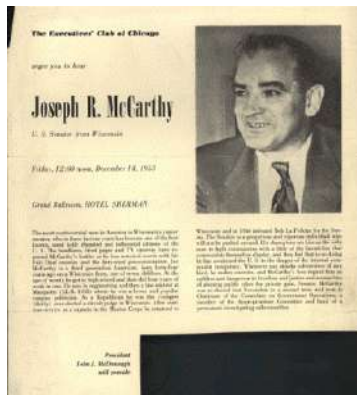


McCarthy Mock Trial. Students will participate in a mock trial, where Joseph McCarthy is charged with the crime of escalating American fear and prolonging the Cold War.

Introduction

The Cold War was a positively fascinating time in American history. World War II had created two superpowers that had international power to an extent that the world had never seen before. Had Russia and the United States shared ideologies they could have been a force so strong that their reach would have been limitless. However, the basic political and economic differences that these two nations held along with various events that occurred during the World Wars had created a barrier between the superpowers. A barrier that grew larger with every passing decade. A barrier that only weapons could cross over. Each nation began to fear the other. America, a nation once high on its successes and prosperity was soon being driven by fear. This fear would chase Americans underground, pit one American against the other and cause thousands to lose their lives.

In this assignment we will explore this American fear and McCarthyism and its effect on the Cold War and the Cold War's effect on American fear and McCarthyism. In order to prepare for this mock trial you will need to explore various aspects of the Cold War beyond just Joseph McCarthy and his attempts to "contain" communism in the United States. By the end of this assignment you will understand the complexity of the time period and all of the aspects of America and the world that made the way for McCarthy



Your job is to prepare for trial. You will decide what role Senator Joseph McCarthy played in the Cold War. Officially (for the purpose of this trial) Joseph McCarthy is being charged with escalating American fears and prolonging the Cold War. In order to prepare for this trial you will need to construct answers to the following questions:

What were the causes of the Cold War?

To what extent did fear control American society?

Were McCarthy's attempts to control communism justified?

Was communism a serious threat to the American way of life?

If McCarthy had not held his hearings, would the Cold War have ended sooner?

If McCarthy had not held his hearings, would communism have invaded the American government?

Each student will be assigned a role to play in this trial. The roles that will be played are

One judge

Six to Eight Jurors

Six attorneys (three prosecution and three defense)

Various witnesses

In order for this mock trial to be successful, each student must be prepared to play their role. The judge and the jurors will need to be prepared by researching and understanding courtroom procedures, knowing how to weigh evidence and being able to make a fair decision. Attorneys will have to research and analyze historical events and be able to construct their argument with historical evidence supporting it. Witnesses will have to research their historical figure's role during the Cold War.

Preparation for this assignment will be separated into phases. Phase one will be what is called the "discovery phase" of a trial. This time will be used for research gathering and understanding courtroom procedures. The second phase will be spent organizing the research you have found into evidence for the attorneys and witnesses. For the judge and jury this will be spent preparing the classroom for the trial.

The third phase will be the trial. This will be run as if it was a real trial in a court of law. This phase will end with the jury deliberating and reading their verdict.

After the trial is completed every student will end this assignment by turning in a paper. Each student will turn in a one page paper supporting the defense, one page supporting the prosecution and one page on their thoughts about the process of this assignment.

This WebQuest will provide you with all of the directions and many of the tools necessary to prepare for trial and complete this assignment. Follow the directions and use the resources available to you.

Phase One: Assigning the Roles and the Discovery Phase

Assigning the roles will be a two step process.

First step, every student is to write down their first choice and second choice for what they desire their role will be in this trial. You will turn this in to me and I will go through them and try to assign roles so that every student gets either their first or second choice. I can not promise that every student will get their desired role, but I will try.

After you have been assigned your role you will begin the discovery phase of this assignment. Whatever your role is, the information below will help guide you through this process and to find resources that you will use to help in this discovery phase.

