

# FOR TEACHERS ONLY

The University of the State of New York

REGENTS HIGH SCHOOL EXAMINATION

## UNITED STATES HISTORY AND GOVERNMENT

Tuesday, August 20, 2024 — 8:30 to 11:30 a.m., only

### RATING GUIDE FOR PART III A AND PART III B (CIVIC LITERACY ESSAY QUESTION)

VOLUME  
**2** OF **2**  
CIVIC LITERACY  
ESSAY QUESTION

Updated information regarding the rating of this examination may be posted on the New York State Education Department's web site during the rating period. Visit the site at: <https://www.nysed.gov/state-assessment/high-school-regents-examinations/> and select the link "Scoring Information" for any recently posted information regarding this examination. This site should be checked before the rating process for this examination begins and several times throughout the Regents Examination period.

#### Contents of the Rating Guide

For **Part III A** Scaffold (open-ended) questions:

- A question-specific rubric

For **Part III B** Civic Literacy Essay Question (CLE):

- A content-specific rubric
- Prescored answer papers. Score levels 5 through 1 have two papers each. They are ordered by score level from high to low.
- Commentary explaining the specific score awarded to each paper
- Five prescored practice papers

General:

- Web addresses for the test-specific conversion chart and teacher evaluation forms

#### Mechanics of Rating

The procedures on page 2 are to be used in rating essay papers for this examination. More detailed directions for the organization of the rating process and procedures for rating the examination are included in the *Information Booklet for Scoring the Regents Examination in United States History and Government*.

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## Rating the Essay Questions

(1) Follow your school's procedures for training raters. This process should include:

*Introduction to the task—*

- Raters read the task
- Raters identify the answers to the task
- Raters discuss possible answers and summarize expectations for student responses

*Introduction to the rubric and anchor papers—*

- Trainer leads review of specific rubric with reference to the task
- Trainer reviews procedures for assigning holistic scores, i.e., by matching evidence from the response to the rubric
- Trainer leads review of each anchor paper and commentary

*Practice scoring individually—*

- Raters score a set of five papers independently without looking at the scores and commentaries provided
- Trainer records scores and leads discussion until the raters feel confident enough to move on to actual rating

(2) When actual rating begins, each rater should record his or her individual rating for a student's essay on the rating sheet provided, *not* directly on the student's essay or answer sheet. The rater should *not* correct the student's work by making insertions or changes of any kind.

(3) Each Part II essay must be rated by one rater.

## Rating the Scaffold (open-ended) Questions

(1) Follow a similar procedure for training raters.

(2) The scaffold questions are to be scored by one rater.

(3) The scores for each scaffold question must be recorded in the student's examination booklet and on the student's answer sheet. The letter identifying the rater must also be recorded on the answer sheet.

(4) Record the total Part III A score if the space is provided on the student's Part I answer sheet.

**Schools are not permitted to rescore any of the open-ended questions (scaffold questions, Short-Essay Questions, Civic Literacy Essay Question) on this exam after each question has been rated the required number of times as specified in the rating guides, regardless of the final exam score. Schools are required to ensure that the raw scores have been added correctly and that the resulting scale score has been determined accurately. Teachers may not score their own students' answer papers.**

The scoring coordinator will be responsible for organizing the movement of papers, calculating a final score for each student's essay, recording that score on the student's Part I answer sheet, and determining the student's final examination score.

The conversion chart for this examination will be located at <https://www.nysed.gov/state-assessment/high-school-regents-examinations/>, and must be used for determining the final examination score.

**United States History and Government  
Content-Specific Rubric (Questions 31-36)  
Civic Literacy Essay (Question 37)  
August 2024**

**Go on to the next page ➡**

## Document 1a

Before the declaration of war in 1917, the idea of sending U.S. troops to fight the Germans and save the British was not popular with the American people. However, once Congress declared war, there was considerable pressure to stifle [quiet] dissent about the war. Elihu Root, one of President Wilson's advisers, said in early 1917, "We must have no criticism now."

Police surveillance increased, and Americans were encouraged to report their neighbors' "disloyal" acts. Congress enacted the Espionage Act of 1917, which made acts of insubordination and disloyalty punishable by prison terms of up to twenty years. It was the first time since the Alien and Sedition Acts (1798) early in the nation's history that criticism of government had been criminalized. Sponsors said that tolerating disloyal public statements might undermine efforts to draft and recruit young people into military service. More than 2,000 people were prosecuted under the act.

One of them was Charles Schenck, general secretary of Philadelphia's Socialist Party. In 1917 the party directed Schenck to prepare a leaflet that would be distributed to young men conscripted in the recently enacted military draft.

Source: Tony Mauro, *Illustrated Great Decisions of the Supreme Court*, CQ Press, 2006

## Document 1b

Opposition to America's wars was not new. Antiwar movements had emerged during the War of 1812, the war against Mexico (1846–48), and the 1898 war against Spain. But World War I saw the development of a much more consequential opposition, numbering in the millions, drawing on many sectors of society, and powerful enough to inspire a massive government crackdown that included thousands of arrests, the suppression of newspapers and organizations, and a tightly coordinated public information campaign that branded dissenters as enemy agents and dangerous subversives.

World War I proved pivotal for German Americans, many of whom mobilized to promote American neutrality during the years 1914–1916 only to become targets of suspicion and hatred when the US entered the war in 1917.

It was pivotal too for the Socialist Party, the Industrial Workers of the World, and other radical organizations that opposed American involvement. After 1917, radicals supplied much of the energy for the antiwar movement, and radical organizations paid dearly for their dissent. The government campaign to suppress antiwar opposition turned into a generalized red scare that continued into the 1920s. The American left was never the same.

Source: Pacific Northwest Labor and Civil Rights Projects, University of Washington, 2009

**31 Based on these documents, what is *one* historical circumstance that led to the restriction of individual rights during World War I?**

**Score of 1:**

- States a historical circumstance that led to the restriction of individual rights during World War I based on these documents

*Examples:* before declaration of war idea of sending troops to fight Germans and save British not popular with Americans; once war declared considerable pressure to stifle/quiet dissent about war; neighbors encouraged to report disloyal acts; Espionage Act of 1917 passed by Congress; Root said “we must have no criticism now”; police surveillance increased; first time since Alien and Sedition Acts criticism of government criminalized; fear that tolerating disloyal public statements might undermine efforts to draft/recruit young people; more than 2,000 people prosecuted under Espionage Act; General Secretary Charles Schenck of Philadelphia’s Socialist Party directed to prepare leaflet to be distributed to young men conscripted in military draft; antiwar movements during War of 1812/Mexican-American War/Spanish-American War; opposition to World War I numbered in millions/drew on many sectors of society; opposition to World War I inspired massive government crackdown including thousands of arrests; suppression of newspapers/organizations branding dissenters as enemy agents/dangerous subversives; German Americans targets of suspicion/hatred when United States entered war; Socialist Party/Industrial Workers of the World opposed American involvement; radicals supplied much of energy for antiwar movement

**Score of 0:**

- Incorrect response

*Examples:* sending troops to fight Germans and save the British popular with American people even before war; police surveillance decreased; Americans encouraged not to report neighbors; only radicals opposed the war; draft ended; Alien and Sedition Acts repealed; criticism of government encouraged

- Vague response

*Examples:* President Wilson’s advisors; nation’s history; undermine efforts; sectors of society; never the same

- No response

## Document 2a

Congress passed, and Wilson signed, in June of 1917, the Espionage Act. From its title one would suppose it was an act against spying. However, it had a clause that provided penalties up to twenty years in prison for “Whoever, when the United States is at war, shall willfully cause or attempt to cause insubordination, disloyalty, mutiny, or refusal of duty in the military or naval forces of the United States, or shall willfully obstruct the recruiting or enlistment service of the U.S. ...” Unless one had a theory about the nature of governments, it was not clear how the Espionage Act would be used. It even had a clause that said “nothing in this section shall be construed to limit or restrict ... any discussion, comment, or criticism of the acts or policies of the Government.” ... But its double-talk concealed a singleness of purpose. The Espionage Act was used to imprison Americans who spoke or wrote against the war.

Source: Howard Zinn, *A People's History of the United States, 1492–Present*, Harper Perennial, 2001

## Document 2b

### MUST LIBERTY'S LIGHT GO OUT?



Source: Winsor McCay, *New York American*, May 3, 1917 (adapted)



**32 Based on these documents, what was *one* effort to address the issue of individual rights during World War I?**

**Score of 1:**

- States an effort to address the issue of individual rights during World War I based on these documents

*Examples:* Congress passed Espionage Act; Wilson signed Espionage Act; Espionage Act provided penalties up to 20 years in prison; Espionage Act used to imprison Americans who spoke/wrote against war; imprisonment for willfully causing *or* attempting to cause insubordination/disloyalty/mutiny/refusal of duty in military *or* naval forces of United States; penalties for those who willfully obstruct recruiting/enlistment service of United States; Espionage Act used to imprison Americans who spoke/wrote against war; illustrations by political cartoonists question need for Espionage Act; criticism of Espionage Act by political cartoonist Winsor McCay

**Score of 0:**

- Incorrect response  
*Examples:* Wilson did not sign the Espionage Act; Espionage Act provided penalties up to 30 years in prison; not clear how Espionage Act would be used; Americans could speak/write against the war; no penalties for obstruction of recruitment for United States armed services
- Vague response:  
*Examples:* nature of governments; it was not clear; it was double-talk; a singleness of purpose; enlightenment; Congress did things
- No response

## Document 3

. . . More than all, the citizen and his representative in Congress in time of war must maintain his right of free speech. More than in times of peace it is necessary that the channels for free public discussion of governmental policies shall be open and unclogged. I believe, Mr. President, that I am now touching upon the most important question in this country today—and that is the right of the citizens of this country and their representatives in Congress to discuss in an orderly way frankly and publicly and without fear, from the platform and through the press, every important phase of this war; its causes, the manner in which it should be conducted, and the terms upon which peace should be made. The belief which is becoming widespread in this land that this most fundamental right is being denied to the citizens of this country is a fact the tremendous significance of which, those in authority have not yet begun to appreciate. I am contending, Mr. President, for the great fundamental right of the sovereign people of this country to make their voice heard and have that voice heeded upon the great questions arising out of this war, including not only how the war shall be prosecuted [conducted] but the conditions upon which it may be terminated with a due regard for the rights and the honor of this nation and the interests of humanity. . . .

