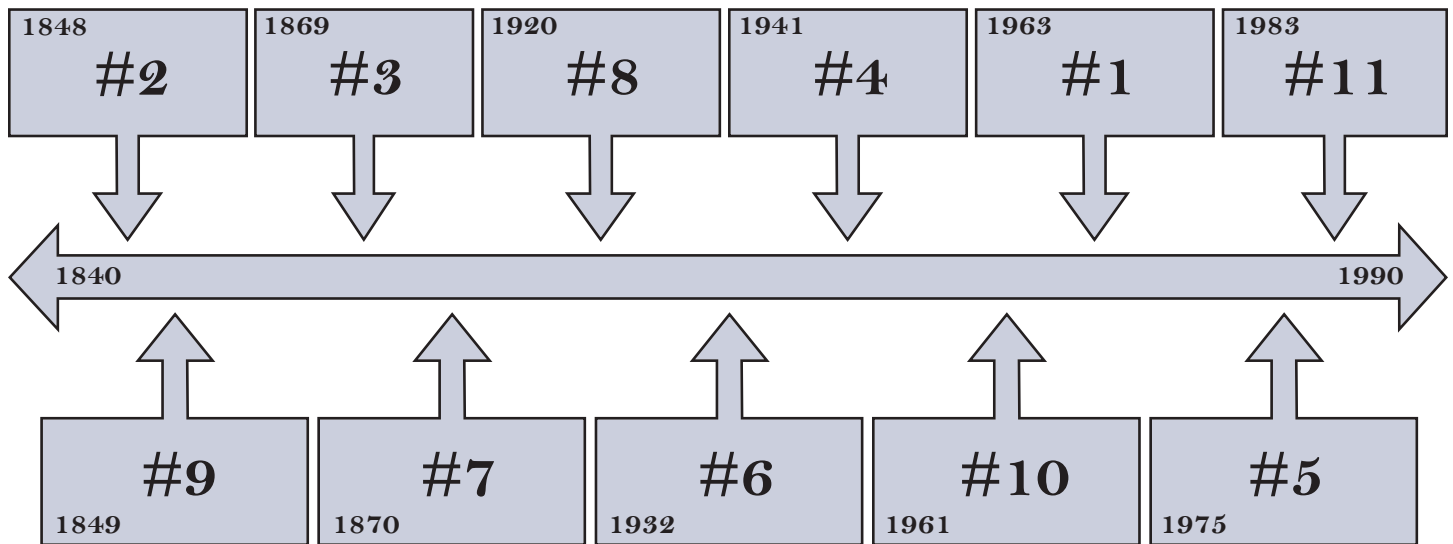
QUESTIONS FOR FURTHER DISCUSSION

1. What did you learn from doing this activity? What surprised you the most? What surprised you the least?
2. What can you deduce from the amount of time that elapsed between when women were allowed to serve in the army and when they were allowed to enroll in military academies? Why is this significant?
3. What can you deduce from the amount of time that elapsed between when a man first went into space and when a woman first went into space? Why is this significant?
4. What does this timeline tell you about the treatment of women, or the role of women, in American society?
5. How do you think the status of women has changed over the past 150 years?
6. What sort of gender-based inequalities do you see today, if any?



Student Handout: Timeline of Women's Rights

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HISTORICAL MILESTONES

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Student Handout: Declaration of Sentiments

The following text was drafted by Elizabeth Cady Stanton for the First Convention on Women's Rights in Seneca Falls, NY in 1848. The document, entitled, "The Declaration of Sentiments," was meant to outline first the sentiments or feelings that precipitated the convention and then the resolutions that the convention hoped to enact. This is the first section, the "sentiments."

When, in the course of human events, it becomes necessary for one portion of the family of man to assume among the people of the earth a position different from that which they have hitherto occupied, but one to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes that impel them to such a course.

We hold these truths to be self-evident: that all men and women are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights governments are instituted, deriving their just powers from the consent of the governed. Whenever any form of government becomes destructive of these ends, it is the right of those who suffer from it to refuse allegiance to it, and to insist upon the institution of a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.

Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and, accordingly, all experience has shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they were accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their duty to throw off such government and to provide new guards for their future security. Such has been the patient sufferance of the women under this government, and such is now the necessity which constrains them to demand the equal station to which they are entitled.

The history of mankind is a history of repeated injuries and usurpations on the part of man toward woman, having in direct object the establishment of an absolute tyranny over her. To prove this, let facts be submitted to a candid world.

