



GUANTANAMO BAY: THE CONSTITUTION ASSERTED

LEARNING GOAL:

What are the ongoing controversies concerning detainees, “illegal combatants,” and Guantanamo Bay? How does the global news media report on these controversial issues? How can we analyze the tone, target, and bias present in mainstream news?

GRADES: 9-12 **SUBJECTS:** Social Studies & Government

TIME REQUIRED: 5 class periods, with extension [1 hour each] or 2 class periods without

MATERIALS: GLOWE Curriculum DVD, TV/DVD Player, Copies of handout.

Overview: This 5 minute clip from Link TV’s Global Pulse series addresses the June 2008 Supreme Court decision which stipulated that suspected terrorists being held at Guantanamo Bay are protected by the U.S. constitution and eligible for trials. Coverage in various news media outlets is shown, to illustrate public reactions from around the world to this Supreme Court decision.

Prerequisite Knowledge: Students should have a basic understanding of the Global War on Terror (timeline and definition), Guantanamo Bay, and the controversy over the detainees being held there. Students should have basic knowledge about the 2006 Military Commissions Act passed by Congress which established a process for military trials for detainees (instead of U.S. civilian courts). This is the law that was challenged in this Supreme Court case.

THIS CURRICULUM UNIT IS A PARTNERSHIP OF LINK TV AND WORLD SAVVY

SEE, THINK, WONDER: GUANTANAMO BAY

LEARNING PROCESS | SESSION ONE

1. THINK, WRITE NOW PROMPT [10 minutes] Students ‘free write’ on the following

Instruct students to free-write in response to the following question:

“In a time of war, how do you think a country should treat its enemies?”

2. MEDIA EXPERIENCE [5 minutes] Show the [Guantanamo Bay Global Pulse clip](#).

Show the video, and ask student to keep notes on the handout below.

3. SEE, THINK, WONDER [15 minutes] Facilitate a classroom discussion.

Facilitate the following classroom dialogue, using questions like the ones below, as soon as they finish watching the video clip.

- What do you see in the video that describes how different people feel about the issue of these detainees in Guantanamo Bay?
- Why do you think the Supreme Court justices ruled in favor of the detainees?
- What do you wonder about how people in the US and around the world will respond to this decision?

Students can also discuss their own reactions and opinions to this topic as well.

4. ANALYZING THE NEWS COVERAGE [15 minutes] Facilitate a comparative discussion.

Once students have opened a discussion on this issue, compare the news coverage of this decision in the different media outlets around the world. Provide students with the enclosed handout to complete; show the video clip again.

Discuss the questions from the handout, and ask students to analyze how different news outlets carried the same story. Additional questions for discussion are:

- Do the different news clips have different tones or points of view?
- What devices do you see to convey those different tones or points of view?
- What are the effects of images, text, and sound in these clips on the overall tone of the piece?
- Can you detect bias in any of the news clips? How can you tell?

CREATE YOUR ARGUMENT: GUANTANAMO BAY

LEARNING PROCESS | SESSION TWO

1. RESPONDING TO THE NEWS [50 minutes] Students write a persuasive essay.

Students will write a persuasive essay in response to a provocative statement at the end of the video clip.

Navy Commander Suzanne Lachelier says, “We don’t apply the Constitution selectively to people we like only. It applies to anyone, and if anything, the most important thing is that it applies to our enemies. That’s the measure of us.”

Write a persuasive essay in response to this quote. Essays should include the following information:

- Explain what the overall quote means, especially what “the measure of us” means;
- Explain whether you agree or disagree;
- Use a personal example, analogy, or historical/current events example to support your assertion.

EXTENSION

DEBATE YOUR ARGUMENT: GUANTANAMO BAY

LEARNING PROCESS | SESSION THREE through FIVE

1. MOCK TRIAL PREP [Time will vary] Students create their own mock trial structures.

The extension activity allows students to more closely examine the process of the Supreme Court in this decision by holding a mock Supreme Court trial on the issue of the Guantanamo Bay detainees.

- The Supreme Court case is called *Boumediene v. Bush*. The case was brought by 37 detainees being held without charge in Guantanamo Bay, and is named for lead plaintiff, Lakhdar Boumediene, from Algeria. The case is challenging a recent U.S. law, the 2006 Military Commissions Act, and thus President Bush is named as the defendant.

- Select nine students to act as the Supreme Court justices. Split the rest of the class into two groups, with half representing the detainees and the other half representing the Bush Administration. Those representing the detainees should prepare an argument which would allow them to challenge their detentions in U.S. federal court, and the U.S. Government representatives must prepare the opposing argument or defense. Give students at least 2 days to conduct additional research into the cases, and how it relates to the Constitution. (See additional resources in the Action section below.)