Source: Senator Robert M. La Follette Sr., “Free Speech in Wartime,” October 6, 1917, *Congressional Record*, 65th Congress

### 33 According to Senator Robert La Follette, what is *one* reason freedom of speech is important during wartime?

#### Score of 1:

- States a reason freedom of speech is important during wartime according to Senator Robert La Follette

*Examples:* in wartime even more than in peace time it is necessary that channels for free public discussion of governmental policies be open/unclogged; right of citizens of United States *or* representatives in Congress to discuss in an orderly way frankly/publicly/without fear every important phase of war; right of citizens of United States *or* representatives in Congress to discuss causes of war *or* manner in which war should be conducted/terms upon which peace should be made; fundamental right of sovereign people of United States to make voice heard/have voice heeded upon great questions arising out of war; right of citizens to be heard on how war should be prosecuted/conducted/conditions upon which war should be terminated without regard for rights and honor of nation/interests of humanity

#### Score of 0:

- Incorrect response  
*Examples:* free public discussion of government policies should be restricted; manner in which war to be conducted *or* terms of peace should not be open to public discussion; citizens must surrender some rights in time of peace
- Vague response  
*Examples:* in times of peace; the most important question; belief widespread; tremendous significance; the rights and honor
- No response



## Document 4

The first legal challenge to the new law came early in January 1919, when three separate Espionage Act cases were argued before the U.S. Supreme Court. The Court had never before reviewed a free speech challenge to a federal statute. One of the cases, *Schenck v. United States*, began two years earlier when Charles Schenck, a prominent socialist, was arrested and tried for printing and distributing a leaflet that urged his fellow Americans to resist the draft. “A conscript [draftee] is little better than a convict,” it read. “He is deprived of his liberty and of his right to think and act as a free man.”

In all three Espionage Act cases, the justices voted unanimously to uphold the convictions. But it was in the *Schenck* opinion that associate justice Oliver Wendell Holmes Jr. created a new legal standard that served as the basis for all three decisions. Holmes, one of the Court’s more liberal members, conceded that the language used by the defendants would be acceptable in times of peace. But he stressed that “the character of every act depends upon the circumstances in which it is done. The most stringent [strict] protection of free speech would not protect a man in falsely shouting fire in a theatre and causing a panic. The question in every case,” Holmes concluded, “is whether the words used are used in such a nature as to create a clear and present danger that they will bring about the substantive [real] evils that Congress has a right to prevent.”

Source: Haynes, Chaltain, and Glisson, *A Documentary History Of First Amendment Rights in America*, Oxford University Press, 2006

### 34 Based on this document, how did the decision in *Schenck v. United States* impact individual rights during wartime?

#### Score of 1:

- States an impact of the decision in *Schenck v. United States* on individual rights during wartime based on this document

*Examples:* decision in *Schenck* created new legal standard; language used by defendants in Espionage Act cases acceptable in times of peace but not during wartime; character of every act would depend upon circumstances in which it was done; words creating clear and present danger are not protected by free speech

#### Score of 0:

- Incorrect response  
*Examples:* first legal challenge to new law; three separate Espionage Act cases argued before Supreme Court; Supreme Court cannot review free speech challenge to federal statute; draftee deprived of right to think and act as free man
- Vague response  
*Examples:* a prominent socialist; fellow Americans; justices voted; substantive evils
- No response

## Document 5

Eugene Debs was arrested for giving an antiwar speech and later convicted of violating the Espionage Act. His conviction was upheld by the Supreme Court in 1919. In 1921, President Warren G. Harding made the decision to release Debs from prison.

Unquestionably, however, President Harding’s pardon of Eugene Debs and other political prisoners was one of his most important and underappreciated legacies. Specifically, his act was a singular contribution to the development of the pardon practice under Article II, Section 2, of the Constitution. These commutations [pardons] served as a check on potential abuse by *both* coequal branches of government. Harding’s strategic use of the presidential pardon helped undo the damage done by a war-frenzied Congress in enacting the Espionage and Sedition Acts, which had been compounded by the failure of the Supreme Court to defend the First Amendment of the Constitution. It was an impressive demonstration of constitutional authority by a president.

Seen in this context, Harding’s call for a “return to normalcy” hardly seems as trite [insignificant] as it is often portrayed in historical texts. His ending the abuses of the Sedition Act and the American Protective League did more than simply effect a nonviolent transition back to prewar conditions. The action also clearly showed that President Warren Harding understood the critical need for the executive to use constitutional power to counterbalance pernicious [harmful] legislation or unwise court rulings that might threaten core freedoms under the U.S. Constitution.

Source: Ken Gormley, *The Presidents and the Constitution, A Living History*, New York University Press, 2016 (adapted)

### 35 According to Ken Gormley, how did President Harding’s pardon of Eugene Debs impact individual rights after World War I?

#### Score of 1:

- States an impact of President Harding’s pardon of Eugene Debs on individual rights after World War I according to Ken Gormley  
*Examples:* contributed to development of pardon practice under Constitution; served as check on potential abuse by branches of government; helped undo damage done by Congress enacting Espionage and Sedition Acts; helped undo failure of Supreme Court to defend first amendment; showed critical need for executive to use constitutional power to counterbalance harmful legislation or unwise court rulings that might threaten core freedoms under Constitution; ended abuses of Sedition Act/American Protective League

#### Score of 0:

- Incorrect response  
*Examples:* Debs arrested for giving antiwar speech; Debs convicted of violating Espionage Act; stopped abuse by both branches of government; strengthened Espionage and Sedition Acts
- Vague response  
*Examples:* pardon underappreciated; war-frenzied Congress; impressive demonstration; nonviolent transition
- No response

## Document 6

. . . During World War II, President Roosevelt ordered the internment of more than 110,000 individuals of Japanese descent, two-thirds of whom were American citizens. Men, women, and children were locked away in detention camps for the better part of three years, for no reason other than their race.

Faced with the threat of Soviet espionage, sabotage, and subversion during the Cold War, the government instituted loyalty programs, legislative investigations, blacklists, and criminal prosecutions to ferret out [find] and punish those suspected of “disloyalty.” It was an era scarred by the actions of Senator Joseph McCarthy and the House Un-American Activities Committee.

During the Vietnam War, the Johnson and Nixon administrations initiated surreptitious [secret] programs of surveillance and infiltration in order to disrupt and neutralize those who opposed the war, prosecuted dissenters for burning their draft cards and expressing contempt for the American flag, and attempted to prevent the *New York Times* and the *Washington Post* from publishing the *Pentagon Papers*. . . .

Source: Geoffrey R. Stone, *War and Liberty, An American Dilemma: 1790 to the present*, W. W. Norton & Company, 2007

### 36 According to Geoffrey Stone, what is *one* way individual rights during wartime continued to be an issue after World War I?

#### Score of 1:

- States a way individual rights during wartime continued to be an issue after World War I according to Geoffrey Stone

*Examples:* during World War II President Roosevelt ordered internment of more than 110,000 individuals of Japanese descent; two-thirds of individuals President Roosevelt ordered interned during World War II were American citizens; men, women, children locked away in detention camps during World War II for no reason other than race; faced with threat of Soviet espionage, sabotage, subversion during the Cold War, the government instituted loyalty programs/legislative investigations/blacklists/criminal prosecutions to find and punish those suspected of disloyalty; era scarred by actions of Senator Joseph McCarthy and House Un-American Activities Committee; during Vietnam War secret programs of surveillance and infiltration initiated by government; during Vietnam War those who opposed war neutralized, dissenters prosecuted for burning draft cards, expressing contempt for American flag; government attempted to prevent *New York Times/Washington Post* from publishing *Pentagon Papers*

#### Score of 0:

- Incorrect response  
*Examples:* Senator Joseph McCarthy threatened Soviets; internment of individuals of Japanese descent during Cold War; Nixon published *Pentagon Papers*; detention camps were banned after World War II
- Vague response  
*Examples:* better part of three years; faced with a threat; disrupt and neutralize; expressing contempt
- No response

**United States History and Government**  
**Content-Specific Rubric**  
**Civic Literacy Essay Question (37)**  
**August 2024**

**Historical Context: Individual Rights During World War I**

Throughout United States history, many constitutional and civic issues have been debated by Americans. These debates have resulted in efforts by individuals, groups, and governments to address these issues. These efforts have achieved varying degrees of success. One of these constitutional and civic issues is *the restriction of individual rights during World War I*.

**Task:**

- Describe the historical circumstances surrounding this constitutional or civic issue
- Explain efforts by individuals, groups, and/or governments to address this constitutional or civic issue
- Discuss the extent to which the efforts were successful

***Scoring Notes:***

1. This civic literacy essay question has a minimum of **four** components (describing the historical circumstances surrounding the issue of the restriction of individual rights during World War I, explaining *at least two* efforts to address this issue by individuals, groups, and/or governments, and discussing the extent to which the efforts were successful).
2. The description of historical circumstances may focus on immediate or long-term circumstances.
3. The efforts to address the restriction of individual rights during World War I may focus on efforts by individuals, groups, governments, or any combination of these.
4. Individuals, groups, and/or governments do not need to be specifically identified as long as they are implied in the discussion.
5. The efforts to address the restriction of individual rights during World War I may be positive, negative, or a combination of both.
6. The discussion of the extent to which the efforts were successful may focus on immediate or long-term results.
7. The same or similar information may be used to address more than one aspect of the task as long as the information is relevant to the aspect of the task being addressed.
8. The explanation of efforts to address the restriction of individual rights during World War I may include the discussion of the extent to which those efforts were successful.
9. The response may discuss efforts to address the restriction of individual rights during World War I and the extent to which the efforts were successful from different perspectives as long as the position taken is supported by accurate historical facts and examples.
10. For the purpose of meeting the criteria of using *at least four* documents in the response, documents 1a, 1b, 2a, and 2b may be considered separate documents **if** the response uses specific information from **each** selected document.