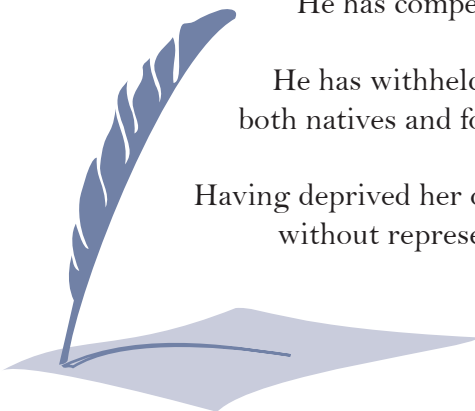
He has never permitted her to exercise her inalienable right to the elective franchise.

He has compelled her to submit to law in the formation of which she had no voice.

He has withheld from her rights which are given to the most ignorant and degraded men, both natives and foreigners.

Having deprived her of this first right as a citizen, the elective franchise, thereby leaving her without representation in the halls of legislation, he has oppressed her on all sides.

He has made her, if married, in the eye of the law, civilly dead.



Student Handout: Declaration of Sentiments

He has taken from her all right in property, even to the wages she earns.

He has made her morally, an irresponsible being, as she can commit many crimes with impunity, provided they be done in the presence of her husband. In the covenant of marriage, she is compelled to promise obedience to her husband, he becoming, to all intents and purposes, her master — the law giving him power to deprive her of her liberty and to administer chastisement.

He has so framed the laws of divorce, as to what shall be the proper causes and, in case of separation, to whom the guardianship of the children shall be given, as to be wholly regardless of the happiness of the women — the law, in all cases, going upon a false supposition of the supremacy of man and giving all power into his hands.

After depriving her of all rights as a married woman, if single and the owner of property, he has taxed her to support a government which recognizes her only when her property can be made profitable to it.

He has monopolized nearly all the profitable employments, and from those she is permitted to follow, she receives but a scanty remuneration. He closes against her all the avenues to wealth and distinction which he considers most honorable to himself. As a teacher of theology, medicine, or law, she is not known.

He has denied her the facilities for obtaining a thorough education, all colleges being closed against her.

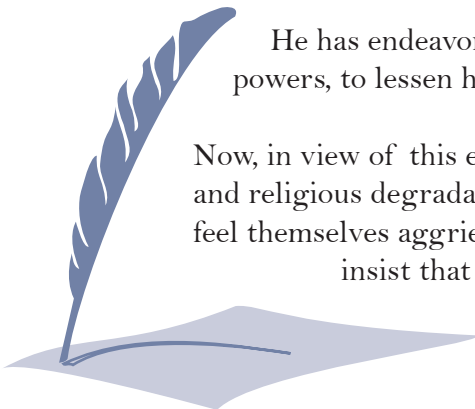
He allows her in church, as well as state, but a subordinate position, claiming apostolic authority for her exclusion from the ministry, and, with some exceptions, from any public participation in the affairs of the church.

He has created a false public sentiment by giving to the world a different code of morals for men and women, by which moral delinquencies which exclude women from society are not only tolerated but deemed of little account in man.

He has usurped the prerogative of Jehovah himself, claiming it as his right to assign for her a sphere of action, when that belongs to her conscience and to her God.

He has endeavored, in every way that he could, to destroy her confidence in her own powers, to lessen her self-respect, and to make her willing to lead a dependent and abject life.

Now, in view of this entire disfranchisement of one-half the people of this country, their social and religious degradation, in view of the unjust laws above mentioned, and because women do feel themselves aggrieved, oppressed, and fraudulently deprived of their most sacred rights, we insist that they have immediate admission to all the rights and privileges which belong to them as citizens of the United States.



Student Handout: *Hospital Sketches*

Directions: Free-write a response to the following Excerpt, written by Louisa May Alcott in the 1860s about her experience as a nurse to soldiers during the Civil War.

“I want something to do.”

This remark being addressed to the world in general, no one in particular felt it their duty to reply; so I repeated it to the smaller world about me, received the following suggestions, and settled the matter by answering my own inquiry, as people are apt to do when very much in earnest.

“Write a book,” quoth the author of my being.

“Don’t know enough, sir. First live, then write.”

“Try teaching again,” suggested my mother.

“No thank you, ma’am, ten years of that is enough.”

“Take a husband like my Darby and fulfill your mission,” said sister Joan, home on a visit.

“Can’t afford expensive luxuries, Mrs. Coobiddy.”

“Turn actress, and immortalize your name,” said sister Vashti, striking an attitude.

“I won’t.”