Attorneys

You have been chosen to be a member of one of the two legal teams in this mock trial.

Whether you are on the side of the prosecution or defense, the process that you will use through the discovery phase will be the same. The first thing that you should do is meet with your legal team and together you should define your role. What side of the case do you represent? What does being an attorney mean? Review basic courtroom procedures.

Some resources to help you understand your role and the procedures:

Mock Trial Courtroom Procedures

Real Courtroom Procedures for Real Judge

Before you begin organizing your arguments in the next phase, you need to gather all of your information. As a group, you need to decide what the best way to do this is. You may all want to search and then you can bring your research together. It might be more prudent for you to delegate the work. For example various things you might want to consider researching are: causes of the Cold War, The McCarthy hearings, public opinion of McCarthy and his hearings, the history communism in the United States and major events of the Cold War. During your research you will most likely run into more topic that you will want to research. These topics are merely a starting point.

Some materials to help you begin your research:

Use the textbook to guide you.

I have given you various primary source documents throughout this unit. Review them.

Education Planet

Spartacus Educational – information on key figures and key events of the Cold War

The National Archives
Cold War Perspectives
Cold War International History Project

Witnesses

You have been chosen to be one of the witnesses that will be called to testify in the trial.

Possible witnesses that may be called:

Joseph McCarthy
Harry Truman
Joseph Stalin
Mao Zedong
Ethel Rosenberg
Richard M. Nixon
Lyndon B. Johnson
Dwight Eisenhower
General MacArthur
Vietnam War Protestor
Member of the Hollywood 10
Korean War Veteran
Vietnam War Veteran
Alger Hiss
Nikita Krushchev

You will play the role of one of these historical figures in the trial. During this discovery phase of this assignment you will need to study your role. You will need to concentrate on your figure's role in the Cold War. You cannot merely memorize information, instead you need to gather evidence and then analyze it in order to understand who your figure was and what their views were. Along with gathering information during this phase you should also familiarize your self with courtroom procedures.

Some resources to help you understand your role and the procedures:

Mock Trial Courtroom Procedures

Real Courtroom Procedures for Real Judge

Be careful what resources you use, especially when using online resources. Make sure that the websites are scholarly fact not opinion. Try to avoid using .com websites and focus more on .edu, .org or .gov.

Some materials to help you begin your research:

Use the textbook to guide you.

I have given you various primary source documents throughout this unit. Review them.

Spartacus Educational – information on key figures and key events of the Cold War

The National Archives

Cold War International History Project

Judge and Jurors

You have been chosen to be a judge or juror on the trial.

Your role is going to be to ensure that the courtroom runs smoothly and that justice prevails. You will spend the discover phase by researching courtroom procedures and making sure that you truly understand every single procedure.

Judge:

There will be one judge with two alternates. It is important for all judges and alternates to be prepared to run the courtroom. It is most important that you learn the order that things are to

happen in the trial. You must know who gives the opening argument first and when witnesses are called.

Articles on Courtroom Procedures

Juror:

Your role is extremely important. You will have to make sure that you stay impartial in this entire process. You can not help your classmates out with this assignment. You must review the rules of the courtroom and begin research how to weigh evidence. Since this will be a trial that deals with historical events and people, you must understand the difference between a primary source and a secondary source. You must also understand the difference between fact and opinion. As a group you need to review these things and make sure that every member is clear on these differences.