The lawyers on both sides should prepare arguments for the mock trial, and the justices should prepare a list of questions for the lawyers during the arguments.

2. MOCK TRIAL PRESENTATIONS *[Time will vary] Mock trial performances.*

- In Supreme Court cases, each side typically gets 30 minutes to present their case, and the justices can interrupt them and ask questions throughout the 30 minute time period. Use this same format in the class mock trial.
- Once the arguments have been presented, have the students acting as justices make a decision based on the arguments presented by their classmates. Remind the “Justices” to try to put aside their own opinions and rely only on the information presented at the trial.

3. MOCK TRIAL REFLECTION *[Time will vary] Mock trial reflections.*

Discuss and debrief this exercise once it is finished.

- Did the class Supreme Court come to the same conclusion as the US Supreme Court?
- How did students make their decision? Was it difficult?
- Do you think the personal beliefs and opinions of the US Supreme Court influence their decisions?
- Knowing what the US Supreme Court actually decided, what do you think will happen next to the detainees at Guantanamo Bay?

RESOURCES FOR STUDENT RESEARCH

Check these websites to find out more about Guantanamo Bay, and the detainees who are being held there as part of the Global War on Terror.

- PBS Online Newshour Extra: http://www.pbs.org/newshour/extra/features/us/jan-june08/gitmo_6-17.html
- Boston Globe: http://www.boston.com/news/nation/articles/2008/06/14/mccain_blasts_ruling_on_quantanamo/
- Amnesty International: <http://www.amnesty.org/en/counter-terror-with-justice>
- ACLU: <http://www.aclu.org/safefree/torture/index.html>

GLOBAL PULSE CURRICULUM MODULE: "GUANTANAMO BAY"
STANDARDS COVERED: NATIONAL McREL AND CALIFORNIA CONTENT

NATIONAL STANDARDS FROM McREL

The National Standards were taken from McREL (Mid-Continent Research for Education and Learning). For full list of McREL standards, go to:
<http://www.mcrel.org/compendium/browse.asp>.

World History

Standard 45:

Understands major global trends since World War II

Topics:

International Diplomacy and Relations
Human and Civil Rights

United States History

Standard 30:

Understands developments in foreign policy and domestic politics between the Nixon and Clinton presidencies.

6. Understands the causes of terrorism and its influence on recent U.S. foreign and domestic policy (e.g., the impact of the September 11, 2001 attacks; the G. W. Bush administration's policies regarding national security and the Middle East).

Topics:

Foreign Policies in early 21st century United States
International Diplomacy and Relations

Civics

Standard 18:

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

8. Knows historical and contemporary instances in which judicial protections have not been extended to all persons and instances in which judicial protections have been extended to those deprived of them in the past.

Standard 23:

Understands the impact of significant political and nonpolitical developments on the United States and other nations

2. Understands the effects that significant world political developments have on the United States (e.g., the French, Russian, and Chinese Revolutions; rise of nationalism; World Wars I and II; decline of colonialism; terrorism; multiplication of nation-states and the proliferation of conflict within them; the emergence of regional organizations such as the European Union)

Topics:

Human and Civil Rights
International Diplomacy and Relations
Judicial Protection of Individual Rights

CALIFORNIA CONTENT STANDARDS

World History, Culture, and Geography: The Modern World

Standard 10.10

Students analyze instances of nation-building in the contemporary world in at least two of the following regions or countries: the Middle East, Africa, Mexico and other parts of Latin America, and China.

1. Understand the challenges in the regions, including their geopolitical, cultural, military, and economic significance and the international relationships in which they are involved.
2. Describe the recent history of the regions, including political divisions and systems, key leaders, religious issues, natural features, resources, and population patterns.
3. Discuss the important trends in the regions today and whether they appear to serve the cause of individual freedom and democracy.

United States History and Geography: Continuity and Change in the Twentieth Century

Standard 11.9: Students analyze U.S. foreign policy since World War II.

4. List the effects of foreign policy on domestic policies and vice versa (e.g. protests during the war in Vietnam, the “nuclear freeze” movement).
6. Describe the U.S. Middle East policy and its strategic, political, and economic interests, including those related to the Gulf War.

Principles of American Democracy *Standard 12.5*

Students summarize landmark U.S. Supreme Court interpretations of the Constitution and its amendments.