“Go nurse the soldiers,” said my young brother, Tom, panting for the “tented field.”

“I will!”

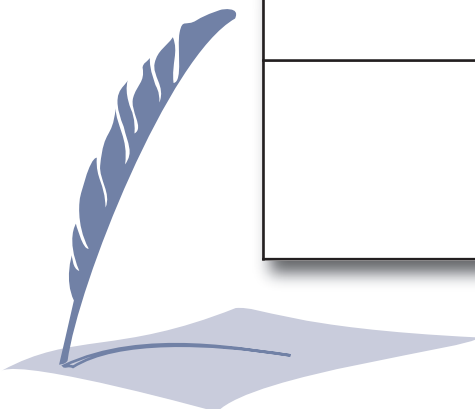
—*Louisa May Alcott, Hospital Sketches*



Student Handout: Viewing Log

Directions: As you watch the film, take specific note of scenes, events, or excerpts of dialogue that relate to your study of the treatment of women during the 1860s. In the first column, *describe* the scene briefly. In the second column, write notes about what you *observed* — what happened in the scene that relates to your study of women during the Civil War. In the third column, explain the *connections* between your observations of the film and your study of women during this period. In addition, you can write questions you have about what you observed for follow-up.

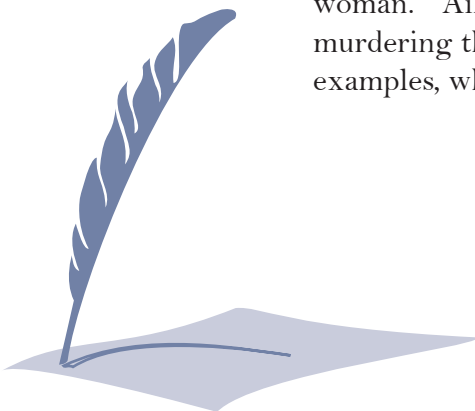
SCENE	OBSERVATIONS	QUESTIONS/CONNECTIONS



Student Handout: *The Treatment of Women in The Conspirator* _____

Directions: Answer the following questions about the role of women as portrayed in the film *The Conspirator*.

1. In the party scene near the start of the film, Reverdy Johnson wants to speak to Frederick Aiken alone. He turns to a group of women at the party and says, “Ladies, may I present two genuine war heroes. Y’all get acquainted. . . .” How do the women react? How do Aiken’s friends, Baker and Hamilton react? What does this small piece of dialogue subtly imply about the men’s perception about and regard for these women?
2. In the scene when Sarah and Frederick Aiken are sitting outside talking, what do you notice about the way that they are interacting that relates to your exploration of women in society during this time? How is Sarah’s behavior informed by the society in which she lives? How is Aiken’s treatment of Sarah informed by the society in which he lives?
3. Secretary of War Edwin Stanton arrives at the Petersen House where President Lincoln was taken after he had been shot. Mrs. Lincoln is sobbing in the background. Stanton turns to a subordinate and says, “Take that woman out and do not let her in again.” How does this relate to your exploration of women during that time? Would this be something that would be acceptable today? Explain.
4. According to Aiken, the government might be prosecuting Mary Surratt because they suspect her son but cannot locate him. He says at one point, “They would [try him] if they could find him. She built the nest that hatched this plot. President Johnson said it himself.” How is this statement, and the idea that she is being held because the government suspects her son, an example of gender bias?
5. In the courtroom scene, as well as in the scene in Mary Surratt’s cell, how do you think your perception, as a viewer, of Surratt is affected due to her gender? What inherent biases do you bring to the film as you watch? What are your preconceived notions about her, and her innocence and/or guilt, and how might your preconceived notions of her gender influence these?
6. Reverdy Johnson says to Aiken, “At least our government has never executed a woman.” Aiken responds, “It never considered a woman, or even a man, capable of murdering the president.” Why is the defendant’s gender relevant here? In both examples, what difference does it make that she is a woman?



Student Handout: The Treatment of Women in The Conspirator _____

7. Surratt tells Aiken that she moved to Washington after her husband's death with her two children, because her husband "died a drunk and left . . . loads of debt." She opened a boarding house, which is one of the only means of income that was open to a woman at that time. How might Surratt's limited options and circumstances have affected her choices, and implicated her in a crime that she did not conspire to commit?
8. Surratt tells Aiken that she is a "Southerner, a Catholic, and a devoted mother above all else." Analyze this statement within the context of your study of women in society during the 1860s. Based on your study so far, could a man find himself in these circumstances, prosecuted for a crime for which his son is a suspect? Would a father necessarily identify himself as a "devoted father above all else" in this context? Defend your opinion with specific examples.



