

Protest in America

Why is protest essential in a democracy?

The First Amendment guarantees freedoms concerning religion, expression (free speech and free press), assembly and the right to petition. It forbids Congress from both promoting one religion over others and also restricting an individual's religious practices. It guarantees freedom of expression by prohibiting Congress from restricting the press or the rights of individuals to speak freely. It also guarantees the right of citizens to assemble peaceably and to petition their government.

Defining Rights in the American Colonies

The rights of private citizens were very important to those who had just fought the British and won independence for the American colonies. Their experience with the British king and Parliament had made them wary of creating a new government that was determined to protect the rights of the individual against authority. When the original version of the proposed Constitution for the United States was drafted, opponents challenged its silence on individual protections.

In response, the Bill of Rights was added as the first 10 amendments to the Constitution. The very first one prohibited the federal government from restricting the right of the individual to protest government policy or to express personal opinions. It reads: *"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."*

Whether one favors or opposes an issue, the federal government does not have the authority to silence free expression. This is the bedrock on which the right of protest rests. Originally, the First Amendment applied only to the federal government, not the states, but later amendments and court cases have generally stretched it to apply to the states as well.

The right of expression is essential in a democracy. Without it, a government could adopt any policy and prevent the public from objecting or even discussing it in public. Anyone has the right to try to get others to align with his/her viewpoint and to create a majority that can change the law.

Protests and Democracy

Protest movements have been part of American history from the very beginning. Many important reforms in American life have originated as protests against established practices. The abolition of slavery and restricts on the sale of alcohol (temperance) stirred national debate and resulted in major changes. Freedom of the press to investigate and to publish information — and opinions — is essential to this process.

In recent times, with revolutionary expansions in communications and access to media, students have found their voice in shaping policy. Petitions and rallies in schools draw attention to issues important to students. Colleges were the scene of intense protest in the 1960s against the draft and the Vietnam War. In light of recent school shootings, student groups have organized to press for more restrictive gun laws. In 1965, five Des Moines students, including John and Mary Beth Tinker and Chris Eckhardt, wore black armbands to school to protest America's involvement in the Vietnam War. School officials sent them home and did not allow them to return wearing the protest symbols. They claimed that the armbands were disruptive. A lawsuit challenging the decision went all the way to the U.S. Supreme Court which ruled in favor of the students.

In 1969, the Court ruled in favor of the students and affirmed the right of students to protest. The arm bands were protected by the First Amendment right of free speech. In a 7-2 decision in *Tinker v. Des Moines*, the Court ruled that students do not "shed their constitutional rights to freedom of speech or expression at the schoolhouse gate."

Supporting Questions

Why do people protest?

- Memo from Lee White to President Lyndon B. Johnson to Prepare for a Meeting with Martin Luther King, Jr., March 4, 1965 (Document)
- Excerpts from Tinker v. Des Moines U.S. Supreme Court Majority Opinion, 1968 (Document)
- "New Indian" (American Indian Movement), 1977 (Video)

How have protests sought to protect individuals rights to "just" working conditions?

- Demonstration of Protest and Mourning for Triangle Shirtwaist Factory Fire Victims, April 5, 1911 (Image)
- Farmers Strike in Sioux City, Iowa, 1932 (Image)
- Letter from A. Philip Randolph to New York City Mayor Fiorello La Guardia, June 5, 1941 (Document)
- Flyer Distributed to Striking Sanitation Workers in Memphis, Tennessee, 1968 (Document)
- News Release from Muscatine Community Effort Organization about H. J. Heinz Company Boycott, 1969 (Document)
- Letter from Harvey Milk to President Jimmy Carter about Briggs Initiative, June 28, 1978 (Document)

How have those in power responded to protests?

- Iowa National Guard Members on Duty during the "Iowa Cow Wars," September 25, 1931 (Image)
- Correspondence between President Harry S. Truman and NAACP Acting Secretary Roy Wilkins, October 10-November 8, 1949 (Document)
- "D.M. Schools Ban Wearing of Viet Truce Armbands" Newspaper Article, December 15, 1965 (Document)
- Memo Sent to President Richard Nixon's Administration "Regarding Major Issues with the Wounded Knee Occupation," May 9, 1973 (Document)
- "The Great Depression: Strike Turns Violent" from Iowa Public Television, 1979 (Video)
- Iowa Commission on Native American Affairs Letter of Concerns about Dakota Access Pipeline, April 28, 2016 (Document)

How has involvement in protests swayed public opinion?

- Children's Crusade for Amnesty, 1922 (Image)
- Youth March of Integrated Schools in Washington, D.C., October 25, 1958 (Image)
- Protest Plans Submitted into Evidence during Landmark Tinker v. Des Moines Supreme Court Case, December 1965 (Document)
- "Stories from Selma: Rev. Gwendolyn C. Webb," March 2015 (Audio)

[*Printable Image and Document Guide](#)

Additional Resources

“Migration is Beautiful”

This website is a digital humanities project drawn from the holdings of the Mujeres Latinas collections preserved in the Iowa Women’s Archives in the University of Iowa Libraries. It highlights the journeys the Latinx community made to Iowa and situates the contributions of Latinx communities within a broader understanding of Iowa’s history of migration and civil rights activism.

ACLU - Know Your Rights

The website is the for American Civil Liberties Union. Its content focuses on a “Know Your Rights” section for students, including one’s rights in regard to protest.

“Key Moments In The Dakota Access Pipeline Fight” from National Public Radio

The article from National Public Radio is a timeline of activities regarding the Dakota Access Pipeline. Outlined in the article are such moments as its initial proposal to major protests being held in opposition.

“Activist Agriculture” Online Exhibit

The online exhibit from Iowa State University has a number of resources and a concise timeline focusing on agriculture and activism in Iowa. Some of the topics on the website include: the Cow Wars, LULAC and Farmers’ Holiday.

“Record of Rights” Online Exhibit

This digital resource from the National Archives is an interactive and expansive collection of records highlighting pursuing the American pursuit to rights through various eras in the country’s history.

