

# FREEDOM AND DIGNITY PROJECT

## FDR: Court Packing or Court Reform

### Jeff Place

**Topic:** FDR: Court Packing or Court Reform?

**Grade Level:** 8<sup>th</sup> Grade

**NY State Learning Standard(s) assessed:**

Standard 1: History of the United States and New York

Students will use a variety of intellectual skills to demonstrate their understanding of major ideas, eras, themes, developments and turning points in the history of the United States and New York.

Standard 5: Civics, Citizenship, and Government

Students will use a variety of intellectual skills to demonstrate their understanding of the necessity for establishing governments; the governmental system of the United States and other nations; the United States Constitution; the basic civic values of American constitutional democracy; and the role, rights and responsibilities of citizenship, including avenues of participation.

**Learning Objectives:**

- Students will interpret the ideas, values, and beliefs contained in the Declaration of Independence and the New York State Constitution and United States Constitution, Bill of Rights, and other important historical documents
- Students will compare and contrast different interpretations of key events and issues in New York State and United States history and explain reasons for these different accounts
- Students will gain further understanding of the powers granted the national government by the U.S. Constitution

**Essential Questions:**

- Why did FDR seek to increase the number of Supreme Court justices?
- Was FDR's plan court packing or court reform? Why or why not?
- What was the country's response?
- Was he successful? Why or why not?

**Overview of the Learning Experience Module:**

On February 5, 1937 FDR stunned the country with a proposal to increase the number of federal justices at all levels. Although this was clothed as a reform to help relieve a heavy workload in the court system, it was widely viewed as a bold political attempt to "pack" the Supreme Court with justices sympathetic to the New Deal. This controversial episode is an excellent exercise to reinforce key government concepts (balance of power, checks & balances, etc.) that are stressed on the 8<sup>th</sup> grade assessment exam. The use of 'pro' and 'con' primary source documents such as political cartoons and letters to the president provide a fun and stimulating way to encourage discussion among students.

**Time Allotment:** 2 (40 minute) classroom periods

**Vocabulary (key terms):**

Judicial branch	court packing	Nine Old Men
Executive branch	checks & balances	4 Horsemen
Legislative branch	balance of power	patronage

**Materials/Resources:**

Student Materials:

- Written summary of the topic
- FDR's 3/9/37 Fireside Chat (written copy & audio tape)
- Letters to president
- Political cartoons
- Newspaper editorials
- Template for answering scaffolding questions about documents

Teacher Materials:

- Overhead projector and transparencies (cartoons, editorials, etc)
- Cassette recorder

**Procedure:**

Teacher will:

- introduce topic
- distribute/discuss Fireside Chat & play audiotape
- distribute/discuss primary source documents
- break students into groups to analyze documents

Students will:

- take turns reading sections of Fireside Chat
- work in groups analyzing primary source documents
- work in groups answering scaffolding questions about documents
- work in groups answering essential questions

**Assessment:**

- Observing and interacting with students during activities
- Students (in groups) answer scaffolding and essential questions
- Culminating activity:  
Each student takes a position ("pro" or "con") on FDR's court reform proposal. Based on the primary source materials & class discussion (as well as general knowledge of social studies), students write/create one of the following:
  - personal letter to FDR
  - newspaper editorial
  - original political cartoon
  - Congressional speech (including oral presentation)

NAME \_\_\_\_\_

## Cartoon Analysis

adapted from NARA website

Who drew the cartoon? \_\_\_\_\_

What year and place was it created at? \_\_\_\_\_

What is the title or caption of the cartoon? \_\_\_\_\_

List the important objects in the cartoon and describe what each object represents or symbolizes.

Object	Symbolizes

Describe the action taking place in the cartoon.

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What words or phrases are included on the cartoon? Why are these words included?

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What was the purpose of creating the cartoon?

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Who was the intended audience? \_\_\_\_\_

What is the cartoonist's point of view?

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Write down any questions you have about the cartoon.

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NAME \_\_\_\_\_

## Document Analysis

adapted from NARA website

What is the title of the document? \_\_\_\_\_

Who created this document? \_\_\_\_\_

When was it created? \_\_\_\_\_

For whom do you think the document was created for?

\_\_\_\_\_  
\_\_\_\_\_

What was the purpose of creating this document?

\_\_\_\_\_  
\_\_\_\_\_

Key Information. Write down the 3 most important points of this document.

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

What are two things you can tell, in general, about how people lived during this time period?

\_\_\_\_\_  
\_\_\_\_\_

Write down a question to the author that you feel is not answered in this document.

\_\_\_\_\_  
\_\_\_\_\_

What questions do you have about this primary source?

\_\_\_\_\_  
\_\_\_\_\_

JAN 8 1937



218132

FEB 6 1937



After 147-Years—Shall It Come to This?



2/19/37

1937

# LOOKING IN ON 1937





Hear Ye! Hear Ye! Hear Ye!



—On the same subject—Today's editorial, "Roosevelt and the Courts."

# Stirring Up a Hornets Nest?



MAR 11 1933

## Marching Orders!

By Nelson  
Harding

Nelson Harding

There's action in the Capitol,  
With Congress moving fast;  
The marching orders, sharp and clear,  
Ring like a bugle blast!

The forces of Recovery  
No longer idle stand;  
There's action in the Capitol,  
A leader in command!

# And Don't Make Us Mention It Again!

By Falburt



211137

# IF YOU CAN'T GET YOUR SERVE OVER THE NET, LOWER THE NET.

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