Student Handout: Quadrants of Influence _____

Directions: Complete the chart below by considering how each “quadrant” influences a person’s behavior, thinking, and treatment. What personal or individual allegiances does a person have? How do the opinions, biases, or needs of a person’s friends and family affect the choices they make? How does a person’s standing in society, or how society perceives them, impact the way that they are treated and the choices they have? How does the law impact a person’s behavior? Fill each square with as many examples as possible.

Person/Character: _____

<p style="text-align: center;">PERSONAL/INDIVIDUAL</p> <p>How does this person’s individual beliefs, allegiances, needs, etc., affect their behaviors and choices?</p>	<p style="text-align: center;">FAMILY/CLOSE FRIENDS</p> <p>How do the needs, beliefs, behaviors, etc., of this person’s family or circle of close friends affect their behaviors and choices?</p>
<p style="text-align: center;">SOCIETY/CULTURE</p> <p>How do the biases, preconceptions, and expectations of the society and culture in which this person lives affect their behaviors and choices?</p>	<p style="text-align: center;">THE LAW</p> <p>How does the law affect this person’s behaviors and choices?</p>

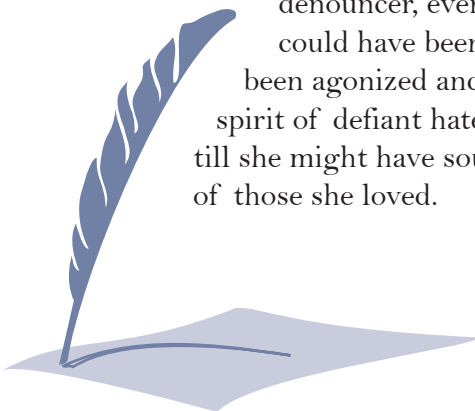
Student Handout: Aiken's Closing Argument

Directions: Read this transcript from Frederick Aiken's actual closing argument. "Translate" the text into contemporary English and then write an analytical essay that looks at his persuasive use of language, rhetoric, and literary and historical references. Focus specifically on the role that Mary Surratt's gender plays in his argument.

A mother and son associate in crime! And such a crime as this half of the civilized world never saw matched, in all its dreadful bearings! Our judgments can have hardly recovered their unprejudiced poise since the shock of the late horrors, if we can contemplate with credulity such a picture, conjured by the unjust spirits of indiscriminate accusation and revenge. A crime which, in its public magnitude, added to its private misery, would have driven even the Atis-haunted heart of a Medici, a Borgia, or a Madame Bocarme to wild confession before its accomplishment, and daunted even that soul, of all the recorded world the most eager for novelty in license, and most unshrinking in sin — the indurate soul of Christina of Sweden. Such a crime as profoundest plotters within padded walls would scarcely dare whisper; the words forming the expression of which, spoken aloud in the upper air, would convert all listening boughs to aspens, and all glad sounds of nature to shuddering wails. And this made known, even surmised, to a woman, a *mater familias*, the good genius, the *placens uxor* of a home where children had gathered all the influences of purity and the reminiscences of innocence, where Religion watched, and the Church was Minister and Teacher.

Who — were circumstantial evidence strong and conclusive, such as only time and the slow weaving fates could elucidate and deny — who will believe, when the mists of uncertainty which cloud the present shall have dissolved, that a woman born and bred in respectability and competence — a Christian mother, and a citizen who never offended the laws of civil propriety; whose unflinching attention to the most sacred duties of life has won her the name of "a proper Christian matron"; whose heart was ever warmed by charity; whose door unbarred to the poor, and whose *Penates* had never cause to veil their faces; who will believe that she could so suddenly and fully have learned the intricate arts of sin? A daughter of the South, her life associations confirming her natal predilections, her individual preferences inclined, without logic or question, to the Southern people, but with no consciousness nor intent of disloyalty to her Government, and causing no exclusion from her friendship and active favors of the people of the loyal North, nor repugnance in the distribution among our Union soldiery of all needed comforts within her command, and on all occasions.

A strong but guileless-hearted woman, her maternal solicitude would have been the first denouncer, even abrupt betrayer, of a plotted crime in which one companion of her soul could have been implicated, had cognizance of such reached her. Her days would have been agonized and her nights sleepless, till she might have exposed and counteracted that spirit of defiant hate which watched its moment of vantage to wreak on immortal wrong — till she might have sought the intercession and absolution of the Church, her refuge, in behalf of those she loved.