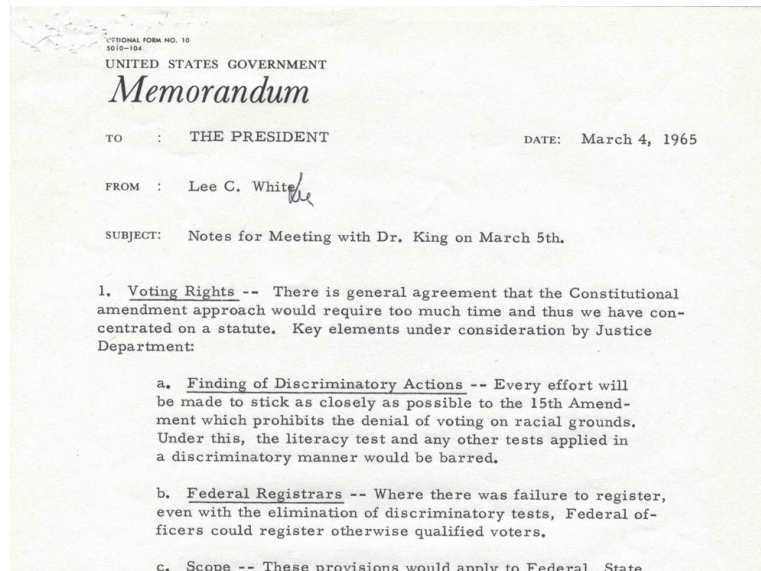
Teaching for Change: Building Social Justice Starting in the Classroom

Teaching for Change provides teachers and parents with the tools to create schools where students learn to read, write and change the world. By drawing direct connections to real world issues, Teaching for Change encourages teachers and students to question and re-think the world inside and outside their classrooms, build a more equitable, multicultural society and become active global citizens.

Zinn Education Project

The Zinn Education Project promotes and supports the teaching of people’s history in classrooms across the country. The website provides free lessons, as well as primary and secondary sources.

Memo from Lee White to President Lyndon B. Johnson to Prepare for a Meeting with Martin Luther King, Jr., March 4, 1965



Courtesy of National Archives, White, Lee, "Memo from Lee White to President Johnson," 4 March 1965

Description

The memo features detailed notes for a meeting that was to occur between President Lyndon B. Johnson and Dr. Martin Luther King, Jr. The document was dated just three days before the first march in Selma, Alabama. Clearly from the notes, voting rights was the focus of the meeting. The Civil Rights Act had been passed the previous year, which outlawed discrimination in voting based on race. However, only two percent of eligible African-American voters (300 out of 15,000) were registered to vote. Although King raised awareness of the struggle in Selma, local members of the Student Nonviolent Coordinating Committee (SNCC) and the Southern Christian Leadership Conference (SCLC) had been trying for months to register African-American voters in the area. In addition, part of what raised the profile for the region was the shooting death of Jimmie Lee Johnson, a 26-year-old African-American male demonstrator. The publicity that was afforded the movement was, in part, because of the brutal nature of the tactics used by the Alabama State Patrol. Because of actions taken like the ones of the protestors in Selma, the Voting Rights Act was signed into law on August 6, 1965.

[Transcript of Lee White's Memo to President Lyndon B. Johnson](#)

Source-Dependent Questions

- Using evidence from the memo, how did President Johnson's administration view the protests? Use evidence from the source. Consider the statement in point 2 regarding a plea for restraint related to the protests. Why did the Johnson administration want to minimize protests if goals were not being met? What actions was the government willing to take to support access to voting rights, according to the memo?
- Did this memo show the need for continued protests? Support your answer using evidence from the source.
- Listen to the [Stories from Selma](#), which were recorded 50 years after the march, and compare it to this document. How did the meeting notes compare to what actually happened in Selma?

Citation Information

White, Lee, "Memo from Lee White to President Johnson," 4 March 1965. Courtesy of National Archives
IOWA DEPARTMENT OF CULTURAL AFFAIRS • 600 E. LOCUST ST. • DES MOINES, IA 50319 • IOWACULTURE.GOV

Excerpts from *Tinker v. Des Moines U.S. Supreme Court Majority Opinion, 1968*

TINKER *v.* DES MOINES SCHOOL DIST. 503

Syllabus.

TINKER *ET AL.* *v.* DES MOINES INDEPENDENT
COMMUNITY SCHOOL DISTRICT *ET AL.*

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR
THE EIGHTH CIRCUIT.

No. 21. Argued November 12, 1968.—Decided February 24, 1969.

Petitioners, three public school pupils in Des Moines, Iowa, were suspended from school for wearing black armbands to protest the Government's policy in Vietnam. They sought nominal damages and an injunction against a regulation that the respondents had promulgated banning the wearing of armbands. The District Court dismissed the complaint on the ground that the regulation was within the Board's power, despite the absence of any finding of substantial interference with the conduct of school activities. The Court of Appeals, sitting *en banc*, affirmed by an equally divided court. *Held:*

1. In wearing armbands, the petitioners were quiet and passive. They were not disruptive and did not impinge upon the rights of others. In these circumstances, their conduct was within the protection of the Free Speech Clause of the First Amendment and the Due Process Clause of the Fourteenth. Pp. 505-506.

Courtesy of Library of Congress, "U.S. Reports: *Tinker v. Des Moines School Dist.*, 393 U.S. 503 (1969)," U.S. Supreme Court, pp. 503, 505-506, 510-511, 1968

Description

The following document features excerpts from the landmark 1969 *Tinker v. Des Moines Independent Community School District* decision by the U.S. Supreme Court. The opinion was written by Justice Abe Fortas, and it established a precedent about protected speech in public schools. In previous testimony, the Tinkers' and the Eckhardts' stated purpose for wearing the armbands was to mourn those who died in the Vietnam War and to support Senator Robert Kennedy's proposal that the truce proposed for Christmas Day 1965 be indefinitely extended. The U.S. District Court dismissed the case, agreeing with the school district's actions, based on their claim that the armbands would have caused a disruption at the school. After the U.S. Court of Appeals for the Eighth Circuit split evenly over the decision, which upheld the District Court's decision by default, the Tinkers and Eckhardts appealed their case to the U.S. Supreme Court. With a 7-2 majority opinion, the Supreme Court held that the armbands represented pure speech that is entirely separate from the actions or conduct of those participating in it, and they also found that the students did not lose their First Amendment rights to freedom of speech when they stepped onto school property.