**Score of 5:**

- Thoroughly develops *all* aspects of the task evenly and in depth by describing the historical circumstances surrounding the restriction of civil liberties during World War I, explaining *at least two* efforts to address the issue by individuals, groups, and/or governments, and discussing the extent to which the efforts were successful
- Is more analytical than descriptive (analyzes, evaluates, and/or creates\* information), e.g., connects Wilson’s decision to end neutrality and enter World War I and reasons for his concerns about wartime national unity, his direct appeal to Congress for passage of the Espionage Acts and congressional debates over the constitutionality of that legislation, the Supreme Court’s “clear and present danger” decision in Schenck’s appeal, the presidential release of Debs from prison, and the reevaluation of the suppression of wartime dissent
- Incorporates relevant information from *at least four* documents (see Key Ideas charts)
- Incorporates substantial relevant outside information (see Outside Information chart)
- Richly supports the theme with many relevant facts, examples, and details, e.g., antiwar movements; Elihu Root; Red Scare; free speech; Senator La Follette; *Schenck v. United States*; President Harding
- Demonstrates a logical and clear plan of organization; includes an introduction and a conclusion that are beyond a restatement of the theme

**Score of 4:**

- Develops *all* aspects of the task but may do so somewhat unevenly by discussing one aspect of the task less thoroughly than the other aspects of the task
- Is both descriptive and analytical (applies, analyzes, evaluates, and/or creates\* information), e.g., discusses reasons for Wilson’s concern over wartime national unity, Senator La Follette’s opposition to the Espionage Act, Charles Schenck’s appeal to the Supreme Court, and the check on congressional power made in Harding’s release of Debs from prison
- Incorporates relevant information from *at least four* documents
- Incorporates relevant outside information
- Supports the theme with relevant facts, examples, and details
- Demonstrates a logical and clear plan of organization; includes an introduction and a conclusion that are beyond a restatement of the theme

**Score of 3:**

- Develops *all* aspects of the task with little depth *or* develops *at least three* aspects of the task in some depth
- Is more descriptive than analytical (applies, may analyze and/or evaluate information)
- Incorporates some relevant information from some of the documents
- Incorporates limited relevant outside information
- Includes some relevant facts, examples, and details; may include some minor inaccuracies
- Demonstrates a satisfactory plan of organization, includes an introduction and a conclusion that may be a restatement of the theme

**Score of 2:**

- Minimally develops *all* aspects of the task *or* develops *at least two* aspects of the task in some depth
- Is primarily descriptive; may include faulty, weak, or isolated application or analysis
- Incorporates limited relevant information from the documents *or* consists primarily of relevant information copied from the documents
- Presents little or no relevant outside information
- Includes few relevant facts, examples, and details; may include some inaccuracies
- Demonstrates a general plan of organization; may lack focus; may contain digressions; may not clearly identify which aspect of the task is being addressed; may lack an introduction and/or a conclusion

**Score of 1:**

- Minimally develops some aspects of the task
- Is descriptive; may lack understanding, application, or analysis
- Makes vague, unclear references to the documents or consists primarily of relevant and irrelevant information copied from the documents
- Presents no relevant outside information
- Includes few relevant facts, examples, or details; may include inaccuracies
- May demonstrate a weakness in organization; may lack focus; may contain digressions; may not clearly identify which aspect of the task is being addressed; may lack an introduction and/or a conclusion

**Score of 0:**

Fails to develop the task or may only refer to the theme in a general way; *OR* includes no relevant facts, examples, or details; *OR* includes only the historical context and/or task as copied from the test booklet; *OR* includes only entire documents copied from the test booklet; *OR* is illegible; *OR* is a blank paper

\*The term *create* as used by Anderson/Krathwohl, et al. in their 2001 revision of Bloom's *Taxonomy of Educational Objectives* refers to the highest level of the cognitive domain. This usage of create is similar to Bloom's use of the term *synthesis*. Creating implies an insightful reorganization of information into a new pattern or whole. While a Level 5 paper will contain analysis and/or evaluation of information, a very strong paper may also include examples of creating information as defined by Anderson and Krathwohl.

**All sample student essays in this rating guide are presented in the same cursive font while preserving actual student work, including errors. This will ensure that the sample essays are easier for raters to read and use as scoring aids.**

**Raters should continue to disregard the quality of a student's handwriting in scoring examination papers and focus on how well the student has accomplished the task. The content-specific rubric should be applied holistically in determining the level of a student's response.**



## Individual Rights During World War I

### *Key Ideas from the Documents*

(This list is not all-inclusive.)

#### Historical Circumstances

**Docs 1a/1b**—Idea of sending United States troops to fight Germans and save British not popular with American people before declaration of war in 1917

Considerable pressure to quiet dissent once war declared

Passage of Espionage Act by Congress in 1917 (more than 2,000 people prosecuted under act)

Military draft enacted

Charles Schenck directed by Socialist Party to prepare leaflet to be distributed to young men conscripted in military draft

Criticism of government criminalized early in history with Alien and Sedition Acts

Emergence of antiwar movements in previous wars (War of 1812; Mexican-American War, 1846–48; Spanish-American War, 1898)

Fear that tolerating disloyal public statements might undermine efforts to draft and recruit young people into military service

Development of more consequential opposition in World War I (numbered in millions; drew on many sectors of society)

Massive government crackdown as result of opposition (thousands of arrests; suppression of newspapers; suppression of organizations; tightly coordinated public information campaign branding dissenters as enemy agents and dangerous subversives)

Mobilization of many German Americans to promote American neutrality from 1914–1916; German Americans were targets of suspicion and hatred when United States entered World War I

Opposition to American involvement in World War I by radical organizations (Socialist Party; Industrial Workers of the World)

Generalized Red Scare as result of government campaign to suppress antiwar opposition

**Doc 3**—Recognition by many that for common good in time of war citizens must surrender some rights they are entitled to in time of peace

**Doc 4**—Schenck arrested and tried for printing and distributing leaflet urging fellow Americans to resist draft

## Individual Rights During World War I

### *Key Ideas from the Documents (continued)*

(This list is not all-inclusive.)

#### Efforts to Address

**Docs 1a/1b**—Increased police surveillance

Americans encouraged to report neighbors' disloyal acts

Espionage Act of 1917 enacted by Congress (made acts of insubordination and disloyalty punishable by prison terms of up to 20 years; fear from sponsors of act that tolerating disloyal public statements might undermine efforts to draft and recruit young people into military service)

Prosecution of more than 2,000 people under Espionage Act

Preparation of leaflet by Charles Schenck to distribute to young men conscripted in military draft under direction of Philadelphia's Socialist Party

Massive government crackdown (thousands of arrests; suppression of newspapers and organizations)

Tightly coordinated public information campaign (branded dissenters as enemy agents and dangerous subversives)

German Americans made targets of suspicion and hatred when United States entered war in 1917

Government campaign to suppress antiwar opposition led to generalized Red Scare

**Docs 2a/2b**—Espionage Act passed by Congress and signed by Wilson in 1917 (penalties up to 20 years in prison; penalties for those who willfully cause or attempt to cause insubordination; disloyalty, mutiny, or refusal of duty in military or naval forces of United States; penalties for those who obstruct recruiting or enlistment service of United States)

Espionage Act used to imprison Americans who spoke or wrote against the war

Use of political cartoons to inform public about concerns with Espionage Act

**Doc 3**—Senator Robert La Follette's opinion on free speech in wartime (right of free speech to be maintained by citizens and representatives in Congress in time of war; open and unclogged channels for free public discussion of government policies; right of citizens and representatives in Congress to discuss in an orderly way frankly and publicly and without fear from the platform and through the press every important phase of war including its causes; manner in which it should be conducted; terms upon which peace should be made)

**Doc 4**—*Schenck v. United States* (prominent socialist Schenck arrested and tried for printing and distributing leaflet urging fellow Americans to resist draft; first time Supreme Court reversed free speech challenge to federal statute; according to Schenck draftees deprived of liberty and right to think and act as free men)

Convictions upheld by Supreme Court in all three espionage cases (ruled that language used by defendants acceptable in times of peace; ruled character of every act depends on circumstances in which it occurs; question in every case whether words used in such a way as to create "clear and present danger" that would bring about evils that Congress had right to protect)

**Doc 5**—Eugene Debs arrested for giving antiwar speech and later convicted of violating Espionage Act

## Individual Rights During World War I

### *Key Ideas from the Documents (continued)*

(This list is not all-inclusive.)