Student Handout: Aiken's Closing Argument

The brains, which were bold, and crafty, and couchant enough to dare the world's opprobrium in the conception of a scheme which held as naught the lives of men in highest places, never imparted it to the intelligence, nor sought the aid nor sympathy of any living woman, who had not, like Lady Macbeth, "unsexed herself" — not though she were wise and discreet as Maria Theresa or the Castilian Isabella.

This woman knew it not. This woman, who, on the morning preceding that blackest day in our country's annals, knelt in the performance of her most sincere and sacred duty at the confessional, and received the mystic rite of the Eucharist, knew it not. Not only would she have rejected it with horror, but such proposition, presented by the guest who had sat at her hearth as the friend and convive of her son, upon whose arm and integrity her widowed womanhood relied for solace and protection, would have roused her maternal wits to some sure cunning which would have contravened the crime and sheltered her son from the evil influences and miserable results of such companionship.

The mothers of Charles the IX and of Nero could harbor, underneath their terrible smiles, schemes for the violent and unshriven deaths, or the moral vitiation and decadence which would painfully and gradually remove lives sprung from their own, were they obstacles to their demoniac ambition. But they wrought their awful romances of crime in lands where the sun of supreme civilization, through a gorgeous evening of Syberitish luxury, was sinking, with red tents of revolution, into the night of anarchy and national caducity. In our own young nation, strong in its morality, energy, freedom, and simplicity, assassination can never be indigenous. Even among the desperadoes and imported lazzaroni of our largest cities, it is comparatively an infrequent cause of fear.

The daughters of women to whom, in their yet preserved abodes, the noble mothers who adorned the days of our early independence are vividly remembered realities and not haunting shades — the descendants of earnest seekers for liberty, civil and religious, of rare races, grown great in heroic endurance, in purity which comes of trial borne, and in hope born of conscious right, whom the wheels of Fortune sent hither to transmit such virtues — the descendants of these have no heart, no ear for the diabolisms born in hot-beds of tyranny and intolerance. No descendant of these, no woman of this temperate land could have seen, much less joined, her son, descending the sanguinary and irrepassable paths of treason and murder, to ignominious death, or an expatriated and attainted life, worse than the punishing wheel and bloody pool of the poets' hell.



In our country, where reason and moderation so easily quench the fires of insane hate, and where *La Vendetta* is so easily overcome by the sublime grace of forgiveness, no woman could have been found so desperate as to sacrifice all spiritual, temporal, and social good, self, offspring, fame, honor, and all the desiderata of life, and time, and immortality, to the commission, or even countenance, of such a deed of horror as we have been compelled to contemplate the two past months.

Student Handout: Aiken's Closing Argument

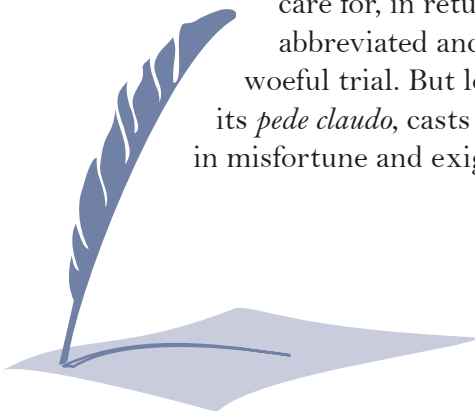
In a Christian land, where all records and results of the world's intellectual, civil and moral advancement mold the human heart and mind to highest impulses, the theory of old Helvetius is more probable than desirable.

The natures of all born in equal station are not so widely varied as to present extremes of vice and goodness, but by the effects of rarest and severest experience. Beautiful fairies and terrible gnomes do not stand by each infant's cradle, sowing the nascent mind with tenderest graces or vilest errors. The slow attrition of vicious associations and law-defying indulgences, or the sudden impetus of some terribly multiplied and social disaster, must have worn away the susceptibility of conscience and self respect, or dashed the mind from the height of these down to the deeps of despair and recklessness, before one of ordinary life could take counsel with violence and crime. In no such manner was the life of our client marked. It was the parallel of nearly all the competent masses; surrounded by the scenes of her earliest recollections, independent in her condition, she was satisfied with the mundus of her daily pursuits, and the maintenance of her own and children's station in society and her church.