[Transcript of Excerpts from *Tinker v. Des Moines U.S. Supreme Court Majority Opinion*](#)

Source-Dependent Questions

- In his majority opinion, Justice Abe Fortas stated, "It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate." What was the goal of the specific language used?
- Given the historical context of the ruling, why was it significant that Justice Fortas used the term totalitarianism?

Citation Information

"U.S. Reports: *Tinker v. Des Moines School Dist.*, 393 U.S. 503 (1969)," U.S. Supreme Court, pp. 503, 505-506, 510-511, 1968. Courtesy of Library of Congress

“New Indian” (American Indian Movement), 1977



Courtesy of National Archives, “New Indian,” 1977

Description

The American Indian Movement (AIM) began on July 11, 1968, in Minnesota to combat police brutality. Later AIM evolved into a goal of uniting all indigenous people to uplift communities, pride and sovereignty. A major protest for the organization came in 1972 with the Trail of Broken Treaties, which was a march from San Francisco to Washington with a desire to discuss grievances. When the administration failed to even speak with protesters they took over the Bureau of Indian Affairs which led the group to be labeled as extremists by the FBI. This protest was followed by the Wounded Knee Occupation in 1973. Philip Deere, featured in the video, was a spiritual leader within the organization.

Source-Dependent Questions

- Describe using evidence the demands of Philip Deere. Why did he make a case for the need to protest to obtain these rights? How did this connect to statements made in the [memo from the Johnson administration](#)?
- Consider the question posed by the woman in the video. What point was she trying to make with this question?

Citation Information

“New Indian,” 1977. Courtesy of National Archives

Demonstration of Protest and Mourning for Triangle Shirtwaist Factory Fire Victims, April 5, 1911



Courtesy of National Archives, "Demonstration of Protest and Mourning for Triangle Shirtwaist Factory Fire of March 25, 1911," 5 April 1911

Description

The fire at the Triangle Waist Company was the deadliest workplace disaster in the history of New York, causing the deaths of 123 women and 23 men. This tragedy was used as a rallying cry to change unjust labor practices, such as the locking exits to minimize breaks for workers. Prior to the fire, unionization of garment workers was gaining traction and those members had already begun the push for better working conditions. Galvanized by the tragedy, protestors made some gains in creating first an independent body called the Factory Investigating Commission to investigate the conditions in factories and propose new legislation. Seen in the photo is one such protest that led to the investigation and new legislation. The sign on the left reads, "Ladieswaist and Dressmakers Union Local 25 We Mourn Our Loss." The sign on the right of the photo reads, "We Mourn Our Loss - United Hebrew Trades of New York."

Source-Dependent Questions

- In reviewing the photo, what were the most prominent symbols used by the protestors? Why was this so clearly displayed?
- How was having members of different unions so powerful in this protest?
- Consider that protestors had been trying in vain for improvements to working conditions in part because of corruption in the government by Tammany Hall. Why did a tragedy of this level help to move the cause forward?

Citation Information

"Demonstration of Protest and Mourning for Triangle Shirtwaist Factory Fire of March 25, 1911," 5 April 1911.
Courtesy of National Archives

Farmers Strike in Sioux City, Iowa, 1932



Courtesy of State Historical Society of Iowa, "Farmers Strike," 1932

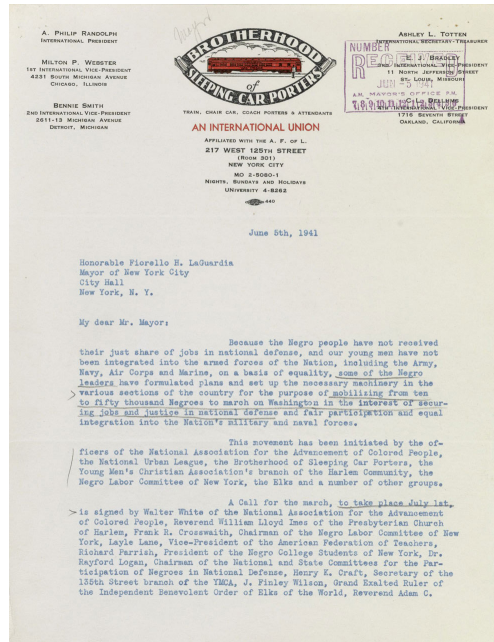
Description

The roadblock depicted in the image shows a tactic used during the Farmers' Holiday Strike of 1932. The strike was called for after the National Farmers' Union, who had been lobbying for years to gain aid and tariff reform to help with the falling prices for goods during the depression. Initially, the idea for the strike was for farmers to stop selling their goods and buying goods from others for a period of time. The effectiveness of the strike was more in the media attention gained for their cause than a change to prices or legislation given many farmers did not participate in the strike. The roadblock was an example of members attempting to stop the sale of goods from farmers who were not participating.

Source-Dependent Questions

- Describe the type of action taken by farmers depicted in this photograph.
- How did this type of protest differ from the actions by those who protested the Triangle Shirtwaist Fire? Which type of protest do you feel is more appropriate to bring attention to "just" working conditions? Why?
- How would being self-employed be more difficult to protest in a capitalist system? How could this type of protest be effective for farmers?