#### Extent to Which Efforts Successful

**Docs 1a/1b**—Continuation of generalized Red Scare into 1920s as result of government campaign to suppress antiwar opposition

Government effective in limiting opposition to war through prosecutions under Espionage Act, suppression of newspapers and organizations

Massive government crackdown (thousands of arrests; suppression of newspapers and organizations)

**Doc 4**—Three separate Espionage Act cases argued before Supreme Court in 1919 (*Schenck v. United States*; convictions in all three cases upheld unanimously; concession that language used by defendants acceptable in times of peace; man falsely shouting fire in theatre and causing panic not protected by free speech as he would create clear and present danger)

**Doc 5**—Conviction of Eugene Debs upheld by Supreme Court; sentence of Debs reduced by President Harding

Contribution of President Harding's pardons of political prisoners to development of pardon practice under Article II, Section 2 of Constitution (helped undo damage done by Espionage and Sedition Acts and failure of Supreme Court to defend first amendment)

Abuses of Sedition Act and American Protective League ended by President Harding (return to normalcy; effected nonviolent transition back to prewar conditions; demonstrated critical need for executive to use constitutional power to counterbalance harmful legislation or unwise court rulings that might threaten core freedoms under Constitution)

**Doc 6**—Internment of more than 110,000 individuals of Japanese descent ordered by President Roosevelt during World War II (two-thirds American citizens; men, women, and children locked away in detention camps for better part of three years for no reason other than race)

Government actions to find those suspected of disloyalty because of threat of Soviet espionage, sabotage, and subversion during Cold War (loyalty programs; legislative investigations; blacklists; criminal prosecutions)

Actions of Senator Joseph McCarthy and House Un-American Activities Committee

Actions of Johnson and Nixon administrations during Vietnam War (secret programs of surveillance and infiltration to disrupt and neutralize those who opposed war; prosecution of dissenters for burning their draft cards and expressing contempt for American flag; attempts to prevent *New York Times* and *Washington Post* from publishing Pentagon Papers)

## Individual Rights During World War I

### ***Relevant Outside Information***

*(This list is not all-inclusive.)*

#### **Historical Circumstances**

Dedication of European colonists to individual liberties (Zenger case; speeches, writings, petitions, debates over issue of independence)  
Lack of bill of rights focus of Anti-Federalist opposition to ratification of Constitution  
Addition of Bill of Rights to Constitution to protect individual liberties from federal government  
Details about Alien and Sedition Acts (criticism of speech and press restrictions threat to civil liberties)  
Concerns about effects of more diverse society on national unity in face of increasing immigration  
Precedent of Lincoln's restriction of civil liberties during Civil War (suspension of newspapers, arrest of editors, suspension of habeas corpus)  
Wilson's Proclamation of Neutrality, 1914  
Request by Wilson for congressional declaration of war (submarine warfare; Zimmermann Note)  
Reasons for opposition to war (tradition of non-involvement, isolationism; Proclamation of Neutrality, 1793; role of Washington's Farewell Address; repressive nature of war; fear of distraction from Progressive reform movements)  
Concerns over loyalty of German Americans, antiwar Americans; details about discrimination against German Americans (details surrounding hostility towards German Americans)

#### **Efforts to Address**

Peace Movement (Woman's Peace Party; Jane Addams; Carrie Chapman Catt; Henry Ford)  
Debates in Congress over constitutionality of Espionage Acts  
Details about Debs' speech on dissent during wartime  
Mobilization of public opinion using propaganda to support and criticize restrictions of individual rights  
Expansion of limitations on speech and press critical of war with passage of Sedition Act

#### **Extent to Which Efforts Successful**

Post-war atmosphere of suspicion of radicals (Palmer Raids, xenophobia, Quota Acts, Sacco and Vanzetti)  
Details about Japanese internment (*Korematsu v. United States*; official federal apology and restitution payments in 1980s)  
Details about actions of Senator Joseph McCarthy and McCarthy hearings  
Details about Pentagon Papers  
Restriction of civil liberties during times of crisis (Cold War; Vietnam War; peace movement of 1960's; Kent State; 9/11 and War on Terror; Israel-Hamas conflict)

War time is a period of uncertainty and instability and requires public support for our troops and the cause. The US entered the first World War after being neutral and hoping to avoid the war altogether. When war against Germany was declared many changes occurred as a result of mobilization, one of which was restricting individual rights.

WWI began in Europe with the assassination of Archduke Franz Ferdinand, but there were many underlying causes like militarism and imperialism. The US separated from Europe by the Atlantic Ocean believed it could stay out of the war and stay isolated from Europe's problems. President Wilson was able to do that during his first term, despite the sinking of the Lusitania and trading mostly with the Allies, the Zimmerman Telegram, and most importantly unrestricted submarine warfare led the US to form an alliance with the Allies whom many had supported from the beginning.

Many however disagreed with US involvement in the war and wanted to remain neutral as George Washington proposed centuries ago in his Farewell Address. Progressives believed that their efforts would be halted as now focus would turn to mobilization and the war effort rather than reform. Many argued this wasn't America's war to fight (Doc 1) but President Wilson convinced them that this would be a war to end all wars and that his Fourteen Points would make the world a better place. Opposition to the war worried President Wilson and led to the government passing the Espionage Act to contain the anti-war movement. Under this act those who spoke against the war effort or the government could be imprisoned and/or deported. This was controversial because some believed this violated the first Amendment which called for freedom of speech, religion, press etc. With this Act the

foundations and fundamentals of this country were shattered as the US was built upon liberty and the natural right of having personal thoughts and beliefs respected by the government. This Act and the Sedition Act (Doc 5) were similar to John Adams Alien and Sedition Acts which also punished people who spoke out against the government (Doc 2). Thomas Jefferson protested against this and helped write the Virginia and Kentucky resolutions which stated that the states had the authority to void something the government passed because they saw it as unconstitutional.

There were multiple efforts to contest governments restrictions on personal liberties one of which was the Supreme Court Case Schenck v US. The final supreme court ruling was that people had the right to freedom of speech and press under the first Amendment only if it doesn't present a clear and present danger to others and the nation as Schenck did. With this ruling people could speak out even if it was against the government; however, just like they couldn't yell fire in a theater that would bring panic and chaos to others they couldn't encourage resistance to the draft during war like Schenck did. The Supreme Court established guidelines to what couldn't or could be said against the government and decided the Espionage Act did not violate the first Amendment. As long as people weren't harming others with their opposition to the war effort, under the first Amendment, it could be said (Doc 4).

Another effort was progressive Senator La Follette who used his position to argue why limits on free speech were undemocratic. La follette believed that freedom of speech is important and necessary during wartime. He states that people should have the authority to



direct the nation in its interventions and advise on the steps and phases of the war. Since this country's founding and the Declaration of Independence the "Consent of the Governed" has been an important principal guiding the nation even during times of war. It is important that the people of the US continue exercising their rights and have a say in what gets to be done or what needs to occur in times of war (Doc 3). Criticism of government policies is not necessarily unpatriotic but the Espionage Act made Americans think it was. This is why many became intolerant of radicals, antiwar groups, and dissent. (Doc 1)

Senator LaFollette's arguments in support of free speech did not immediately change government policy and the Supreme Court's decision in favor of the government but it meant Charles Schenck went to jail. However, President Harding did pardon political prisoners serving jail sentences for violating the Espionage and Sedition Acts. But after WWI there were other wars where individual rights were still limited. During WWII Japanese Americans were forced to live on internment camps because the government feared they could be spies for the Axis powers. The Supreme Court ruled in *Korematsu v US* that the internment of Japanese Americans was constitutional as it protected the security of the nation and was a military necessity. Japanese Americans were forced to leave their property without due process and they were generally denied their constitutional rights. Another war where people's antiwar opinions were often not tolerated was during the long and unpopular Vietnam War. College protests against the war led to many students being denied their constitutional rights and their protests were met with violence. At Kent State 4 students were even killed by the National Guard during demonstrations against the war.

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Anchor Paper – Civic Literacy Essay—Level 5

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This once again shows that the government tried to limit criticism they don't like. However, after 9/11 the Patriot Act was passed by Congress and justified as a way to protect Americans from terrorist activities. Some have criticized the Patriot Act for violating individual liberties because it made it easier for the government to monitor personal phones and computers in order to find people who might endanger the country (Doc 6).

WWI was the first world war the US fought. And although the Allies won, it came at the cost of the limit of personal liberties. Restriction of individual rights continues to divide Americans.

## Anchor Level 5

### The response:

- Thoroughly develops all aspects of the task evenly and in depth for the restriction of individual rights during World War I
- Is more analytical than descriptive (war period of uncertainty and instability; many argued World War I not America's war to fight; Espionage Act controversial as shattered foundations and fundamentals of country built upon liberty and natural rights; individuals cannot yell "fire" in a theater as it would bring panic and chaos just as Schenck could not encourage resistance to draft; Senator LaFollette used position to argue why limits on free speech undemocratic; criticism of government policies not necessarily unpatriotic but Espionage Act made Americans think it was; LaFollette's arguments in support of free speech did not immediately change government policy; restriction of individual rights continues to divide Americans)
- Incorporates relevant information from all the documents
- Incorporates substantial relevant outside information (World War I began with assassination of Archduke Franz Ferdinand; separated from Europe by Atlantic, United States believed it could stay out of war; President Wilson able to stay out of war despite sinking of *Lusitania* and trading mostly with Allies; Zimmerman telegram and unrestricted submarine warfare led United States to form alliance with Allies; many wanted to remain neutral as Washington had proposed in Farewell Address; Progressives believed efforts would be halted as focus would turn to mobilization and war effort; President Wilson convinced Americans it would be a war to end all wars and his Fourteen Points would make world a better place; Thomas Jefferson protested against Alien and Sedition Acts by helping write Virginia and Kentucky Resolutions; since country's founding and Declaration of Independence "consent of the governed" an important principle guiding nation; Supreme Court ruled in *Korematsu* that internment constitutional as protected security of nation and a military necessity; Japanese Americans forced to leave property without due process; college protests against Vietnam War led to many students being denied constitutional rights; at Kent State four students killed by National Guard during demonstrations against Vietnam War; after 9/11 Patriot Act justified as way to protect Americans from terrorist activities)
- Richly supports the theme with many relevant facts, examples, and details (under Espionage Act anyone who spoke against war effort or the government could be imprisoned; *Schenck* Supreme Court case ruled people have right of freedom of speech and press under first amendment only if it does not present a "clear and present danger" to others and nation; Supreme Court decided Espionage Act did not violate First Amendment; LaFollette argued individuals should have authority to direct nation and give advice on war; President Harding did pardon political prisoners for violating Espionage and Sedition Acts; during World War II Japanese Americans forced to live in internment camps because government feared they could be spies)
- Demonstrates a logical and clear plan of organization; includes an introduction and a conclusion that are beyond a restatement of the theme

**Conclusion:** Overall, the response fits the criteria for Level 5. Substantive relevant information and analytic statements support effective document interpretation. A good understanding of the varied circumstances and rationales for continuing government restrictions of individual rights is demonstrated.

There have been many issues with individual rights during wartime. The government often finds it necessary to restrict or take away these rights in order to keep support for the war and stop protests against it. This usually means restricting citizens' freedom of speech, though habeas corpus has also been limited before. Tensions tend to be high during wartime, leading to these restrictions, and after the war is over, these actions are often looked down on and the government admitted they were wrong.