Remember your wives, mothers, sisters and gentle friends, whose graces, purity and careful affection ornament and cherish and strengthen your lives. Not widely different from their natures and spheres have been the nature and sphere of the woman who sits in the prisoner's dock to-day, mourning with the heart of Alcestis her children and her lot; by whose desolated hearthstone a solitary daughter wastes her uncomforted life away in tears and prayers and vigils for the dawn of hope; and this wretchedness and unpitied despair have closed like a shadow around one of earth's common pictures of domestic peace and social comfort, by the one sole cause — suspicion fastened and fed upon the facts of acquaintance and mere fortuitous intercourse with that man in whose name so many miseries gather, the assassinator of the President.

Since the days when Christian tuition first elevated womanhood to her present free, refined and refining position, man's power and honoring regard have been the palladium of her sex. Let no stain of injustice, eager for a sacrifice to revenge, rest upon the reputation of the men of our country and time.

This woman, who, widowed of her natural protectors; who, in helplessness and painfully severe imprisonment, in sickness and in grief ineffable, sues for justice and mercy from your hands, may leave a legacy of blessings, sweet as fruition-hastening showers, for those you love and care for, in return for the happiness of fame and home restored, though life be abbreviated and darkened through this world by the miseries of this unmerited and woeful trial. But long and chilling is the shade which just retribution, slow creeping on with its *pede claudo*, casts around the fate of him whose heart is merciless to his fellows bowed low in misfortune and exigence.



Student Handout: Aiken's Closing Argument

Let all the fair womanhood of our land hail you with a paeon of joy that you have restored to her sex, in all its ranks, the aegis of impregnable legal justice which circumvallates and sanctifies the threshold of home and the privacy of home life against the rude irruptions of arbitrary and perhaps malice-born suspicion, with its fearful attendants of arrest and incarceration, which in this case have been sufficient to induce sickness of soul and body.

Let not this first State tribunal in our country's history, which involves a woman's name, be blazoned before the world with the harsh tints of intolerance, which permits injustice. But as the benignant heart and kindly judging mind of the world-lamented victim of a crime which wound, in its ramifications of woe, around so many fates, would himself have counseled you, let the heralds of Peace and Charity, with their wool-bound staves, follow the fasces and axes of Judgment and Law, and without the sacrifice of any innocent Iphigenia, let the ship of State launch with dignity of unstained sails into the unruffled sea of Union and Prosperity.



Extension Activities

The following prompts can be used for extra credit assignments or stand-alone projects. Each prompt takes the themes and topics raised by the film *The Conspirator* and broadens the focus in order to deepen student learning and exploration.

Many of the characters in the film *The Conspirator* — both major and minor characters — struggle with issues of allegiance: allegiance to country, to family, to the law, to a cause or belief. Explore the idea of “fighting for something bigger than yourself” in an expository essay, citing specific examples from the film, from other literary sources, from contemporary events, and from personal experience.

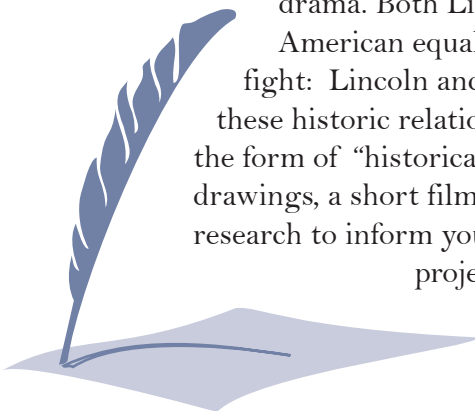
Compare and contrast Mary Surratt in *The Conspirator* to Hester Prynne in *The Scarlet Letter* in a literary essay, giving special consideration to the impact that their gender had on the way they were treated in society.

Essay prompt: Compare the early scenes in *The Conspirator* that depict Lincoln’s assassination, the manhunt for John Wilkes Booth, and society’s reaction to the event, to the Walt Whitman poem, “O Captain! My Captain!” Your essay should explore the content of each as well as comparing the mediums of poetry vs. film.

Create a fictional diary for Mary Surratt that takes place during February and March of 1865 (just months before the assassination). Use primary source documents to learn what life (and language) was like at that time, such as actual diaries written by women of that era, newspapers, letters, and photographs (all readily available on the internet). Imagine what her daily life was like, what her struggles were, what she was thinking and doing. Use your imagination to give her a voice, perhaps even fabricate whether or not you think she was involved in the assassination plot. Use all her character’s details from *The Conspirator* as a starting point. The rest is up to you!

Write a research paper on the use of military tribunals to try civilians from 1800 to the present. Consider the Supreme Court cases *Ex Parte Milligan*, *Ex Parte Quirin*, and the Military Commissions Act of 2006. Provide a thesis regarding their constitutionality. Cite specific examples from your research to support your thesis.