Letter from A. Philip Randolph to New York City Mayor Fiorello La Guardia, June 5, 1941



Courtesy of National Archives, Randolph, A. Philip, "Letter from A. Philip Randolph, International President of the Brotherhood of Sleeping Car Porters to Fiorello La Guardia, Mayor of New York City," 5 June 1941

Description

Frustrated by the lack of job opportunities for African Americans in defense industries and by racial segregation in the military, labor leader and civil rights advocate A. Philip Randolph wrote to New York City Mayor Fiorello LaGuardia asking for his support. In his letter, Randolph, director of the first predominately African-American labor union, the Brotherhood of Sleeping Car Porters, also proposed a march on Washington. Randolph dropped the idea after President Franklin Delano Roosevelt issued Executive Order 8802, setting up the Committee on Fair Employment Practice. Later, Randolph would become a leader of the 1963 March on Washington for Jobs and Freedom.

[Transcript of A. Philip Randolph's Letter to Fiorello La Guardia](#)

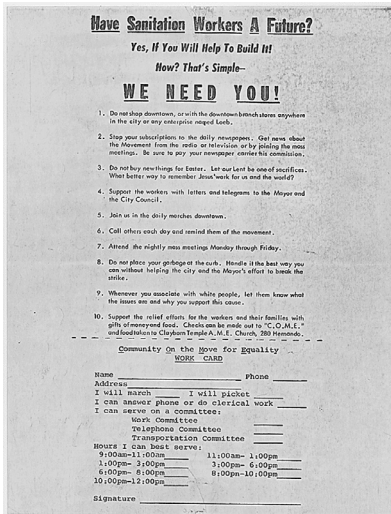
Source-Dependent Questions

- On the second page of the letter, A. Philip Randolph states that the individuals he represented wanted "... to share in the benefits and responsibilities and duties and sacrifices ..." How did this characterization help frame the argument for "just" working conditions beyond just pointing out discriminatory actions?
- Why did Randolph send a letter to the mayor of New York outlining his plans to protest?

Citation Information

Randolph, A. Philip, "Letter from A. Philip Randolph, International President of the Brotherhood of Sleeping Car Porters to Fiorello La Guardia, Mayor of New York City," 5 June 1941. Courtesy of National Archives

Flyer Distributed to Striking Sanitation Workers in Memphis, Tennessee, 1968



Courtesy of National Archives, "Exhibit 2 in City of Memphis vs. Martin Luther King, Jr.," 1968

Description

This flyer was distributed to the striking sanitation workers in Memphis, Tennessee, requesting volunteer assistance and offering instructions for sanitation workers and their sympathizers. The first attempted strike failed to lead to better working conditions or pay because of a lack of backing by key players in the community. In what would be his final campaign focusing on economic justice, Dr. Martin Luther King, Jr., traveled to Memphis in support of the sanitation workers of the city and American Federation of State, County and Municipal Employees (AFSCME). The strike that began in February of 1968 was different in that its catalyst was after the deaths of sanitation workers, Echol Cole and Robert Walker. Both men were African American and were prohibited from riding inside the cab of the garbage truck because of discriminatory Jim Crow laws. Because of the severe rainstorm and being denied access to the cab, both men climbed inside the packer of the truck to stay out of the storm during their route. Due to a malfunction of the truck though, they were both crushed to death inside the compactor. Given the inadequate response to their deaths by the city, the history of abuses of African-American workers, such as not paying overtime or taking malfunctioning trucks out of service, 1,300 workers began a strike. The protestors would be met with violence, and at one point, Memphis Mayor Henry Loeb called for martial law. Finally, on April 16, and following the assassination of Dr. Martin Luther King, Jr., on April 4, negotiations were finalized, recognizing the legitimacy of the union and for better wages. However, months later, workers would have to threaten to strike again because of the city's waning commitment to their agreement.

[Transcript of Flyer for Striking Sanitation Workers](#)

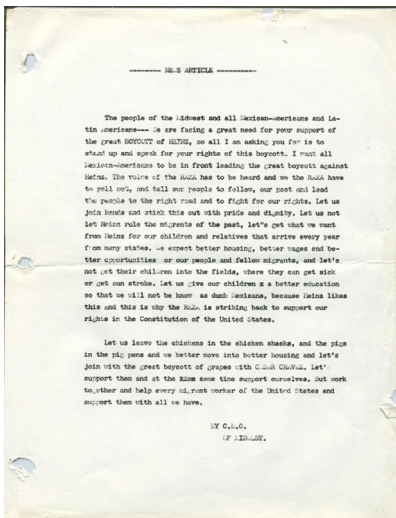
Source-Dependent Questions

- Consider request number 9. Why was it necessary given the historical context for protestors to specifically address the issues of this cause with white people?
- Why was a boycott of businesses needed in this protest?

Citation Information

"Exhibit 2 in City of Memphis vs. Martin Luther King, Jr.," 1968. Courtesy of National Archives

News Release from Muscatine Community Effort Organization about H. J. Heinz Company Boycott, 1969



Courtesy of University of Iowa Libraries and Archives, "Muscatine Community Effort Organization (CEO) News Article on the Boycott of Heinz," Iowa Women's Archives, 1969

Description

Activists from the 150-member Muscatine Community Effort Organization (CEO) worked to expose poor working and living conditions for migrant workers and their children in the Muscatine area. For this specific protest, activists from CEO joined forces with the League of United Latin American Citizens (LULAC), who led the National Grape Growers Protest, to both protest the company responsible for these conditions and bring attention to two pending pieces of legislation in Iowa. House File 146 and 317 would have strengthened the 1967 bill that regulated child labor and improved living conditions in migrant worker camps, respectively.