Not everyone was convinced that supporting the Allies to fight Germany was a good idea. So during World War I, freedom of speech was limited with the Espionage Act of 1917. This act made "acts of insubordination and disloyalty punishable by prison terms of up to twenty years" (Doc. 1a). It was intended to prevent Americans from speaking against the government. This was enacted because the government feared too much opposition would be dangerous to the nation and to the war effort. They couldn't afford to keep a close eye on antiwar protesters at home while dealing with world war, and if the protests went far enough to become a "revolution," then they might not be able to restore order. It was a big war to be a part of and it meant everything possible had to be done to keep the nation together because people had already been against it before the US joined. It was risky to leave too many people to criticize and protest. These unsettled times and questions about patriotism often led to suspicion and hate on the homefront, which in this case meant that German Americans were discriminated against. Often because they thought German Americans would be against the government that was fighting a war against Germany or would criticize the US for its role in the war or

would be more loyal to Germany than America. Many German names were replaced, such as hamburgers becoming “freedom burgers” or “liberty burgers”, and German stopped being taught in schools. It was also harder for them to get jobs, so the government’s actions not only restricted freedom of speech but also created a ripple effect that ended up hurting the rights of German Americans as well.

Another was where a ripple effect led to Americans having their rights restricted was World War II. President Roosevelt had ordered the evacuation and “internment of more than 110,000 individuals of Japanese descent” (Doc 6). They were held in detention camps, questioned on their loyalty, and lost their businesses only because they were of Japanese descent. Once again the government’s restrictions and crack down on those who might be disloyal had led to Americans’ lives being ruined because they had a relation to the enemy country. It wasn’t the last time either. Citizens’ rights were once again threatened during the Cold War. Those suspected of being a communist had their lives ruined by “loyalty programs, legislative investigations, blacklists, and criminal prosecutions” (Doc 6). Even if they weren’t found guilty, they would have their lives turned upside down. Restriction of individual rights also happened earlier during the Civil War. Those suspected of siding with the confederates had their right to habeas corpus suspended, and their free speech restricted. This was done to preserve the Union.

It could be said that Congress also passed the Espionage Act to also preserve the Union. The court case of Schenck v. United States ruled in favor of the Espionage Act, saying that freedom of speech wouldn’t be protected if it were to create a clear and present danger” (Doc 4).

*This provided the government with a justification for restricting speech during wartime.*

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**Anchor Level 4**

**The response:**

- Develops all aspects of the task for the restriction of individual rights during World War I but discusses efforts to address the issue less thoroughly than the other aspects of the task
- Is both descriptive and analytical (government often finds it necessary to restrict individual rights to keep support for war; tensions tend to be high during wartime and after war actions often looked down on and government admits they were wrong; not everyone convinced that supporting Allies to fight Germany a good idea; government feared too much opposition dangerous to nation; government could not afford to keep a close eye on antiwar protesters at home while dealing with a world war; if protests went far enough to become a “revolution” government might not be able to restore order; unsettled times and questions about patriotism often led to suspicion and hate on home front; thought German Americans would be against/would criticize government for role in war or would be more loyal to Germany; government’s actions not only restricted freedom of speech but also created ripple effect that ended up hurting rights of German Americans; once again government’s restrictions and crackdown on those who might be disloyal led to American lives being ruined because of relation to enemy country and not the last time; even if not found guilty of being a communist lives would be turned upside down)
- Incorporates relevant information from documents 1, 2, 4, and 6
- Incorporates relevant outside information (many German names replaced such as hamburgers becoming “freedom burgers” or “liberty burgers”; schools stopped teaching German; during World War II Japanese Americans held in detention camps/questioned about loyalty/lost their businesses because of Japanese descent; restrictions on individual rights also happened earlier during Civil War to preserve Union as those suspected of siding with Confederates had their right to habeas corpus suspended and free speech restricted)
- Supports the theme with relevant facts, examples, and details (many issues with individual rights during wartime; Espionage Act made acts of insubordination and disloyalty punishable by prison terms of up to 20 years; German Americans discriminated against; individual rights of Americans restricted during World War II; President Roosevelt ordered evacuation and internment of more than 110,000 individuals of Japanese descent; citizens’ rights threatened during Cold War; those suspected of being communist had lives ruined by loyalty programs/legislative investigations/blacklists/criminal prosecutions; Schenk court case stated freedom of speech not protected if a “clear and present danger”)
- Demonstrates a logical and clear plan of organization; includes an introduction that is beyond a restatement of the theme and a conclusion that discusses justification for restricting speech during wartime

**Conclusion:** Overall, the response fits the criteria for Level 4. Good analytic statements and thoughtful conclusions are integrated throughout the discussion. The historical understanding that government actions can have unfortunate ripple effects is an important concept; however, additional supporting facts and details would have strengthened the treatment of efforts.



Individual rights during wartime was an issue that the U.S. government tried to address multiple times. Even though citizens freedoms and liberties have been protected they were challenged during the first world war, when President Wilson signed the Espionage and Sedition Acts. These bills limited first amendment rights during wartime, and have had long term effects. Ever since World War One, the government has repeatedly denied individual rights, with many instances being unjust.

Since the beginning of American history, citizens have been divided over the country's involvement in various wars. Thus, anti-war movements were common during times of American conflict. However, those movements typically had a limited impact on the government. Which usually advocated for wars. When the country started to expand its interests in the Pacific, Latin America and Asia, citizens started to worry that America could start getting more involved in foreign conflicts. When the Great War started in Europe we were neutral. Since this war was a world war it was hard for America to stay neutral. Eventually we were dragged into it because of German submarines. Since our entrance into the war was controversial this was why the government started limiting free speech to avoid criticism.

Since America's entering the Great War was controversial, there were many who actively and publicly questioned the governments decisions, which was why the government restricted individual rights. A key event in American history was the Supreme Court case, Schenck v. United States which highlights the government's decision to stop criticism. Document 4, which highlights an excerpt of the Schenk v. United States case, shows that the Supreme Court saw Schenk's words

as resisting the draft in an antiwar pamphlet as a “clear and present danger”, which was a justification for limiting first amendment rights in the Espionage Acts. This act was controversial, even causing the U.S. government officials to speak out against it. The third document is an excerpt of a speech from Senator Robert M. La Follette Sr., which explained why freedom of speech, the press, and expression were important during wartime. He believed Americans should have a say in how a war was fought and how it ends. The U.S. joining the Great War in Europe and limiting first amendment rights was a turning point for the U.S. and led to many people putting a lot of effort into questioning the decisions of the government.

Although the effort put in by those against the war did affect American citizens, it unfortunately did not have a lasting impact on the U.S. government. However, after the first world war ended, the government did make an attempt to reverse some of their problematic decisions. This is shown by the fifth document, in which President Warren G. Harding freed Eugene Debs from prison. While this didn't exactly reverse the Espionage and Sedition Acts, it did show how a powerful government figure used his power to help reverse some of the damage caused by the acts. However, the promising signs of change from the government soon disappeared by the time they had entered their next foreign conflict, World War Two. As a matter of fact, the 6th document shows a few of the ways individual rights were affected by the government during wartime, such as the internment of Japanese Americans during the second world war and the usage of secret surveillance programs, initiated during the Vietnam War. When the Soviet Union became the other superpower during the

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**Anchor Paper – Civic Literacy Essay—Level 3**

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Cold War, America's fear of communism led to Senator McCarthy's investigations and accusations of American citizens' communist activities. Those accused were denied their constitutional rights.

Unfortunately, even though there were many instances of effort to prevent the government from making similar decisions it wasn't enough to end government restriction of individual rights.

### Anchor Level 3

#### The response:

- Develops all aspects of the task with little depth for the restriction of individual rights during World War I
- Is more descriptive than analytical (even though citizens, freedoms, and liberties have been protected, were challenged during first world war; since World War I government repeatedly denied individual rights with many unjust instances; world war made it difficult for America to stay neutral; since United States entry into World War I controversial, government started limiting free speech to avoid criticism; Schenck’s words seen by Supreme Court as justification for limiting first amendment rights; Senator LaFollette believed Americans should have a say in how war fought and ends; joining Great War in Europe and limiting first amendment rights turning point for United States and led many to question decisions of government; although efforts by those against war did affect American citizens unfortunately did not have a lasting effect; after first world war government attempted to reverse some problematic decisions; although President Harding’s release of Debs from prison did not exactly reverse Espionage and Sedition Acts did show how powerful government figure used his power to help reverse some of damage; signs of change from government disappeared by next conflict)
- Incorporates some relevant information from all the documents
- Incorporates limited relevant outside information (antiwar movements typically limited impact on government which usually advocated for wars; when country started to expand its interests in Pacific, Latin America, and Asia, citizens started to worry that America could start getting more involved in foreign conflicts; eventually United States dragged into World War I because of German submarines; when Soviet Union became other superpower during Cold War, America’s fear of communism led to Senator McCarthy’s investigations and accusations of American citizens’ communist activities which led to a denial of constitutional rights)
- Includes some relevant facts, examples, and details (President Wilson signed Espionage and Sedition Acts limiting first amendment rights; antiwar movements common during times of American conflict; United States neutral when Great War started in Europe; in antiwar pamphlet Schenck wrote about resisting draft which Supreme Court saw as a “clear and present” danger; President Harding freed Eugene Debs from prison; internment of Japanese Americans during World War II; secret surveillance programs used during Vietnam War)
- Demonstrates a satisfactory plan of organization; includes both an introduction that is beyond a restatement of the theme and a one-sentence conclusion

**Conclusion:** Overall, the response fits the criteria for Level 3. The discussion provides a narrative for the restriction of individual rights that generally relies on good explanations of document information. The treatment of the extent to which efforts were not successful in ending government restrictions on individual rights includes historical references that would benefit from better analysis and additional supporting facts and details.

During the 1910's there was a war going on in Europe and the U.S. wasn't a part of this war because they were following George Washington's foreign policy which made them stay out of foreign conflict. However they would later join it in 1917 when Germany had tried to make Mexico fight back for their land that was taken by America, Britain had intercepted the telegram and had to tell America about it making them declare war against Germany. Many Americans opposed America's involvement in the war leading to joining the antiwar movement. The government passed the Espionage Act of 1917 to arrest only who spoke or wrote against the war.

