



PROFILES IN COURAGE

Teacher's Guide

WOODROW WILSON

CREDITS:

Starring Whit Bissell, John McMartin, William Daniels, Paul Stewart, Philip Ober, John Hoyt, Oliver McGowan, and Peter Whitney. Written by David Karp. Directed by Alexander Singer. Produced by Gordon Oliver and Robert Saudek Associates. Inspired by John F. Kennedy's Pulitzer Prize-winning book. **50 minutes.** Guide prepared for Social Studies School Service by Robert D. Barnes, 1983.

OBJECTIVES:

- To examine the responsibilities of the president and the Senate in the appointment of Supreme Court justices.
- To discuss the problem of anti-Semitism.
- To understand the meaning of moral courage.

BACKGROUND:

It is the responsibility of the president to nominate men or women to fill vacancies on the Supreme Court of the United States. It is the job of the Senate to confirm or reject the president's nominee.

More than 20 nominees to the Supreme Court have been rejected by the Senate. In 1916 the Senate came within a single vote of rejecting the nominee of President Wilson, Louis D. Brandeis.

Describing the opposition to the appointment of Brandeis, the late Supreme Court Justice William O. Douglas, said, "The fears of the establishment were greater because Brandeis was the first Jew to be named to the Court... Brandeis, who was cruelly flailed and who survived, will live on in memory for the causes he espoused, some of which have survived him. If his causes in large part failed, his stature as a man, as an advocate, as a jurist, caused him to tower above the scene. He helped America to grow to greatness by the dedications of which he made his life."

In this episode of *Profiles in Courage* it is the "stature," the "courage" of Woodrow Wilson we examine. Had he been a less courageous president, Brandeis would never have sat on the Supreme Court.

SYNOPSIS:

We see Woodrow Wilson risk his career, his administration and his re-election to champion the nomination of Louis D. Brandeis to the Supreme Court. While every force "friendly and hostile" urges retreat, we see Wilson, resolute in his choice and action, confide: "politics occasionally gives a president an opportunity to perform a beau geste. Let this be my beau geste."

Using flattery, arm twisting, threat, and political deals to insure critical Senate votes, Wilson is determined that the Brandeis appointment will be a reality, not simply a hollow gesture. Perhaps Wilson's most impressive weapon is his impassioned sincerity. Wilson tells a group of senators who oppose the nomination:

"Louis Brandeis is my personal choice... He is not simply a brilliant lawyer. He is a man with an empathy for ordinary people. He believes people are more important than things..."

Brandeis's appointment is approved in the Senate's Judiciary Committee by a vote of 10 to 8.

On June 1, 1916, after four months of hearings and a campaign against Brandeis that has continued unabated, the Senate votes 47 to 22 in favor of confirmation.

VOCABULARY:

The following words and phrases appear in the program. Teachers may wish to check for student understanding:

neutral	conspicuous	Senatorial
merchant marine	rabid	courtesy
economist	confirmation	invoke
liberal	cohorts	elegant
reactionary	pork barrel	Brahmin
progressive	empathy	blackballed
beau geste	special interests	candid
cannon fodder	vindicate	liaison
temperament	dissuade	credible
agitation	torpedo	arduous

QUESTIONS FOR DISCUSSION:

1. Woodrow Wilson characterized Louis Brandeis as a man who believed that "people are more important than things." What do you think Wilson means? Can you give examples to support your point? Can you think of examples where "things" are considered more important than people?
2. Wilson intended that the Supreme Court nomination not be given out as a "plum," a "prize," or an "honor." Why not?
3. Why did the Brandeis nomination produce a "shock wave around the nation"? Consider the comments of the White House chefs. Have you ever heard any of these arguments? Are they valid? Explain.
4. Speaking of Justice McReynolds, Wilson indicated he had made a terrible mistake and added, "I reached out for a liberal and came up with an arch-reactionary." Explain the mistake.
5. What were the special attributes that Wilson observed in Brandeis? Why did some of these qualities make Brandeis so unpopular with some Americans?
6. Senator Hoke Smith of Georgia complained to Wilson that he was not appointing a Southerner. What flaw existed in this argument?
7. What pressure did Wilson put on Senator Hoke Smith when he said, "If you fail me..."? Give both examples.

8. Henry Cabot Lodge, conservative Republican Senator from Massachusetts, represented a threat to Wilson. Can you explain? How did Wilson deal with Lodge? What was "special" about the Senate elections in 1916? Do you approve?

9. A rumor surrounded the Brandeis nomination. Explain the rumor. What was the explanation given by Wilson? What did the Attorney General mean when he said, "It is well known that the truth never catches up with a lie?"

What suggestion did he make? When Wilson refused, what did the Attorney General ask Wilson's attorney to do?

10. Explain the techniques used to "persuade" Senators Overman, O'Gorman, and Shields to support the nomination. Do you approve? Explain.

11. When Tumulty reminds Wilson that Lodge can invoke "Senatorial courtesy," Wilson thunders, "I hope he does. I'll run him out of the Senate..." Is this Wilson's desire? Explain.

ACTIVITY:

Have students investigate in the library some of the contributions and achievements made by Americans of various minority groups. Have them list at least ten people from at least three different minority groups. They should list their achievements and any particular obstacles they faced. Compile a class list on the board drawing from all of the student lists. Hold a discussion about the nature of their achievements and the nature of their obstacles. What kind of character traits were required to overcome the prejudices they faced?

FOR RESEARCH AND DISCUSSION:

1. Two of President Richard Nixon's Supreme Court appointees, Clement Haynsworth, and Harold Carswell, were rejected by the Senate. Find out what happened.
2. Louis D. Brandeis was famous as a "dissenter" on the Court. Conduct research to find out what happened in the 1940s to Brandeis's dissents of the 1920s.