[Transcript of Muscatine Community Effort Organization News Release](#)

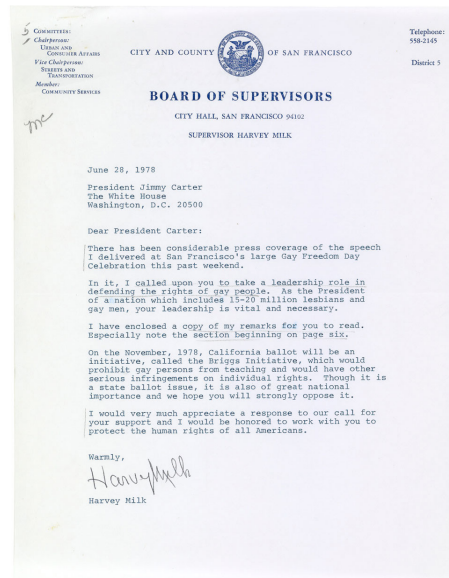
Source-Dependent Questions

- What was the goal of the boycott called for in the news release?
- How was boycotting a corporation an effective means of protest? How was this an effective means of ensuring "the voice of RAZA being heard?"
- Consider the imagery used to describe the housing situation for migrant workers. How could using such strong imagery help the cause for migrant workers? Why are emotional appeals like this typically present in protests?

Citation Information

"Muscatine Community Effort Organization (CEO) News Article on the Boycott of Heinz," Iowa Women's Archives, 1969. Courtesy of University of Iowa Libraries and Archives

Letter from Harvey Milk to President Jimmy Carter about Briggs Initiative, June 28, 1978



Courtesy of National Archives, Milk, Harvey, "Letter from Harvey Milk to President Carter regarding the Briggs Initiative," 28 June 1978

Description

In this June 1978 letter, Harvey Milk, the first openly-gay person to be elected into public office in California, petitioned President Jimmy Carter to lend his support in defeating Proposition 6, also known as the Briggs Initiative. Elected to the San Francisco Board of Supervisors, one of Milk's main goals was defeating this legislation, which would have, among other things, banned anyone who was gay from working in the California Public School System. The timing of the letter was significant in that Harvey Milk had just delivered his famous "Hope Speech" which he included excerpts of in his letter to Carter. Proposition 6 was defeated and Carter did openly oppose the measure.

[Transcript of Harvey Milk's Letter to President Jimmy Carter](#)

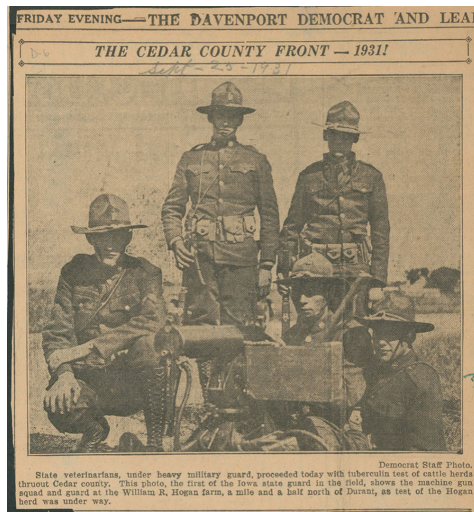
Source-Dependent Questions

- What did Harvey Milk state as the significance for the timing of his letter? Why was that important in petitioning the president for action?
- How did Milk's position in government give weight to his requests?
- How did Milk characterize the fight for employment in education for gay teachers and advocates?
- Why was having advocates significant in this protest?

Citation Information

Milk, Harvey, "Letter from Harvey Milk to President Carter regarding the Briggs Initiative," 28 June 1978. Courtesy of National Archives

Iowa National Guard Members on Duty during the “Iowa Cow Wars,” September 25, 1931



Courtesy of Iowa State University Library Special Collections and University Archives, “The Cedar County Front - 1931!” *The Davenport Democrat and Leader*, 25 September 1931

Description

The “Iowa Cow Wars” was a protest undertaken by farmers mainly in Cedar County against tuberculosis (TB) tests on cattle administered by veterinarians under Iowa law in 1931. TB-testing was done in an effort to eradicate TB because of the public health risk from contaminated milk - which was forward thinking at the time - and was a consistent problem veterinarians had to do contend with dating back to 1894. TB tests were required starting in 1928 and any cattle found to have TB were sent directly to slaughter with two-thirds of the cost being picked up by the state and national government but leaving one-third to be paid for by the farmer. Prior to the protests, the case against blanket tests was taken all the way to the Iowa Supreme Court, which ruled in favor of the Iowa law. Tensions were heightened by a misinformation campaign from Norman Baker, owner of a local radio station. Protests escalated around Tipton, initially, but ended peacefully when Governor Dan W. Turner met with protestors and agreed to most of their demands. However, a few months later, protests in Cedar County at J.W. Lenker’s farm escalated into violence with martial law being declared and the Iowa National Guard being called in to alleviate tension. Under the protection of the National Guard, testing was completed a week later, costing the state \$35,000.

[Transcript of Caption from Photo of Iowa National Guard Members](#)

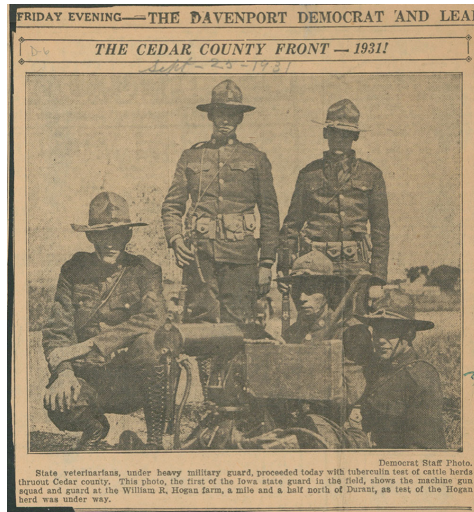
Source-Dependent Questions

- What connection was the paper trying to make with the title and the actions by protestors?
- How did the economic situation of the early 1930s impact this protest? What did the “Cow War” and the [Farm Strike of 1932](#) have in common?
- Given the veterinarians were just upholding the law and other farmers had allowed this action were the protestors justified in their actions? Was the government justified in its action?