Many opposed one of them being Senator Robert La Follette who said that the first amendment right was being broken because the American people weren't allowed to make their voices heard without any repercussions. Another person who opposed was Charles Schenck who promoted that Americans should resist the draft. Schenck was arrested under the Espionage Act and brought to the Supreme Court. Where they still put him in jail but said that during war time it must create a clear and present danger for Congress to step in.

The efforts of the individuals who opposed the Espionage Act weren't successful because after WWI America got into wars where the rights of individuals were suppressed such as WWII where president F.D.R. put 110,000 of Japanese descent, two thirds of them were citizens into internment camps after Japan attacked a U.S. naval base called Pearl Harbor. During the Cold War Senator Joseph McCarthy and the House Un-American Activities Committee questioned the loyalty of American citizens leading to some of them going to jail. During Vietnam the Johnson and Nixon administrations neutralized those who

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## Anchor Paper – Civic Literacy Essay—Level 2

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opposed the war and prosecuted those who burned their draft cards. They also attempted to prevent the N.Y. times and Washington Post from publishing the Pentagon Papers which showed that the government was lying about Vietnam. So the efforts of those who opposed the Espionage Act during WWI was not successful because the government went on to limit the rights of Americans during war time.

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### Anchor Level 2

#### The response:

- Minimally develops all aspects of the task for the restriction of individual rights during World War I
- Is primarily descriptive (many Americans opposed America's involvement in World War I leading many to join antiwar movement; Schenck put in jail but Supreme Court ruled during wartime words must create clear and present danger for Congress to step in; efforts of individuals who opposed Espionage Act not successful because after World War I America involved in wars where rights of individuals suppressed; during Cold War Senator McCarthy and House Un-American Activities Committee questioned loyalty of American citizens leading to some going to jail); includes faulty application: (Washington's foreign policy made the United States stay out of foreign conflicts)
- Incorporates limited relevant information from documents 1, 2, 3, 4, and 6
- Presents little relevant outside information (United States not part of war going on in Europe because following Washington's foreign policy to stay out of foreign conflicts; Germany wanted Mexico to fight with them for land taken by America, but Britain intercepted telegram and told America about it, making them declare war against Germany; people of Japanese descent put into internment camps after Japan attacked United States naval base, Pearl Harbor)
- Includes relevant facts, examples, and details (government passed Espionage Act of 1917 to arrest any who spoke or wrote against war; La Follette said first amendment rights were being broken because American people not allowed to make their voices heard without repercussions; Schenck promoted that Americans should resist draft and was arrested under Espionage Act; FDR put 110,000 people of Japanese descent, two-thirds of whom were citizens, into internment camps; during Vietnam War Johnson and Nixon administrations neutralized those who opposed the war, prosecuted those who burned draft cards, and attempted to prevent the *New York Times* and *Washington Post* from publishing the Pentagon Papers)
- Demonstrates a general plan of organization; includes an introduction that presents historical circumstances and a one-sentence conclusion that states efforts of those who opposed the Espionage Act during World War I were not successful

**Conclusion:** Overall, the response fits the criteria for Level 2. Relevant statements indicate an understanding of the documents and their links to the task. Although additional supporting facts and details would have strengthened the effort, some analytic conclusions and references to relevant outside information add some depth to the discussion.



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Anchor Paper – Civic Literacy Essay—Level 1

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During wartime, American rights were greatly limited by the government in order to maximize the war effort by canceling all opposing opinions. Due to this limiting of rights Americans opposed the government's drastic measures and some even directly protested these laws in different ways.

From Document 2b we can see a hand labeled the Espionage Bill stealing the torch from the statue of Liberty. This shows us that people opposed the Espionage Bill which limited rights and protested by drawing cartoons depicting the stealing of their liberty.

From Document 3 we see Senator Follette stating why people's rights shouldn't be limited due to everyone needing to be able to discuss any major events currently occurring. The fact that Follette took this to the president shows that others were obviously backing him and were protesting through him.

Document 4 shows us that people protested by distributing leaflets against the government's actions. We see this when Charles Schenk was arrested for doing that against the U.S. army draft.

Document 5 shows us that even the president himself after the war was against the limiting of others rights. We see Harding pardoning Debs a political prisoner of actual crimes shows us that the president agreed with the people against the government.

In document 6 we can see that even in alter times such as even the Vietnam war, the U.S. limited people's rights one way or another. In retaliation to this people opposed the government in different ways such as burning their drafts.

From these documents we can see that many people stood up against the government's drastic measures, rebelling against it in different ways, showing everyone that they must always have their rights.

## Anchor Level 1

### The response:

- Minimally addresses all aspects of the task for the restriction of individual rights during World War I
- Is descriptive (during wartime American rights limited by government to maximize war effort; Americans protested government's drastic measures and protested in different ways; Senator LaFollette thought people's rights should not be limited due to fact that everyone should be able to discuss any major events currently occurring; LaFollette's speech shows others obviously backing him and protesting through him; President Harding pardoned Debs, showing he agreed with the people against the government); includes faulty application: (canceling all opposing opinions)
- Includes minimal information from documents 2, 3, 4, 5, and 6
- Presents no relevant outside information
- Includes few relevant facts, examples, and details (people opposed Espionage Bill which limited rights; people protested Espionage Act by drawing cartoons; people distributed leaflets against government actions; Schenck protested draft; United States limited people's rights during Vietnam War; people burnt draft cards during Vietnam War)
- Demonstrates a general plan of organization; includes an introduction and a one-sentence conclusion
- **Conclusion:** Overall, the response fits the criteria for Level 1. Brief summaries of document information frame the discussion. The information that is presented superficially addresses all aspects of the task and demonstrates a basic understanding of the restriction of individual rights during wartime.

After the sinking of the *Lusitania*, more German submarine attacks, and with the discovery of the Zimmerman Telegram the U.S. edged toward war with Germany. The assassination of Archduke Ferdinand in 1914 led to WWI when European countries took sides and began to split into the Allied and Central Powers. Although many Americans were anti-German especially after Belgium was attacked many did not think the war should include the U.S. The U.S. tried to stay neutral and follow Washington's foreign policy at the beginning of the war, but by 1917 Wilson had to end neutrality and Congress declared war against Germany joining the Allied Powers to fight in WWI. During WWI individual rights were restricted due to the government's fear that low support would mean losing the war and Wilson's plan for peace which included the idea of a League of Nations.

Foremost, the government used the legislature to silence the free speech of the public. Congress passed and President Wilson signed into law the Espionage and Sedition acts to "...imprison Americans who spoke or wrote out against the war" (document 2a). Despite being a country founded on the Enlightenment ideals and the natural born rights of "Life, Liberty, and the pursuit of Happiness," almost as soon as the war began the U.S. became less enlightened. To some the U.S. government became as oppressive as Great Britain had been to the 13 colonies before independence. There has been opposition to American wars including the Civil War. Lincoln restricted civil liberties and Wilson could look back to Lincoln when he thought in order to win the war he had to stop the antiwar movement and restrict freedom of speech stated in the 1st Amendment. The government arrested Charles Schenck who was "...tried and convicted for printing and distributing

leflcats to urge his fellow Americans to resist the draft” (document 4). During this time political cartoonists used Política Propoganda to highlight and inform the public about the loss of liberty they had claimed since colonial times. Document 2b depicts the powerful hand of government labeled “Espionage Bill” stealing the torch labeled “Enlightenment” from the Statue of Liberty. This was meant to illustrate how the Espionage Act, by restricting individual rights stole ideas created during the Enlightenment by philosphors like John Locke and included in the Declaration of Independence by Thomas Jefferson and in the Bill of Rights in the Constitution.

As seen in document 3 not everyone supported these opresive acts even in the government. In document 3 Senator Robert M. La Follete Sr. gave a speech entitled, “Free speech in wartime.” In this speech he states, “more than in times of peace it is necessary that the channels for free public discussion of government shall be open and unclogged” (document 3). Debates and the expression of different opinions are needed for “Enlightenment.” La Follete believes that free speech is more important during war so civilians can determine whether a governments actions during war are neccessary and just. After the war even the exective Branch protested Congress’s repressive acts that seemed to be an abuse of power. Eugene Debs was arrested for giving an antiwar speech that violated the Espionage Act but, in 1921, he was pardoned by Presiden Harding whos time in office is often remembered for scandals. “President Harding’s Pardon Eugene Debs and other Political prisinors was one of his most important ad underappreciated legacies” (document 5). His Pardon illustrated the collective yearning for a return to enlightenment ideals and “normalcy” after a world war that

people were tired of.

Nevertheless, their efforts of protest for the return of individual rights after WWI were only partially successful. For a brief time after WWI most citizens regained their first amendment rights. With the Cold War fear of communism and Soviet spies hindered individual rights once again. "...The government instituted loyalty programs, legislative investigations, black lists, and Criminal Prosecutions to ferret out and punish those suspected of "disloyalty." "(document 6). The fear of communism controlled the narrative during the Cold War and caused many innocent lives to be tortured for the "suspicion" that they were communists. In WW2, Japanese Internment camps were created to imprison those of Japanese descent, and, during Vietnam Nixon used secret surveillance programs to control and hinder the opposition. During and after WWI, the fight for individual rights was not totally successful since they continued to be taken away.

Government actions such as WWI, WW2, the Cold War, and Vietnam all illustrate how the U.S. although built on freedom depending on circumstances freedom might not be guaranteed.

As war continued to play out in the Eastern Hemisphere, President Wilson contemplated whether joining this war was a good idea. This decision was set in stone after the events of both the sinking of the *Lusitania*, a ship that carried many American citizens, and the Zimmerman Telegram, a note from Germany telling Mexico that Germany will help them regain land that they had lost to the U.S. This led to President Wilson asking for a declaration of war. During this period, many Americans did not like the idea of going to war across the seas, leading to the government passing the Sedition Acts and the Espionage Act. These acts were used to imprison those who opposed the war and American involvement in its cutting the American right to freedom of speech.

