Teacher Resources & Lesson Plans
Scene 3: *The Masses* v. the Espionage Act of 1917

Framing Questions:

1. What conditions/events shaped American entrance into WWI?
2. What role did media – from periodicals and newspapers to pamphlets, posters and film – play in shaping American attitudes toward the war in Europe?

Goals:

1. Understand what triggered US entry into WWI; role of Zimmerman Telegram raising fears of infiltration and overthrow of government;
2. Ability to articulate how the Espionage (and later Sedition) Act came into being;
3. Understand the nature of propaganda and how it was used during WWI;
4. Understand how images (cartoons and posters) persuade.

I. U.S. Enters the Great War

a. What triggered America's entry into the war, which it had resisted for more than two years? What was the role of the Zimmerman telegram in provoking the final decision to declare war on April 6, 1917?

A. An excellent overview of the war up to the point the U.S. entered the conflict is available in Chapter 1 "Prologue 1917" of David M. Kennedy's *Over Here: The First World War and American Society*. It can be read online at Amazon http://books.google.com/books?hl=en&lr=&id=s6dSIuBcx1IC&oi=fnd&pg=PA3&dq=%22world+war+1%22+AND+propaganda&ots=oWKa8jkyNJ&sig=_fKnTlwb34FkZScj2x79ldpqEA8#v=onepage&q=&f=false

a. College students should be encouraged to read the entire Kennedy book, an excellent guide to understanding how Americans understood the war.

B. Another overview of American involvement is available on the U.S. History website, a somewhat less authoritative resource but readable: http://www.ushistory.org/us/45.asp and http://www.ushistory.org/us/45a.asp

C. The Zimmerman telegram appeared to be the final straw in the long-running effort by President Wilson to avoid entering the war.

a. An overview of the crisis is available from the National Archives site, which contains images of the document and the decoded telegram: http://www.archives.gov/education/lessons/zimmermann/

b. Barbara Tuchman's *The Zimmerman Telegram* offers a thorough investigation of the circumstances surrounding the message and U.S. reaction.

Activity: "Hear It Now."

The following recordings are available from the Library of Congress collection of speeches. The site also suggests several discussion questions for students' essays or debates.

Discussion Questions

1. Would the U.S. have remained neutral if the Zimmerman telegram had not been intercepted and decoded:
2. What other events in 1915-1916 contributed to the growing American anxiety about the conflict in Europe?

Excerpts from a speech by U.S. Ambassador James. A. Gerrard at the outset of U.S. entry into WWI.
"Loyalty"
http://www.loc.gov/teachers/classroommaterials/presentationsandactivities/presentations/timeline/progress/wwone/loyalty.html

Recording of a speech by W.G. McAdoo, US Secretary of the Treasury
"American Rights"
http://lcweb2.loc.gov/cgi-bin/query/r?ammem/AMALL:@field%28DOCID+@lit%2890000044/RS%29%29

II. Role of Propaganda: War of words and images

a. Americans hold contradictory ideas about propaganda, generally viewing it as something "the other side" does, in contrast to "information campaigns" mounted by the U.S. government.

- **i.** Most definitions of propaganda revolve around intent—whether it is a deliberate attempt to persuade a group or merely the power of suggestion—and mass media's role in its effects. The difficulty lies in distinguishing between propaganda and education or religious doctrine—not to mention advertising or any overt, sustained argument for a particular point of view, such as news articles or opinion columns.

b. Generally speaking, propaganda includes the following elements: an organized group, for example, a government, corporation, or advertising agency; a need or desire to shape or create events in order to influence public opinion; and the tools to manipulate people's emotions, attitudes, ideas, or images.

c. One of President Wilson's first acts after declaring war in April 1917 was the creation of the Committee on Public Information (CPI) and the appointment of George Creel, a former newspaperman and politician, to head it.

- i. As the first large-scale propaganda agency in the United States, the so-called "Creel Committee" promoted a national ideology

framed in the language of a "just war," which Wilson used to legitimize America's entry into the Great War. Americans fought not for territory or other selfish motives but in pursuit of moral values.

d. The Committee for Public Information acted as the official gatekeeper, managing war news and fostering national unity, and it proved remarkably effective at both. The Committee diligently courted the press, inundating editors and reporters with patriotic stories, press releases, and pamphlets relaying information about the progress of the war and arranging press tours, fairs, and briefings with government officials.

  i. As one of its first acts, the CPI issued voluntary guidelines to magazines and newspapers regarding their war coverage. However, the guidelines proved voluntary in name only: any publication violating them was denied access to almost all official information. It's not surprising that most publishers embraced the story angles pushed by the CPI.