Citation Information

“The Cedar County Front - 1931!” *The Davenport Democrat and Leader*, 25 September 1931. Courtesy of Iowa State University Library Special Collections and University Archives

Correspondence between President Harry S. Truman and NAACP Acting Secretary Roy Wilkins, October 10-November 8, 1949



Courtesy of National Archives, Truman, Harry S. & Roy Wilkins, "Correspondence Between Roy Wilkins and President Harry S. Truman," 10 October to 8 November 1949

Description

President Harry S. Truman wrote to activist Roy Wilkins to recommend establishing a Presidential Commission of Agricultural Problems as a reaction to problems developing with migratory workers from Mexico. Roy Wilkins was at the time of this letter a leader of the National Association for the Advancement of Colored People (NAACP). The correspondence below focuses on the use of Mexican labor to weaken a strike of California cotton pickers in 1949.

[Transcript of Correspondence between President Harry S. Truman and NAACP Acting Secretary Roy Wilkins](#)

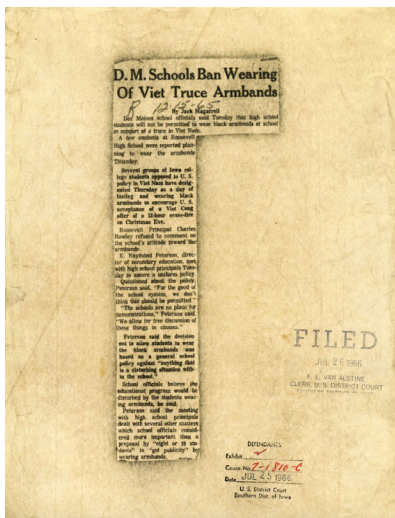
Source-Dependent Questions

- What actions did Roy Wilkins feel should be opposed by employers? How were employers using their power to minimize the impact of striking workers? Was this within their rights?
- What response did President Truman give to Wilkins' demands? How was the president using his power to support striking workers? Was this use of power sufficient? Why or why not?

Citation Information

Truman, Harry S. & Roy Wilkins, "Correspondence Between Roy Wilkins and President Harry S. Truman," 10 October to 8 November 1949. Courtesy of National Archives

“D.M. Schools Ban Wearing of Viet Truce Armbands” Newspaper Article, December 15, 1965



Courtesy of National Archives, Magarrell, Jack, “D.M. Schools Ban Wearing of Viet Truce Armbands” The Des Moines Register, 15 December 1965

Description

This article from The Des Moines Register was entered as defendants’ Exhibit 2 in *John F. Tinker et. al. v. The Des Moines Independent Community School District et. al.* It describes the decision of Des Moines, Iowa, school officials to ban students from wearing black armbands to school in support of a Vietnam War truce. A group of junior high and high school students had decided to wear black armbands from December 16 until New Year’s Day to peacefully express their “grief over the deaths of soldiers and civilians in Vietnam.” On December 14, Des Moines School District principals met and enacted a rule that “any student wearing an arm band would be asked to remove the arm band, and if he refused he would be suspended until he returned without the arm band.” The policy was announced to all students on December 15, as well as reported in this newspaper article. Students Mary Beth Tinker, John Tinker, Christopher Eckhardt and two others were suspended after refusing to remove their black armbands when they arrived at school on December 16 and 17. About a dozen other students also wore armbands. Upon their suspensions, the Tinkers and Eckhardt refused to return to school until after New Year’s Day – the intended period for wearing the armbands.

[Transcript of “D.M. Schools Ban Wearing of Viet Truce Armbands” Article](#)

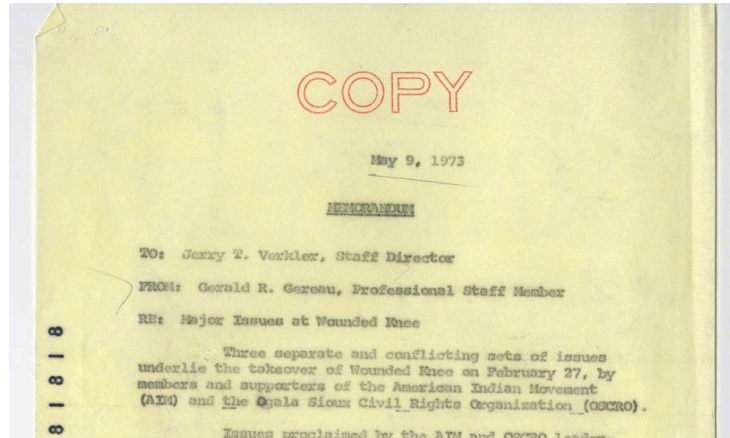
Source-Dependent Questions

- What arguments did school officials use against the protests by students?
- In the final paragraph, the director of secondary schools characterized the protestors as looking for publicity. How did he use his power in this medium to try to control the narrative about these protests? Do you feel he was trying to control the narrative or was he providing his justification?

Citation Information

Magarrell, Jack, “D.M. Schools Ban Wearing of Viet Truce Armbands” The Des Moines Register, 15 December 1965. Courtesy of National Archives

Memo Sent to President Richard Nixon's Administration "Regarding Major Issues with the Wounded Knee Occupation," May 9, 1973



Courtesy of National Archives, Gereau, Gerald R., "Memorandum Regarding Major Issues with the Wounded Knee Occupation," 9 May 1973

Description

This memo details separate and conflicting sets of issues in regard to the American Indian Movement (AIM) and Oglala Sioux Civil Rights Organization (OSCR) occupation of Wounded Knee, South Dakota (on Pine Ridge Reservation). Wounded Knee was the site of an infamous 1890 massacre of 300 Sioux by the U.S. Seventh Cavalry. The memo came days after AIM ended its occupation of the town of Wounded Knee, which began on Feb. 27, 1973 and ended May 5, 1973. The occupation began with calls for impeachment of what was characterized as a corrupt tribal government and calls for the federal government to make good on treaties from the 19th and 20th Centuries, along with calling out racism and discrimination toward Native Americans. During the months-long protest, two protestors were killed and 15 were injured, along with one federal officer. The occupation lasted for 71 days. Once it ended, calls were made for the government to sit down and discuss treaties. However, the Nixon Administration declined to do so, and instead, AIM leaders were put on trial. Russell Means and Dennis Banks were arrested, but the charges against them were dismissed by a federal judge because of the U.S. government's unlawful handling of witnesses and evidence.