Citizens Handbook to Jury Duty

Primary vs. Secondary Sources

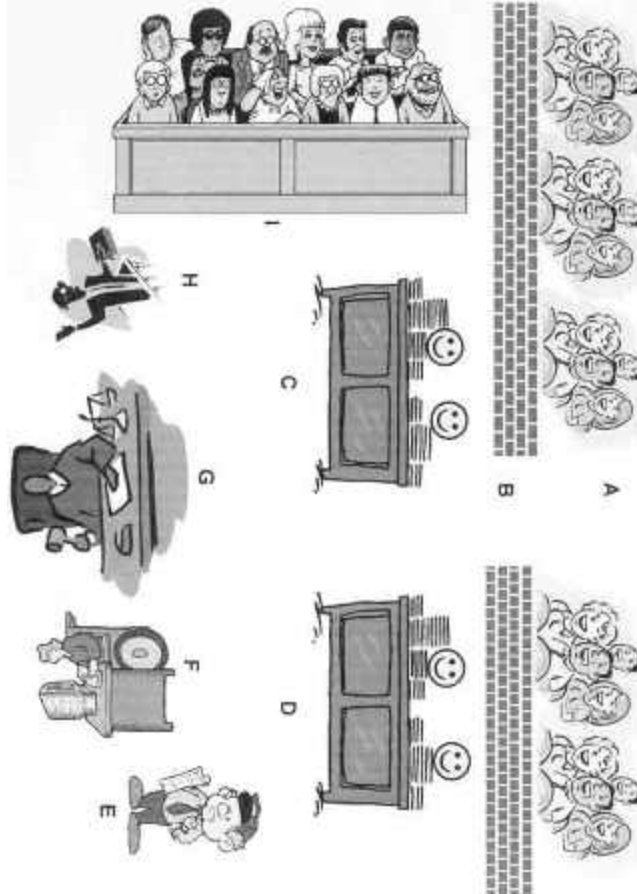
Princeton: Primary vs. Secondary

For both groups:

Here are some websites to help you begin your understanding of courtroom procedures:

Mock Trial Courtroom Procedures

Real Courtroom Procedures for Real Judge



Phase Two: Trial Preparation

Now that you have completed your research, it is time to begin preparing for trial. Just like the first phase, each group will have a different task during this phase.

Attorneys

During this phase you will be transforming your research into evidence and arguments.

You have collected all of your research. Now you will need to go through it and create evidence and arguments. The important thing to remember at this point is that you will not be able to just present the evidence; you will have to call witnesses or enter present documents during witnesses' testimony in order to support your argument.

You will need to consider each witness and think about how you can ask them questions in order to acquire the evidence you desire. You will need to meet with witnesses to tell them that you plan on calling them to testify and what questions you are going to be asking them. They will be generating their answers to these questions, not you. You will merely discuss what you wish to ask them and get an idea from them as to what they will answer. You also need to tell the other side which witnesses you are calling so they may prepare possible cross-examination questions.

While preparing for trial, you should also take into consideration any visual aides you might want to create. If you need any special equipment or technology, you need to let the jury members know so because they will be preparing the classroom for the trial.

You will also need to assign tasks for each of your team members to do during the trial. Who is going to give the opening argument? Who is going to give the closing statement? Who is going to question which witness?

[How to create a persuasive argument](#)

[Primary Sources vs. Secondary Sources](#)

[What is a primary source?](#)

Witnesses

During this phase you will be transforming your research about your historical figure into an understanding of them as a witness.

You need to go beyond understanding the facts about your witness during this phase. You need to take the facts and analyze them so that you can be able to play the role of that person and form an opinion in order to answer questions from the attorneys.

The attorneys are going to come to you and let you what type of questions that they are going to ask, you must be able to answer these questions as though you were that person. Understand their perspective on the Cold War, were they communist? Did they fear communism? Would they have believed that individual liberties would have been more important than the safety of the United States? What do they feel were the causes of the Cold War? These are only a few of the questions that you will need to consider when you are forming an opinion for this figure.

Judge and Jury

During this phase you will be preparing the courtroom for trial.

You will need to start trial preparation. The Jury will need to vote on a foreman in order to take the lead during deliberation. You will need to get information from the attorney as to what resources they will need in the room during the trial. As a group you will need to decide how to organize the desks and chairs in a manner so that it best resembles a real courtroom.



Phase Three: The Trial

All of your hard work will now come together in a student run trial. The trial will be completely student run and your understanding and knowledge of courtroom procedures will show through how smoothly the trial will run.