Despite the grueling nature of these acts, many continued to stand up for their rights and against the war. An example of this is the actions of Eugene Debs. Debs was against the war. After the passing of these laws, he gave an antiwar speech, violating the Espionage Act, eventually leading to his imprisonment. Debs making this speech was merely exercising the First Amendment and him being arrested shows how this amendment was being suppressed. Another example of this amendment being ignored is the *Schenck v. United States* case. In this case, the language, Schenck used was considered a violation of the Espionage Act. It was ruled that Schenck's words would have been acceptable in a time of peace, but during a time of war, they would be unacceptable and Congress should be able to restrict liberties because stirring up Americans into disobeying the government in a time of war could be dangerous for the country.

These attempts were not all in vain. They made more people question



the Espionage and Sedition Acts, especially after the war was over. For example, Senator Robert La Follette stressed the importance of having free speech during wartime because he considered it crucial for the government to protect its citizens' rights. Another example of this is McCay's political cartoon, "Must Liberty's Light go out?". This cartoon portrays a hand titled the Espionage Bill grabbing the torch titled Enlightenment out of Lady Liberty's hand. These efforts were eventually successful in a sense that it made many Americans wonder if liberty's light could go out. President Harding questioned the damage done by Congress and released Debs from prison using his constitutional authority.

After the end of World War I, the Espionage Act was used against people who were threats to the country but generally the right of free speech was given back to the people. However, this did not end the infringement of rights in America. President Roosevelt created internment camps for Japanese Americans during World War II in fear of espionage against the United States. Congressional committees denied many Americans their constitutional rights as they investigated communism after World War II. There are many more examples of rights being denied in American History, but a common theme between all of these is that there were always people who would not lose hope and continued to fight for the individual rights of the people.

The United States was drawn into World War I and they needed to put maximum effort into it in order to win and make the world safe for democracy. Of course, with many government actions come the people who do not agree with the government. Many Americans believed the US should not get involved in European affairs as President Washington had advised in the 1790s. As a result "consequential opposition" formed after war was declared (Doc 1). Normally, these people would be allowed to voice their opinion against the government, as they are protected by the first amendment. Worried that opposition to the war might grow President Wilson proposed limits on freedom of speech.

In 1798, Congress passed the Alien and Sedition Acts. President John Adams was a Federalist who was no friend of criticism coming from Anti-Federalists and asked Congress to pass the acts to stifle freedom of speech and press. It set the stage for another act that was passed over 100 years later. In 1914, Europe erupted in war and WWI began. While the US declared its neutrality, it supplied Britain and France with more aid than it did Germany, while Germany's submarines continued to sink American ships. The US kept negotiating with Germany even after the sinking of the *Luisiana*, which was a passenger ship with many Americans on board, but Germany didn't stop. In addition, Germany sent Mexico the Zimmerman telegraph, asking Mexico to help them wage war on the US. All of these events caused the US to enter the war against Germany in 1917. However, Germany was a formidable force, and the US had to be united. As a result, Congress passed the Espionage Act of 1917, which restricted criticizing the war or government during

wartime because criticism could possibly lessen support for Wilson's policies.

This was a violation of the 1<sup>st</sup> amendment, which includes freedom of speech and press. Some of those in power, such as Senator Robert M. La Follette Sr., recognized this. He tried to influence other Senators as to why the Espionage Act was not good for democracy and freedom of speech is especially important during wartime (Doc 3). However, he was not in the majority and his criticism was considered by some to be disloyal to America. In addition, those who were prosecuted attempted to fight their convictions in court. There were multiple cases, however the most prominent was Schenck vs United States. Schenck was arrested and convicted for encouraging men to ignore the draft which violated the Espionage Act. He believed that he should be allowed to do this under the 1<sup>st</sup> amendment, and his case made it all the way to the Supreme Court. Eventually, his efforts failed, and the SC created a new legal standard which was an important precedent. Essentially, the court stated that the 1st amendment is guaranteed until someone abuses it and causes a danger especially when the country is at war. Then, Congress has a right to limit it (Doc 4). Finally, radical groups such as the Socialist Party and Industrial Workers of the World continued their anti-war activities. Although there were high risks such as possible arrests, imprisonment, or deportation they believed their cause was important because the Espionage Act was wrong. By speaking out they thought eventually others would understand the importance of their dissent. Both groups were seen as dangerous before the war and during the war were basically shut down by the government enforcement of the Espionage Act and the Red Scare.

The efforts to oppose the Espionage Act were partially successful but only due to other circumstances. Americans were tired of war which many didn't want to fight in the first place. They began to think the war would not make the world safer for democracy. They wanted to "return to normalcy" and elected Warren Harding who released people from prison who were arrested because of their speeches against the war, such as the socialist Eugene Debs (Doc 5). However, this was about the extent of their success. The Espionage Act was never repealed and is still being used to arrest and prosecute individuals who the government claims threaten national security. Years after World War I, people were still being denied their rights during war time. After Pearl Harbor during WWII, the Japanese-Americans, many who were American citizens were forced into internment camps. The military feared that they might be spies or commit sabotage. Without proof they were denied their civil liberties. After World War II the Cold "War" made Americans worry about Communists in the U.S. This Red Scare led to individuals being accused of disloyalty and treasonous activities which violated their rights and often ruined their lives. Actions of Senator Joseph McCarthy deprived many Americans of their civil liberties. During the Vietnam War antiwar protesters were denied freedom of speech, press, and assembly. The government also tried to censor the media (Doc 6.) The NY Times wanted to publish classified information about the Vietnam War because they felt the public had the right to know about government mistakes. The government tried to stop them but the Supreme Court stepped in and decided in favor of the newspaper. Therefore, while the WWI efforts to protest restrictions of civil liberties might have been successful in encouraging the govt to "apologize"

and release prisoners after WWI, they failed to make any long term or permanent changes.

Clearly, the government's restriction of rights during WWI faced opposition but "clear and present danger" remains the standard which means the government will continue to do what it thinks is the best interests of national security.

When World War I began and the United States had a choice to join or not, there were mixed feelings from the country. Ultimately, the United States joined the war but still, people were against the war and protested. If the people are not united in the war and some outright opposes it, it can cause disruption and opposition during the war. Since the US had already joined, they must fight with all the support they have and anti-war protests would slow that down. In order to combat this, the US government temporarily revoked many rights such as speech and press that spoke negatively about the government. The Espionage Act is a big example as the government used it to arrest and imprison anyone who spoke out against the government. This led to the power of the government to be great and people were arrested and charged wrongfully. This fueled the anti-war protests even more as they believed it had violated the individual rights of people to have freedom of speech and press. President Harding, seeing that Congress and the Supreme Court was abusing this power and that many citizens were unhappy with the government pardoned Debs as a way to show people that the checks and balance system would prevent Congress and Supreme Court from abusing the power.

Overall, the Espionage Acts were not very successful as it fueled opposition of the war even more as people became angry that they couldn't exercise their legal rights. The protests against restrictions of individual rights were also not very successful as it happened again after World War one when Japanese Americans were locked up as they were seen as enemies. Just like how German Americans were targets of hatred during World War I.



Every American has rights that are constitutional and should not be taken away by any means. Having some of these rights may cause harm to other individuals or even as a country if used incorrectly. During World War I, some basic individual rights were questioned by the government and U.S. citizens. Individual rights were looked at due to the fact that the people thought their rights were being taken away.

One example of the denial of rights during WWI was because of acts such as the Espionage Act. This specific act prevented Americans from writing or speaking about the war, and even from speaking about the government in a bad way. Documents 1a and b talk about how anyone who was seen as disloyal to our country during wartime or criticized the government could be criminalized and punished for their actions. This was both a violation of freedom of speech and freedom of the press because if people wrote or spoke in the wrong way, they could be punished. Documents 2a and b show how the Espionage Act took away our liberty because Americans could be imprisoned for refusing to help with the war effort or criticizing the government.

There were many efforts to address the issue of individual rights during WWI, and it even started with people going against these acts to show that they were unjust. Document 3 shows a senator writing to the president about the importance of freedom of speech during the war so people can have their voices heard and use it to help the government. Document 4 talks about a supreme court case that determined that the freedom of speech and press was beneficial during wartime when it was not being used to criticize or be disloyal to our country and government. These efforts were somewhat successful, but some rights were still taken from certain Americans during future wars. For example,

people were discriminated against if their ethnicity matched who we were at conflict with and their rights were taken because they were seen as possible spies.

There has been many issues with individual rights during the time the United States has been a country. During wartime some individuals have seen rights taken from them. Specifically during WWI, the freedom of speech and press was taken from many in effort to keep our country safe during wartime. Many fought back for these rights, and many were successful. During future wars, there were still some violations of individual rights, but some of the ideas from the violations during WWI were changed.