[Full Transcript of the "Wounded Knee Occupation" Memo](#)

[Transcribed Excerpts from the "Wounded Knee Occupation" Memo](#)

Source-Dependent Questions

- How did the memo characterize the leaders of the American Indian Movement? How did this characterization show the bias of the government in dealing with the protests?
- How did the handling of this protest by the Nixon Administration differ from [President Harry S. Truman's response to Roy Wilkins](#)? What do you think caused the difference in action?
- How would the type of protest influence this action? The protestors?

Citation Information

Gereau, Gerald R., "Memorandum Regarding Major Issues with the Wounded Knee Occupation," 9 May 1973. Courtesy of National Archives

“The Great Depression: Strike Turns Violent” from Iowa Public Television, 1979



Courtesy of Iowa Public Television, “The Great Depression: Strike Turns Violent,” Iowa Pathways - Iowa Public Television, 1979

Description

The video from Iowa Public Television shows two opposite perspectives on the farmers strike in the early 1930s when tensions erupted into violence. On one side was Harold Ewing, a striking farmer, and the other side was then Plymouth County Sheriff Ralph Rippey. Prior to the 1929 collapse of the stock market, farmers felt the impact of overproduction which led to low prices for products. In the late 1920s, farmers were successful in getting some relief through increased capital from the Federal Farm Loan System. They were able to obtain an exemption from the anti-trust laws for farm cooperatives and in getting effective regulation of the grain exchanges. However, substantive reform that would have supported farmers in achieving relief for falling prices saw legislation such as the McNary-Haugen Bill fall to presidential veto. The legislation would have supported a fair exchange value of products domestically, although farmers would have to pay a fee for this they were more than willing to do so. However, as the economic situation worsened around the country, farmers were feeling the stress more acutely. For many farmers, the protests that would follow were less about a clear platform of goals and more about doing something against the forces that were stripping them of their land and livelihood. The incident culminated with a near lynching of Judge Bradley, who was hearing cases related to the moratorium on the foreclosure of farms, in Plymouth County; the judge was dragged out of the courthouse during court, stripped and a noose put around his neck. The Iowa National Guard was called in to quiet down tension, which they did after a two-month stay.

Source-Dependent Questions

- How would you characterize the strike?
- Why did the sheriff feel the need to call in reinforcements? Do you feel he was justified in that action, why or why not? How should those in power react to protests?
- Compare this video with the [farmer's strike in Sioux City](#). How does each of these sources help to demonstrate the power of protest?

Citation Information

“The Great Depression: Strike Turns Violent,” Iowa Pathways - Iowa Public Television, 1979. Courtesy of Iowa Public Television

Iowa Commission on Native American Affairs Letter of Concerns about Dakota Access Pipeline, April 28, 2016



Courtesy of Iowa Department of Human Rights, Iowa Commission on Native American Affairs, 28 April 2016

Description

The letter below was sent to the Army Corps of Engineers by the Iowa Commission on Native American Affairs in response to a then-proposed, now-completed Dakota Access Pipeline (DAPL) that sends oil from northwest North Dakota to Illinois crossing through four states. Key components of the issues raised in the letter below and in the ensuing protests was the path of the pipeline through burial sites which have a connection to the Sac and Fox Tribe, a name given to the Meskwaki Nation by the federal government in 1932, as well as concerns over spillage from the pipeline which could have impacted the Iowa River that runs through the Meskwaki Nation Settlement. At the time of this letter, the initial plans for the path of the pipeline had just been released by the Army Corps of Engineers in December 2015. Despite concerns raised from U.S. government's Advisory Council on Historic Preservation, protests followed legal challenges brought by the Standing Rock Sioux Tribe. By December 2016, President Barack Obama would deny a permit for the final portion of the DAPL in response to the Standing Rock Protests. However, as one of President Donald Trump's first acts in office he would overturn this decision. Once legal challenges were exhausted by March 2017, the pipeline was completed in April 2017 and has been operational since May 14, 2017.

[Transcript of Letter from Iowa Commission on Native American Affairs about Dakota Access Pipeline](#)

Source-Dependent Questions

- What concerns were raised by the Iowa Commission on Native American Affairs about the proposed pipeline?
- How did a response by a government agency help future protests? Predict how this kind of response from a government agency might impact future protests?
- Consider the charge in the letter, "none of the key federal agencies to date have been in direct consultation with the affected Native Nations/Tribes in Iowa." Did the letter show a shifting in how government agencies support Native American rights since [Wounded Knee](#) or was the response the same? Support your answer with evidence from both documents.

Citation Information

Iowa Commission on Native American Affairs, 28 April 2016. Courtesy of Iowa Department of Human Rights

Children's Crusade for Amnesty, 1922



Courtesy of Library of Congress, "Children's Crusade for Amnesty," 1922

Description

Following World War I, protests by women and children of political prisoners sought to increase awareness of the plight of men jailed in violation of the Espionage Act during the war with support from the American Civil Liberties Union (ACLU). The protest itself was led by Kate Richards O'Hare, an anti-war activist who was also jailed under the Espionage Act but was pardoned in 1920 after public outcry for her release. O'Hare's goal was to apply pressure to President Warren G. Harding to pardon those still jailed, which he finally did after the women and children stood in protest for two months. However, all prisoners would not be released until President Franklin Delano Roosevelt took action on December 23, 1933.

[Transcript of Signs Held by the Children's Crusade Protestors](#)

Source-Dependent Questions

- Consider the text of the signs, how were the slogans created to maximize sympathy for the plight of the protestors?
- Why would women and children be necessary to bring awareness to the cause of political prisoners in the United States at this time?
- Compare this document to the [Stories from Selma](#). Why are young people so important in the protest movement to sway public opinion?