Further Reading

David Kennedy's *Over Here*, chapter 2, "The War for the American Mind, is a thorough treatment of the propaganda efforts of the U.S. government. It's long (100 pages) and so may not be practicable to assign high school students but might aid teachers in their preparation of the subject.

The Library of Congress' American Memory site also provides an overview of the relationship between the nation's newspapers and Creel's Committee on Public Information: http://memory.loc.gov/ammem/collections/rotogravures/rotoprop.html

College students should read:
Creel, George. *How We Advertised America.* New York: Arno Press, 1972.

Rawls, Walton H. *Wake Up, America!: World War I and the American Poster*. New York: Abbeville Press, 1988.

Activity: Propaganda Poster

Students create their own propaganda posters. The assignment is to create poster to sway popular opinion on the home front in 1917 toward rationing food or gasoline. The assignment can be modified to address the current conflicts in which the U.S. is involved, for example, a poster urging Americans to give blood; donate funds to support long-term medical care for wounded soldiers; recruit soldiers.

The Wisconsin Historical Society offers an excellent package of materials showing how the government sold the war to Americans, including excerpts from George Voght's article "When Posters Went to War," which appeared in the Winter 2000-2001 *Wisconsin Magazine of History*.
http://www.wisconsinhistory.org/teachers/lessons/wwi/sellingwwi.asp
The site also has links to a variety of propaganda posters. Those images and their analysis can form the basis of classroom discussions and essays or analyses by students

The poster assignment can be an individual or a group project. Each poster should contain the following elements:

--A persuasive "headline;"
--At least one original graphic to help convince viewers to favor the rationing;
--A statement viewers can read to sway them to the author's view.

The poster should be written in a style and format that would convince the viewer that it was created in the appropriate time period (i.e. 1917 or 2010).

III. The Espionage Act of 1917/Sedition Act of 1918

a. How did the Espionage Act of 1917 restrict civil liberties? To what extent do national security issues during time of war justify government restrictions on citizens fundamental civil liberties?
b. Excellent overview of the Espionage & Sedition Acts of 1917 & 1918 "The Espionage & Sedition Acts of 1917 & 1918: Sectional Interpretations." Shirley J. Burton. *Illinois Historical Journal* (Spring 1994). http://dig.lib.niu.edu/ISHS/ishs-1994spring/ishs-1994spring41.pdf
c. Good general background on the two acts of Congress is available from http://www.enotes.com/major-acts-congress/espionage-act-sedition-act

The documents in the case

1. U.S. Espionage Act, 15 June 1917
http://www.firstworldwar.com/source/espionageact.htm

2. U.S. Sedition Act of 1918
http://www.firstworldwar.com/source/espionageact.htm

3. Editorial Cartoons: Espionage Act and Limitations of First Amendment
http://ows.edb.utexas.edu/?q=site/espionage-act-and-limitations-first-amendment/editorial-cartoons

Activity: Reflection on liberty

Ask students to reflect, in writing or orally, on the meanings of the following quotes:*

--"They that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety." Benjamin Franklin

--"The average man does not want to be free. He simply wants to be safe." H.L. Mencken

--"Liberty lies in the hearts of men and women. When it dies there, no constitution, no law, no court can save it." Justice Learned Hand.

*Taken from a lesson plan prepared by Dan May for the Constitutional Rights Foundation of Chicago for the 2005 Illinois State Bar Association Mock Trials program.

Activity: Drafting an Espionage Act: Making it Work

Explain that while Congress has constitutional authority to write legislation its actions always are subject to the constitutionality of those laws. If the Court reviews the laws' application and find they infringe on rights guaranteed in the Constitution, those laws can be overturned.

Place students in groups, and assign each group a role to play.

--members of Congress – for and against Espionage Act
--Editors/publishers of newspapers – for and against the act
--President and advisers

The students write correspondence/speeches/editorials suggesting arguments for and against the act, drawing from the rationales and arguments deployed during the 1918 debate over the amendment to the 1917 Espionage Act leading to the Sedition Act.