1. Understand the changing interpretations of the Bill of Rights over time, including interpretations of the basic freedoms (religion, speech, press, petition, and assembly) articulated in the First Amendment and the due process and equal-protection-of-the-law clauses of the Fourteenth Amendment.

HISTORICAL AND SOCIAL SCIENCES ANALYSIS SKILLS, Grades 9-12

Chronological and Spatial Thinking

2. Students analyze how change happens at different rates at different times; understand that some aspects can change while others remain the same; and understand that change is complicated and affects not only technology and politics but also values and beliefs.
4. Students relate current events to the physical and human characteristics of places and regions.

Historical Interpretation

1. Students show the connections, causal and otherwise, between particular historical events and larger social, economic, and political trends and developments.
4. Students understand the meaning, implication, and impact of historical events and recognize that events could have taken other directions.

ENGLISH-LANGUAGE ARTS, Writing – Grades 9-10

1.0 Writing Strategies: Organization and Focus

- 1.1 Establish a controlling impression or coherent thesis that conveys a clear and distinctive perspective on the subject and maintain a consistent tone and focus throughout the piece of writing.
- 1.2 Use precise language, action verbs, sensory details, appropriate modifiers, and the active rather than the passive voice.

2.0 Writing Applications (Genres and Their Characteristics)

2.4 Write persuasive compositions:

- a. Structure ideas and arguments in a sustained and logical fashion.
- b. Use specific rhetorical devices to support assertions (e.g., appeal to logic through reasoning; appeal to emotion or ethical belief; relate a personal anecdote, case study, or analogy).
- c. Clarify and defend positions with precise and relevant evidence, including facts, expert opinions, quotations, and expressions of commonly accepted beliefs and logical reasoning.

GUANTANAMO BAY: THE CONSTITUTION ASSERTED CLASSROOM HANDOUT

Instructions: Watch the video clip about the recent Supreme Court decision regarding detainees at Guantanamo Bay. Write down information presented by each of the different news outlets about this story, and use this chart in class discussion. (The news outlets listed in the chart are presented in the order they appear in the video clip).

News Outlet	What information or “angle” about the story did each news outlet provide?	What do you notice about the tone or point of view of each news clip?
NBC News		
Al Jazeera		
ABC News		
Iran’s Press TV		
Fox News		
BBC News		

What did international news outlets say about the Bush Administration regarding this decision?

From the information provided in the news stories, how do you think Americans feel about this story?

From the information provided in the news stories, how do you think people from other countries feel about this story?

GUANTANAMO BAY: THE CONSTITUTION ASSERTED CLASSROOM HANDOUT
SAMPLE ANSWER KEY

Instructions: Watch the video clip about the recent Supreme Court decision regarding detainees at Guantanamo Bay. Write down information presented by each of the different news outlets about this story, and use this chart in class discussion. (The news outlets listed in the chart are presented in the order they appear in the video clip.)

News Outlet	What information or “angle” about the story did each news outlet provide?	What do you notice about the tone or point of view of each news clip?
NBC News	<i>- reporter standing in iconic DC location talking about significance of case and that detainees can now say “you’ve got the wrong guy!”</i>	<i>- very definitive; this case is not like other cases, Congress can’t just pass a law to change it</i>
Al Jazeera	<i>- long story about Sami Al-Hajj, held in G. Bay for almost 6 years, looking very weak and talking about brutal conditions at Gitmo</i>	<i>- tone is favorable to Al-Hajj and his story, he says the U.S. is trying to silence the media, and his quote makes the story look unfavorable to the U.S.</i>
ABC News	<i>- showed Sami Al-Hajj reunion with family, but also presents military’s position</i>	<i>- seems to be trying to be sympathetic to be both sides</i>
Iran’s Press TV	<i>-quote from AG Mukasey saying disappointed in decision, quote from Sec of Defense Gates that Gitmo should be closed</i>	<i>- seems to be trying to be sympathetic to both sides, by showing 2 U.S. officials with differing opinions about decision</i>
Fox News	<i>- Republican senator saying that the detainees have more rights than Nazi criminals</i>	<i>- Supreme Court decision was bad</i>
BBC News	<i>- quote from U.S. Navy Commander defending detainees</i>	<i>- shows someone from the Navy representing America’s enemies – comes off “heroic”?</i>

What did international news outlets say about the Bush Administration regarding this decision?
- Bush admin was the loser in this decision

From the information provided in the news stories, how do you think Americans feel about this story?
- Most are opposed to the decision (from the poll given)

From the information provided in the news stories, how do you think people from other countries feel about this story?
- It seems they are in favor of the decision, though no specific info given