Citation Information

"Children's Crusade for Amnesty," 1922. Courtesy of Library of Congress

Youth March of Integrated Schools in Washington, D.C., October 25, 1958



Courtesy of National Archives, "Youth March for Integrated Schools," 25 October 1958

Description

This photograph, taken October 25, 1958, depicts the first of two marches in Washington, D.C., with the goal of highlighting the efforts to end racially-segregated schools four years after the landmark *Brown v. Board of Education* Supreme Court decision. In August 1958, a small committee headed by labor leader [A. Philip Randolph](#) began organizing the first Youth March for Integrated Schools, and on the day of the protest, 10,000 people marched down Constitution Avenue to the Lincoln Memorial. A second march occurred on April 18, 1959, with an estimated 26,000 participants taking part.

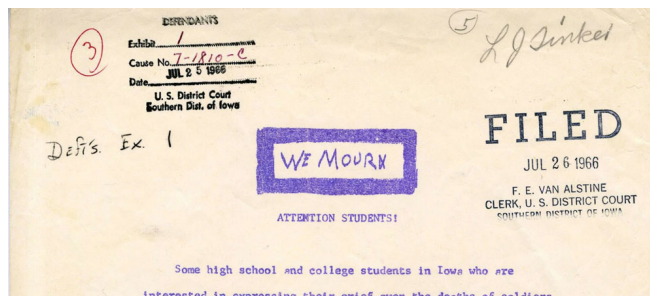
Source-Dependent Questions

- Compare the use of children in this protest to the use of children in the [Children's Crusade for Amnesty image](#). What are similarities in the image? How are both groups trying to sway public opinion to their cause?
- Consider the picket sign that reads "Negro, White, Christian." Why were integrated protests important to swaying public opinion? Why did the protestors feel it was necessary to highlight the integrated nature of the protest?
- In this image and in the [crusade for the release of political prisoners](#), both causes tried to gain attention for events that had been issues for years. Why did children bring renewed attention to the issue?

Citation Information

"Youth March for Integrated Schools," 25 October 1958. Courtesy of National Archives

Protest Plans Submitted into Evidence during Landmark *Tinker v. Des Moines Supreme Court Case*, December 1965



Courtesy of National Archives, "Protest Plans for Des Moines Students," *John F. Tinker et. al. v. The Des Moines Independent Community School District et. al.*, December 1965

Description

This document was entered as defendants' Exhibit 1 in *John F. Tinker et. al. v. The Des Moines Independent Community School District et. al.* It describes plans for a peaceful protest against the Vietnam War involving fasting and the wearing of armbands. A group of Des Moines, Iowa, adults and students met in December 1965 to plan a public protest against the Vietnam War. A group of junior high and high school students decided to wear black armbands from December 16 until New Year's Day to peacefully express their "grief over the deaths of soldiers and civilians in Vietnam. The students planned to put this notice in the Roosevelt High School newspaper inviting other students to join the effort. However, the editorial was censored by the high school and was instead shared with local media. On December 14, Des Moines School District principals met and enacted a rule that "any student wearing an arm band would be asked to remove the arm band, and if he refused he would be suspended until he returned without the arm band." The policy was announced to all students on December 15, as well as reported in *The Des Moines Register*. Students Mary Beth Tinker, John Tinker, Christopher Eckhardt and two others were suspended after refusing to remove their black armbands when they arrived at school on December 16 and 17. About a dozen other students also wore armbands. Upon their suspensions, the Tinkers and Eckhardt refused to return to school until after New Year's Day – the intended period for wearing the armbands. With assistance from the American Civil Liberties Union (ACLU), the Tinker and Eckhardt families filed a complaint against the school district for violation of the right to free speech under the First Amendment, and further that First Amendment rights are protected from state infringement (such as a public school board) under the due process clause in the Fourteenth Amendment.

[Transcript of Protest Plans for Des Moines Students Related to *Tinker v. Des Moines U.S. Supreme Court Case*](#)

Source-Dependent Questions

- According to the document, what was the intention of the armbands? How did this differ from the characterization of this as a protest in the source description?
- How did students forgoing their "usual New Year's Eve activities" add legitimacy to their actions? How did this garner support for their cause?
- Consider the historical context of the actions by the Tinkers and [Reverend Gwendolyn Webb](#). How were both teenagers attempting to sway public opinion through similar actions? Why was there more tension related to the protests in the South? Why was more drastic action taken by Reverend Webb than the Tinkers?

Citation Information

"Protest Plans for Des Moines Students," *John F. Tinker et. al. v. The Des Moines Independent Community School District et. al.*, December 1965. Courtesy of National Archives

“Stories from Selma: Rev. Gwendolyn C. Webb,” March 2015



Courtesy of Obama Administration, “Stories from Selma: Rev. Gwendolyn C. Webb,” Recorded March 2015

Description

On March 5, 2015, individuals, including Reverend Gwendolyn C. Webb, were invited to the White House on the 50th anniversary of the Selma marches. The Selma to Montgomery marches took place in March 21, 1965 and were successfully completed on March 25 to raise awareness for the need for a Voting Rights Act. Although the Civil Rights Act was passed the previous year and Dr. Martin Luther King, Jr., had won the Nobel Peace Prize, progress toward the goals of the movement was stalled. Following the march, the Voting Rights Act was signed into law on August 6, 1965.

[Transcript of “Stories from Selma: Rev. Gwendolyn C. Webb”](#)

Source-Dependent Questions

- With the marches in Selma occurring after the Civil Rights Act was passed, why was the movement “just almost dead?”
- Why did Reverend Webb characterize students as the “secret weapon” in the protest?
- Why do you think the type of nonviolent resistance as described in the interview was important to the Civil Rights Movement in the 1960’s? How did this type of active/passive resistance have influenced public opinion?

Citation Information

“Stories from Selma: Rev. Gwendolyn C. Webb,” Recorded March 2015. Courtesy of Obama Administration