The written arguments can take the form of newspaper editorials; speeches on the floor of the House/Senate; memos to the President. They must meet grammar standards, be persuasive and factually correct.

IV. *The Masses* Goes to Court

a. *The Masses* began publishing in 1911, founded by Dutch immigrant Piet Vlag, who envisioned a cooperatively published socialist monthly. Vlag soon left, but the idea had taken root among a group of artists and writers living in Greenwich Village who took over publication. Its articles and illustrations reflected the cultural turmoil of the early 20th century, driven by the massive shift of Americans from rural areas to the cities and the influx of immigrants as well as the push of new technologies, from telephones to cinema. Max Eastman, a PhD student at Columbia, was named editor by a group of artist-contributors, and he shaped the magazine into a left-leaning activist publication dedicated to reporting on labor struggles, Progressive reforms and women's rights.
b. From the start, the magazine took an anti-militarist position. When war broke out in Europe in1917, it responded with bitter attacks on its causes, which it laid at the feet of greedy capitalists. Captioned cartoons became a favorite medium for skewering the fat imperialist bankers it blamed for the carnage. Eastman and his contributors railed against American intervention, and when the U.S. Congress passed the Espionage Act within weeks of declaring war on Germany in April 1917, *The Masses* began to subtly attack the war effort.

c. Its critiques of the draft, and how Americans were being manipulated into patriotic fervor, finally drew the attention of the U.S. Postmaster General, Albert S. Burleson. Citing the Espionage Act, he denied the magazine second-class mailing privileges. In November 1917, the editors of *The Masses* were indicted on charges of obstructing enlistment efforts necessary to the war effort.
d. Judge Learned Hand, a New York state Superior Court justice, wrote in his opinion:
    i. "To assimilate agitation, legitimate as such, with direct incitement to violent resistance, is to disregard the tolerance of all methods of political agitation which in normal times is a safeguard of free government."
e. Judge Hand affirmed that if a citizen "stops short of urging upon others that it is their duty or their interest to resist the law," then he or she is protected by the First Amendment. One may, for example, "admire" resistors of the draft, but may not, under the "incitement" test, "counsel or advice" someone to violate the law at a specific time and place.

Further Reading

"Life of the People" exhibition, Library of Congress
http://www.loc.gov/exhibits/goldstein/goldrad.html

Cartoons from *The Masses*
http://www.marxists.org/subject/art/visual_arts/satire/pub/masses/index.htm

"The Crayon was Mightier Than the Sword"
http://www.nytimes.com/1988/09/04/books/the-crayon-was-mightier-than-the-sword.html?sec=&spon=&partner=permalink&exprod=permalink

John Sayer, "Art and Politics, Dissent and Repression: The Masses Magazine versus the Government, 1917-1918" in *The American Journal of Legal History* 32:1 (Jan. 1988) 42-78.

For particulars on the case itself, its citation is: *Masses Publishing Company v. Patten* 244 Fed. 535 (1917). A brief is available from ecasebriefs:
http://www.ecasebriefs.com/blog/law/constitutional-law/constitutional-law-keyed-to-sullivan/freedom-of-speech-why-government-restricts-speech-unprotected-and-less-protected-expression/masses-publishing-co-v-patten-2/

Activity: Analyze a Cartoon

First, have students complete the Cartoon Evaluation Worksheet for the two cartoons from *The Masses* that were at the heart of the lawsuit.
(http://www.nieonline.com/cftc/pdfs/wartoons.pdf)

Cartoon Evaluation Worksheet from NIE
http://www.nieonline.com/cftc/pdfs/eval.pdf

You could also direct them to a 1917 editorial cartoon responding to the Zimmerman telegram and ask them to analyze it.
http://rutlandhs.k12.vt.us/jpeterso/MOREWW1/ZMMRMN.JPG

This assignment requires students first to scour local newspapers for an issue that citizens are protesting. It could be anti-loitering rules at the mall; a traffic camera installed at an intersection to catch speeders; a graffiti ordinance. Have students collect articles about the issue of their choice. Ask them to reflect on how limiting expression (emphasize that this can be an online publication, as well as a print publication) affects how citizens respond to government decisions made about their issue.

Using insights gained from the worksheet analyzing *The Masses* cartoons, have students create an editorial cartoon concerning the issue in conflict.

You may want to have students work independently, although it also adapts well as a group activity.