The Conspirator is a fictional account of a true story — based in fact but presented as historical drama. Both Lincoln and Kennedy were intensely involved in the fight for African American equality, and both were influenced greatly and personally by leaders in that fight: Lincoln and Frederick Douglass, and Kennedy and Martin Luther King, Jr. Research these historic relationships and design a creative way to present your findings to your class in the form of “historical fiction”: mock newspapers, fictional letters between the leaders, drawings, a short film, a short story. Integrate the facts and information you gather in your research to inform your fictional work. Then, in a short (1-2 page) essay that will accompany your project, explain what is fact and what is fiction, and how the two work together.



The legal rights of US citizens, and the US legal system have changed a great deal since the 1800s. Many of the processes and rights we take for granted, such as the right to counsel, the right to testify in one's own defense, and the concept of burden of proof have all evolved over time. Research the topic "Our Legal System: Then and Now." Then write a fictional opening statement given from the perspective of a lawyer who is arguing that today's defendants have the benefit of these changes. Cite specific examples from your research to support your argument. You may also cite specific high-profile cases from the 1800s and now to illustrate your points.

President Lincoln was assassinated a mere five days after the Confederate army surrendered, triggering the end of the Civil War. Write a rhetorical essay exploring the importance of this fact. Consider how the timing of this event might have underscored motivation on the part of the assassin(s). Also consider how Lincoln's death might have undermined the efficacy and stability of the federal government — and how the plot might have been specifically aiming to do just this — considering that the 25th Amendment to the Constitution, which addresses Presidential Disability and Succession, was not ratified for another 100+ years.



Standards Alignments

The material in the Educational Resource Guide for the film The Conspirator aligns with a number of national educational standards, including, but not limited to, the following:

McCREL CONTENT KNOWLEDGE STANDARDS

Theatre

Standard 5 Understands how informal and formal theatre, film, television and electronic media productions create and communicate meaning

Civics

Standard 1 Understands ideas about civic life, politics, and government

Standard 2 Understands the essential characteristics of limited and unlimited governments

Standard 3 Understands the sources, purposes, and functions of law, and the importance of the rule of law for the protection of individual rights and the common good

Standard 4 Understands the concept of a constitution, the various purposes that constitutions serve, and the conditions that contribute to the establishment and maintenance of constitutional government

Standard 8 Understands the central ideas of American constitutional government and how this form of government has shaped the character of American society

Standard 9 Understands the importance of Americans sharing and supporting certain values, beliefs, and principles of American constitutional democracy

Standard 14 Understands issues concerning the disparities between ideals and reality in American political and social life

Standard 15 Understands how the United States Constitution grants and distributes power and responsibilities to national and state government and how it seeks to prevent the abuse of power

Standard 18 Understands the role and importance of law in the American constitutional system and issues regarding the judicial protection of individual rights

Standard 19 Understands what is meant by “the public agenda,” how it is set, and how it is influenced by public opinion and the media

Standard 25 Understands issues regarding personal, political, and economic rights

Standard 26 Understands issues regarding the proper scope and limits of rights and the relationships among personal, political, and economic rights

US History

Standard 14 Understands the course and character of the Civil War and its effects on the American people



Language Arts

- Standard 1 Uses the general skills and strategies of the writing process
- Standard 2 Uses the stylistic and rhetorical aspects of writing
- Standard 3 Uses grammatical and mechanical conventions in written compositions
- Standard 4 Gathers and uses information for research purposes
- Standard 5 Uses the general skills and strategies of the reading process
- Standard 7 Uses skills and strategies to read a variety of informational texts
- Standard 8 Uses listening and speaking strategies for different purposes
- Standard 9 Uses viewing skills and strategies to understand and interpret visual media
- Standard 10 Understands the characteristics and components of the media

Thinking and Reasoning

- Standard 1 Understands and applies the basic principles of presenting an argument
- Standard 2 Understands and applies basic principles of logic and reasoning
- Standard 3 Effectively uses mental processes that are based on identifying similarities and differences
- Standard 4 Understands and applies basic principles of hypothesis testing and scientific inquiry
- Standard 5 Applies basic trouble-shooting and problem-solving techniques
- Standard 6 Applies decision-making techniques

Working with Others

- Standard 1 Contributes to the overall effort of a group
- Standard 2 Uses conflict-resolution techniques
- Standard 3 Works well with diverse individuals and in diverse situations
- Standard 4 Displays effective interpersonal communication skills
- Standard 5 Demonstrates leadership skills