Judge

You will be in charge!

You must transform your knowledge of courtroom procedures in order to ensure that the trial runs as it should. You will call the courtroom to order. The trial will run in the sequence of events that you announce. This sequence should be similar to how a real trial will be run. You will ensure that nobody speaks out of turn and that the attorneys do not **badger** the witnesses. You will give the instructions to the jury and will you will make sure that the reading of the verdict goes smoothly. You will be graded on your ability to control the courtroom and ensure that the events of the trial happen in sequential order.

Jury

You will play a key role during the trial. You must pay attention to everything going on!

Most of your work will be done during and after the trial. You must pay attention to everything that is going on. You need to take notes during the trial. You can not talk with the other students during the trial. If you have any questions you need to ask the judge and he will answer them for you or find the answer. You need to be impartial and unbiased. After the trial, the judge will read you your instructions and it will be your job to deliberate.

The foreman that you selected will lead the deliberation however they seem fit. You need to take your time, review the facts of the case and try to come to a unanimous decision. The foreman will read your verdict to the court after you have come to a conclusion.

Attorneys

You will try to make your argument.

Through the witnesses and evidence you will try to make your argument. You will have to abide by the rules established by the judge and will have to work in the sequence that the judge creates. You will need to present your opening arguments, call your witnesses, cross-examine the other side's witnesses and make your closing arguments. When you call witnesses you must ask them questions and allow them to answer. You must study on courtroom procedures so that you will know the etiquette of how to make an opening and closing statement. Once you are done, you will need to just wait for the jury.

Witnesses

You will become your role.

You will now become the person who you were assigned to play. You may choose to dress as they would, speak as they would. You need to sit patiently and quietly during the rest of the trial, but when you are called to the stand you need to become that person. Answer as they would.

Allen Dulles

The director of the **CIA** under Eisenhower, who advocated extensive use of **covert operations**. Most notable among Dulles's initiatives were U.S.-sponsored coups in **Iran** in 1953 and **Guatemala** in 1954, which installed pro-American governments in order to curb potential expansion of Communism. Although Eisenhower favored such covert operations because they were relatively low-cost and attracted little attention, the coups in Iran and Guatemala proved rather transparent and caused international anger toward the United States.

John Foster Dulles

Secretary of state under Eisenhower (and brother of Allen Dulles) who helped devise Eisenhower's **New Look** foreign policy. Dulles's policy emphasized **massive retaliation** with nuclear weapons. In particular, Dulles advocated the use of nuclear weapons against Ho Chi Minh's Communist forces in **Vietnam**.

Dwight D. Eisenhower

A World War II hero and former supreme commander of **NATO** who became U.S. president in 1953 after easily defeating Democratic opponent **Adlai E. Stevenson**. Eisenhower expanded New Deal-era social welfare programs such as **Social Security** and passed the landmark **Federal Highway Act** to improve national transportation. However, he cut back funding to other domestic programs to halt what he called "**creeping socialism**." His **New Look** foreign policy, meanwhile, emphasized nuclear weapons and the threat of massive retaliation against the Soviet Union in order to cut costs and deter the USSR from spreading Communism abroad. Eisenhower committed federal dollars to fighting Communists in **Vietnam**, resolved the **Suez crisis**, and authorized **CIA**-sponsored coups in Iran and Guatemala.

Ho Chi Minh

The nationalist, Communist leader of the Viet Minh movement, which sought to liberate **Vietnam** from French colonial rule throughout the 1950s. After being rebuffed by the United States, Ho received aid from the USSR and won a major victory over French forces

at **Dien Bien Phu** in 1954. This French defeat forced the **Geneva Conference** of 1954, which split Vietnam into Communist-dominated North Vietnam and French-backed South Vietnam.