## Practice Paper A—Score Level 4

### The response:

- Develops all aspects of the task for the restriction of individual rights during World War I
- Is both descriptive and analytical (individual rights restricted due to government’s fear that low support would mean losing war; despite founded on Enlightenment ideals and natural born rights of “life, liberty, and pursuit of happiness” United States became less enlightened; cartoonists used political propaganda to inform public about loss of liberty; Senator LaFollette stated that channels for free public discussion of government should be open; debates and expression of different opinions needed for “enlightenment”; LaFollette believed free speech more important during wartime so civilians can determine if government’s actions necessary and just; Harding’s pardon of Debs illustrated collective yearning for return to enlightenment ideals and “normalcy”; Cold War, fear of communism, and Soviet spies hindered individual rights; fear of communism controlled narrative during Cold War and caused innocent lives to be tortured for “suspicion”)
- Incorporates relevant information from all documents
- Incorporates relevant outside information (after sinking of *Lusitania*, more German submarine attacks, and discovery of Zimmerman telegram, United States edged towards war; assassination of Archduke Ferdinand led to World War I; European countries took sides and split into Allied and Central Powers; although many Americans were anti-German especially after Belgium attacked, many did not want war; United States tried to stay neutral and follow Washington’s foreign policy; Wilson worried about his plan for peace; to some United States became as oppressive as Great Britain had been to thirteen colonies; opposition to American wars including Civil War when Lincoln restricted civil liberties; Espionage Act, by restricting individual rights, stole ideals created during Enlightenment by John Locke and included in Declaration of Independence by Jefferson and in Bill of Rights in Constitution; President Harding is often remembered for scandals; Debs’ pardon one of Harding’s most underappreciated legacies)
- Supports the theme with relevant facts, examples, and details (Congress declared war against Germany and joined Allied powers; Wilson signed Espionage and Sedition Acts into law to imprison Americans who spoke or wrote against war; Schenck convicted for printing and distributing leaflets to urge Americans to resist draft; Debs arrested for giving antiwar speech violating Espionage Act; during Cold War government instituted loyalty programs, legislative investigations, blacklists, and criminal prosecutions to ferret out and punish those suspected of “disloyalty”; in World War II Japanese internment camps created to imprison those of Japanese descent; during Vietnam Nixon used secret surveillance programs to control and hinder opposition)
- Demonstrates a logical and clear plan of organization; includes both an introduction that presents historical circumstances and a one-sentence conclusion

**Conclusion:** Overall, the response fits the criteria for Level 4. Relevant outside information is integrated throughout the response, which is framed by document quotations accompanied by good explanations and a thoughtful focus on the Enlightenment. However, analysis and additional supporting facts and details would have strengthened the effort.

## Practice Paper B—Score Level 3

### The response:

- Develops all aspects of the task with little depth for the restriction of individual rights during World War I
- Is both descriptive and analytical (Americans did not like idea of going to war; Debs' arrest shows how first amendment rights being suppressed; *Schenck* Supreme Court case shows his words would have been acceptable in time of peace but during war unacceptable; Congress able to restrict Schenck's liberties because stirring Americans into disobeying government in war could be dangerous for country; attempts to protest war not all in vain; acts of protest made more people question Espionage and Sedition Acts after war over; Senator LaFollette stressed importance of having free speech during wartime because crucial to protect citizens' rights; McCay's political cartoon made many Americans wonder if liberty's light could go out; President Harding questioned damage done by Congress and released Debs from prison using his constitutional authority; after World War I Espionage Act used against people who were a threat to country but generally right of free speech given back to people; Congressional committees denied many Americans constitutional rights as investigated communism after World War II; common theme that people would not lose hope and continue to fight for individual rights)
- Incorporates some relevant information from all the documents
- Incorporates limited relevant outside information (as war continued to play out in Eastern hemisphere, President Wilson contemplated whether joining war a good idea; question of joining World War I set in stone after sinking of *Lusitania*, a ship that carried many American citizens, and Zimmermann telegram, a note from Germany telling Mexico Germany would help them regain land they had lost to United States)
- Includes some relevant facts, examples, and details (government passed Espionage and Sedition Acts to imprison those opposed to war and American involvement; many Americans continued to stand up for rights and against war; Debs gave antiwar speech violating Espionage Act, eventually leading to imprisonment; Schenck violated Espionage Act; McCay's political cartoon portrays a hand titled Espionage Bill grabbing Enlightenment torch out of Lady Liberty's hand; President Harding released Debs from prison; President Roosevelt created internment camps for Japanese Americans during World War II in fear of espionage against United States)
- Demonstrates a satisfactory plan of organization; includes both an introduction that discusses historical circumstances and a one-sentence conclusion

**Conclusion:** Overall, the response fits the criteria for Level 3. The treatment of efforts is connected to an evaluation that generally supports the idea that there have always been individuals ready to challenge restriction of individual liberties. Although the narrative includes some good analytical statements, additional supporting facts and details would have strengthened the discussion.

## Practice Paper C—Score Level 5

### The response:

- Thoroughly develops all aspects of the task evenly and in depth for the restriction of individual rights during World War I
- Is more analytical than descriptive (Wilson proposed limits on freedom of speech as worried opposition to war might grow; Wilson feared criticism would lessen support for his policies; LaFollette tried to influence other senators as to why freedom of speech especially important during wartime; LaFollette’s criticism considered by some to be disloyal to America; Schenck case created important precedent; Socialist Party and Industrial Workers of World believed cause important and by speaking out thought others would eventually understand importance of dissent; Americans tired of war which many did not want to fight in first place and began to think war would not make world safer for democracy; actions of Senator Joseph McCarthy deprived many of civil liberties; while World War I efforts to protest restrictions of civil liberties might have been successful in encouraging government to release prisoners after World War I, they failed to make any long-term or permanent changes; “clear and present danger” remains standard which means government will continue to do what it thinks is in best interest of national security)
- Incorporates relevant information from all the documents
- Incorporates substantial relevant outside information (many Americans believed should not get involved in European affairs as Washington advised; President John Adams, as no friend of Anti-Federalists, asked Congress to pass Alien and Sedition Acts to stifle freedom of speech and press; while United States declared neutrality it supplied Britain and France with more aid while Germany’s submarines continued sinking American ships; we kept negotiating with Germany even after sinking of *Lusitania*; Germany sent Mexico Zimmerman telegram asking Mexico to help them wage war on United States; Espionage Act never repealed and used to prosecute individuals who threaten national security; after Pearl Harbor Japanese Americans forced into internment camps as feared they might be spies or commit sabotage; Red Scare led to individuals being accused of disloyalty and treasonous activities; during Vietnam War antiwar protesters were denied freedom of speech, press, and assembly; *New York Times* wanted to publish classified information about Vietnam War because public had right to know but government tried to stop them and failed)
- Richly supports the theme with many relevant facts, examples, and details (Congress passed Alien and Sedition Acts; United States entered war against Germany in 1917; Congress passed Espionage Act which restricted criticizing war or government during wartime; Schenck arrested and convicted for encouraging men to ignore draft; in *Schenck* Supreme Court stated first amendment guaranteed until someone abuses it and causes danger, especially when country at war; Socialist Party and Industrial Workers of the World continued their antiwar activities; President Harding released Eugene Debs and others who were arrested because of speeches against war)
- Demonstrates a logical and clear plan of organization; includes an introduction and a conclusion that are beyond a restatement of the theme

**Conclusion:** Overall, the response fits the criteria for Level 5. An analytic discussion of the restriction of individual rights is thoroughly supported by substantive details and insightful document interpretation. Thoughtful conclusions reflect a good historical understanding integral to the government’s role in limiting dissent.

## Practice Paper D—Score Level 2

### **The response:**

- Minimally develops all aspects of the task for the restriction of individual rights during World War I
- Is primarily descriptive (when World War I began and the United States had to decide whether to join there were mixed feelings; if people not united for war and some oppose it can cause disruption and opposition; when United States joined the war they had to fight with support they had and antiwar protests would slow that down; to combat antiwar protests the United States temporarily revoked many rights such as speech and press that spoke negatively about government; under Espionage Act people arrested and charged wrongfully, fueling antiwar protests; President Harding pardoned Debs because Congress and Supreme Court were abusing power and many citizens were unhappy with government; President Harding wanted to show that checks and balances system would prevent Congress and Supreme Court from abusing power; Espionage Acts not very successful as they fueled opposition of war even more as people became angry that they could not exercise legal rights; protests against restrictions of individual rights not very successful as it happened again after World War I when Japanese Americans locked up as they were seen as enemies similar to perception of German Americans during World War I)
- Incorporates limited relevant information from documents 1, 2, 5, and 6
- Presents no relevant outside information
- Includes few relevant facts, examples, and details (ultimately the United States joined war but people were against war and protested; Espionage Act used to arrest and imprison anyone who spoke out against government)
- Demonstrates a general plan of organization (lacks organizational focus; contains digressions; does not clearly identify which aspect of the task is being addressed; includes introduction and conclusion that address individual aspects of task)

**Conclusion:** Overall, the response fits the criteria for Level 2. Most of the narrative is focused on document interpretation and the Espionage Act. Some analytic statements are included, but the lack of supporting facts and details to address the different aspects of the task weaken the discussion.



## Practice Paper E—Score Level 1

### **The response:**

- Minimally addresses all aspects of the task for the restriction of individual rights during World War I
- Is descriptive (people want voices heard so it can help the government; some rights continued to be taken away from Americans during future wars; people discriminated against if ethnicity matched who we were at conflict with; during World War I freedom of speech and press taken away from many in effort to keep country safe; after World War I still some violations of individual rights but some ideas changed because of World War I)
- Includes minimal information from documents 1, 2, 3, and 4
- Presents little relevant outside information (rights taken away because seen as possible spies during war)
- Includes few relevant facts, examples, and details (Supreme Court case determined freedom of speech and press was beneficial during wartime when not being used to criticize or be disloyal to country and government); includes an inaccuracy: (Senator La Follette wrote to the president about importance of freedom of speech)
- Demonstrates a general plan of organization; lacks focus; includes an introduction and a conclusion

**Conclusion:** Overall, the response fits the criteria for Level 1. Simplistic statements reference all aspects of the task and indicate a basic understanding of the restriction of individual rights during World War I. Generalizations without supporting facts and details further weaken the effort especially in the treatment of the extent to which efforts were successful.

***The Chart for Determining the Final Examination Score for the August 2024 Regents Examination in United States History and Government will be posted on the Department’s web site at: <https://www.nysed.gov/state-assessment/high-school-regents-examinations> on the day of the examination. Conversion charts provided for the previous administrations of the United States History and Government examination must NOT be used to determine students’ final scores for this administration.***

### **Submitting Teacher Evaluations of the Test to the Department**

Suggestions and feedback from teachers provide an important contribution to the test development process. The Department provides an online evaluation form for State assessments. It contains spaces for teachers to respond to several specific questions and to make suggestions. Instructions for completing the evaluation form are as follows:

1. Go to <https://www.nysed.gov/state-assessment/teacher-feedback-state-assessments>.
2. Select the test title.
3. Complete the required demographic fields.
4. Complete each evaluation question and provide comments in the space provided.
5. Click the SUBMIT button at the bottom of the page to submit the completed form.