Arts and Communication

- Standard 3 Uses critical and creative thinking in various arts and communication settings
- Standard 4 Understands ways in which the human experience is transmitted and reflected in the arts and communication

Historical Understanding

- Standard 2 Understands the historical perspective



COMMON CORE COLLEGE AND CAREER READINESS STANDARDS
COLLEGE AND CAREER READINESS ANCHOR STANDARDS FOR READING, GRADES 6-12

Key Ideas and Details

1. Read closely to determine what the text says explicitly and to make logical inferences from it; cite specific textual evidence when writing or speaking to support conclusions drawn from the text.
2. Determine central ideas or themes of a text and analyze their development.
3. Analyze how and why individuals, events, and ideas develop and interact over the course of a text.

Craft and Structure

4. Interpret words and phrases as they are used in a text, including determining technical, connotative, and figurative meanings, and analyze how specific word choices shape meaning or tone.
5. Analyze the structure of texts, including how specific sentences, paragraphs, and larger portions of the text relate to each other and the whole.

Integration of Knowledge and Ideas

7. Integrate and evaluate content presented in diverse formats and media, including visually and quantitatively, as well as in words.
9. Analyze how two or more texts address similar themes or topics in order to build knowledge or to compare the approaches authors take.

COLLEGE AND CAREER READINESS ANCHOR STANDARDS FOR WRITING, GRADES 6-12

Text Types and Purposes

1. Write arguments to support claims in an analysis of substantive topics or texts, using valid reasoning and relevant and sufficient evidence.
2. Write informative/explanatory texts to examine and convey complex ideas and information clearly and accurately through the effective selection, organization and analysis of content.
3. Write narratives to develop real or imagined experiences or events using effective technique, well-chosen details, and well-structured event sequences.

Production and Distribution of Writing

4. Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.



Research to Build and Present Knowledge

7. Conduct short as well as more sustained research projects based on focused questions, demonstrating understanding of the subject under investigation.
8. Gather relevant information from multiple print and digital sources, assess the credibility and accuracy of each source, and integrate the information while avoiding plagiarism.
9. Draw evidence from literary or informational texts to support analysis, reflection, and research.

Range of Writing

10. Write routinely over extended time frames and shorter time frames for a range of tasks, purposes, and audiences.



Additional Resources

Ford's Theatre

www.fords.org/splash

National Council for History Education

www.nche.net

National Museum of Crime & Punishment

www.crimemuseum.org

Social Science Education Consortium

www.soc-sci-ed-consortium.org

Abraham Lincoln Presidential Library & Museum

www.alplm.org

The American Social History Project

<http://ashp.cuny.edu>

Chicago Metro History Education Center

www.chicagohistoryfair.org

Chicago History Museum

www.chicagohistory.org

The Gilder Lehrman Institute of American History

www.gilderlehrman.org/institute

The Huntington Library

www.huntington.org

The Surratt House Museum

www.surratt.org

American Historical Association

www.historians.org/teaching/index.cfm

Legal Outreach

<http://legaloutreach.org>

National Center for History in the Schools

www.nchs.ucla.edu



National High School Mock Trial Championship
www.nationalmocktrial.org

NYU High School Law Institute
www.law.nyu.edu/studentorganizations/highschoollawinstitute/index.htm

The Organization of American Historians
www.oah.org

The Smithsonian Institution Archives
<http://siarchives.si.edu/index.html>

National Council for the Social Studies
www.socialstudies.org

Center for Media and Democracy
www.prwatch.org

National History Day
www.nhd.org

Eyewitness to History
www.eyewitnesstohistory.com

Women of the American Civil War
www.americancivilwar.com/women/women.html

Miller Center of Public Affairs – Online Presidential Resource Center
www.millercenter.org/president

US Constitution Online
www.usconstitution.net/const.html



About The American Film Company

www.theamericanfilmcompany.com

Founded on the belief that real life is often more compelling than fiction, The American Film Company produces feature films about incredible, true stories from America's past. Central to the company's filmmaking will be prominent historians, assuring that each production remains true to the history from which it is drawn.

Entrepreneur and online brokerage pioneer, Joe Ricketts, founded The American Film Company in 2008 with executives Alfred Levitt, Brian Falk, Robert Stone, and Webster Stone.

About Big Picture Instructional Design

www.bigpictureinstructional.com

Big Picture Instructional Design gets young people talking about — and watching — movies that are both entertaining and informative.

Our mission is to increase the reach and impact of issue-driven feature films, television programs, and documentaries by building custom-designed educational outreach campaigns targeting community and classroom educators throughout the nation.