John F. Kennedy

The thirty-fifth U.S. president, who set out to expand social welfare spending with his **New Frontier** program. Kennedy was elected in 1960, defeating Republican **Richard M. Nixon**. Feeling that their hands were tied by Eisenhower's policy of "massive retaliation," Kennedy and members of his foreign policy staff devised the tactic of "**flexible response**" to contain Communism. Kennedy sent "military advisors" to support Ngo Dinh Diem's corrupt regime in **South Vietnam** and formed the **Alliance for Progress** to fight poverty and Communism in Latin America. He also backed the disastrous **Bay of Pigs invasion**, which ultimately led to the **Cuban missile crisis**. In 1963, after Kennedy had spent roughly 1,000 days in office, he was assassinated, and Vice President **Lyndon B. Johnson** took office.

Nikita Khrushchev

The head of the Soviet Communist Party and leader of the USSR from 1958 until the early 1960s. Initially, many Americans hoped Khrushchev's rise to power would lead to a reduction in Cold War tensions. Khrushchev toured the United States in 1959 and visited personally with President Eisenhower at **Camp David**, Maryland. The **U-2 incident** and 1962 **Cuban missile crisis**, however, ended what little amity existed between the two nations and repolarized the Cold War. Party leaders, upset with Khrushchev for having backed down from the **Cuban missile crisis**, removed him from power in 1964.

Douglas MacArthur

Five-star American general who commanded Allied forces in the Pacific during **World War II**. After the war, MacArthur led the American occupation in **Japan**, helped establish a democratic government there, and in large part rewrote the country's new constitution outlawing militarism. He later commanded United Nations forces in **Korea**, driving North Korean forces back north of the 38th parallel after making the brilliant **Inchon landing**. He ignored Chinese warnings not to approach the North Korean–Chinese border at the Yalu River, however, and

was subsequently driven back down to the 38th parallel by more than a million Chinese troops. President **Harry S Truman** later rejected MacArthur's request to bomb North Korea and China with nuclear weapons. MacArthur's public criticism of the president's decision prompted Truman to remove him from command in 1951.

Joseph McCarthy

Republican senator from Wisconsin who capitalized on Cold War fears of **Communism** in the early 1950s by accusing hundreds of government employees of being Communists and Soviet agents. Although McCarthy failed to offer any concrete evidence to prove these claims, many Americans fully supported him. He ruined his own reputation in 1954 after humiliating himself during the televised **Army-McCarthy hearings**. Disgraced, he received an official censure from the Senate and died an alcoholic in 1957.

Gamal Abdel Nasser

The nationalist, Communist-leaning president of **Egypt** who seized the British-controlled **Suez Canal** in 1956, after economic aid negotiations among Egypt, Great Britain, and the United States fell apart. Nasser's action precipitated the **Suez crisis**, in which Eisenhower uncharacteristically backed the Communist-leaning Nasser and cut off all oil exports to Great Britain and France.

Richard M. Nixon

Republican congressman from California who rose to national fame as a prominent member of the **House Un-American Activities Committee** in the late 1940s when he successfully prosecuted **Alger Hiss** for being a Communist. Nixon later served as vice president under **Dwight D. Eisenhower** from 1953 to 1961. He lost his own bid for the presidency against **John F. Kennedy** in 1960 but defeated his Democratic opponent eight years later and became president in 1969.

Harry S Truman

Vice president under **Franklin D. Roosevelt** who became president upon Roosevelt's death in April 1945 and successfully carried out the remainder of **World War II**. Truman was instrumental in creating a new international political and economic order after the war, helping to form the **United Nations**, **NATO**, the **World Bank**, and the **International Monetary Fund**. His **Marshall Plan** also helped Western Europe rebuild after the war and surpass its prewar levels of industrial production. Determined not to let the Soviet Union spread Communism, Truman adopted the idea of **containment**, announcing his own **Truman Doctrine** in 1947. His characterization of the Soviet Union as a force of "ungodly" evil helped shape the Cold War of the next four decades. He also led the nation into the **Korean War** but eventually fired General **Douglas MacArthur** for insubordination.

Terms