

4.10

Liberty in Conflict with Equality or Authority

Standard 4.10: Liberty in Conflict with Equality or Authority

Analyze issues involving liberty in conflict with equality or authority, individual rights in conflict with the common good, or majority rule in conflict with minority rights. (Massachusetts Curriculum Framework for History and Social Studies) [8.T4.10]

FOCUS QUESTION: When Were Times That American Realities Conflicted with American Ideals?



First Avenue Bridge mural in Los Angeles depicts the first female Mexican American union leader, Dolores Huerta
"Dolores Huerta Mural" by Yreina Cervántez is licensed under [CC BY 2.0](https://creativecommons.org/licenses/by/2.0/)

Tensions between equality and authority, individual rights and the common good, and majority rule and minority rights have marked every period of United States history and they persist in politics and society today.

The nation's founding documents set forth the ideals of **"life, liberty, and the pursuit of happiness"** (a phrase from the Declaration of Independence). The Pledge of Allegiance declares there is **"liberty and justice for all."** But political, social, and economic realities for women, people of color, LGBTQIA individuals, workers and other disenfranchised minority groups have not matched American ideals. Epic struggles have been fought to realize the rights and protections guaranteed to everyone under the Constitution.

At the center of the conflicts outlined in this Standard 4.10 is the interplay between **majority rule and minority rights**. This concept is central to democracy—here and around the world. In theory, through open elections and the political process, the majority decides what policies and practices will become law while minority groups with alternative viewpoints and proposals are protected as they seek to create new majorities for their ideas. As Thomas Jefferson said during his First Inaugural Address, "All. . . will bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will to be rightful must be reasonable; that the minority possess their equal rights, which equal law must protect and to violate would be oppression" (as quoted in [Majority Rule and Minority Rights, para. 1](#)).

How have the tensions between majority rule and minority rights been expressed in United States history? The modules in this standard explore that question in the context in the civil rights movements of African Americans, women, LGBTQIA individuals, and workers as well as in the nation's foreign policy and current struggles of transgender students rights in schools.

Modules for this Standard Include:

1. [INVESTIGATE: Movements for Civil Rights in United States History](#)
2. [UNCOVER: Queen Liliuokalani and the American Annexation of Hawaii](#)
3. [ENGAGE: What are Transgender Students' Rights at School?](#)
 - o [MEDIA LITERACY CONNECTIONS: Transgender Representation in the Media](#)

1. INVESTIGATE: Movements for Civil Rights in United States History

Civil Rights are the freedoms guaranteed to every American under the Constitution and the Bill of Rights. They are rights that protect individuals "against unfair treatment based on certain personal characteristics like race, gender, age, or disability" ([Longely, 2019, para. 1](#)).

Throughout our history, individuals and groups who have not had those rights have organized to gain them. African Americans, Latinos/Latinas, Native Americans, Asian/Pacific Islanders, women, workers, disabled individuals, and LGBTQIA people have struggled and fought for their liberties and freedoms as citizens of the United States.



Picture of the [AIDS quilt](#) in front of the [Washington Monument](#)
"Aids Quilt" by National Institutes of Health | Public Domain

Exploring civil rights movements provides insights into how people have created change in government, law, and society. Watch [The Civil Rights Mixtape](#) from the Student News Network for an historical overview of African American struggles for freedom and justice.

Suggested Learning Activities

- **Create a Digital Media Product**

- Design a poster or sketchnote that displays the causes, successes, and consequences for one of the civil rights movements listed below, OR
- Produce a video that compares and contrasts two of the civil rights movements listed below.

- **African American and Latino Civil Rights Movements**

- [Accomplishments of the Civil Rights Movement](#)
- [The African American Odyssey: A Quest for Full Citizenship](#)
- [The Latino Civil Rights Movement](#)
- [Latino Civil Rights Timeline, 1903 to 2006](#)

- **The Women's Rights Movement**

- [Post Civil War Women's Rights Movement](#)
- [Post Civil War Roles for Women](#)
- [The Women's Rights Movement of the 1960s and 1970s](#)

- **The LGBTQIA Rights Movement**

- [LGBTQIA Civil Rights Movement](#)
- [The Lavender Scare](#)
- [The Stonewall Uprising](#)
- [Bayard Rustin, Civil Rights and Gay Rights Activist](#)
- [LGBTQ Rights Supreme Court Cases](#)
- [The HIV/AIDS Epidemic in the US and the World](#)

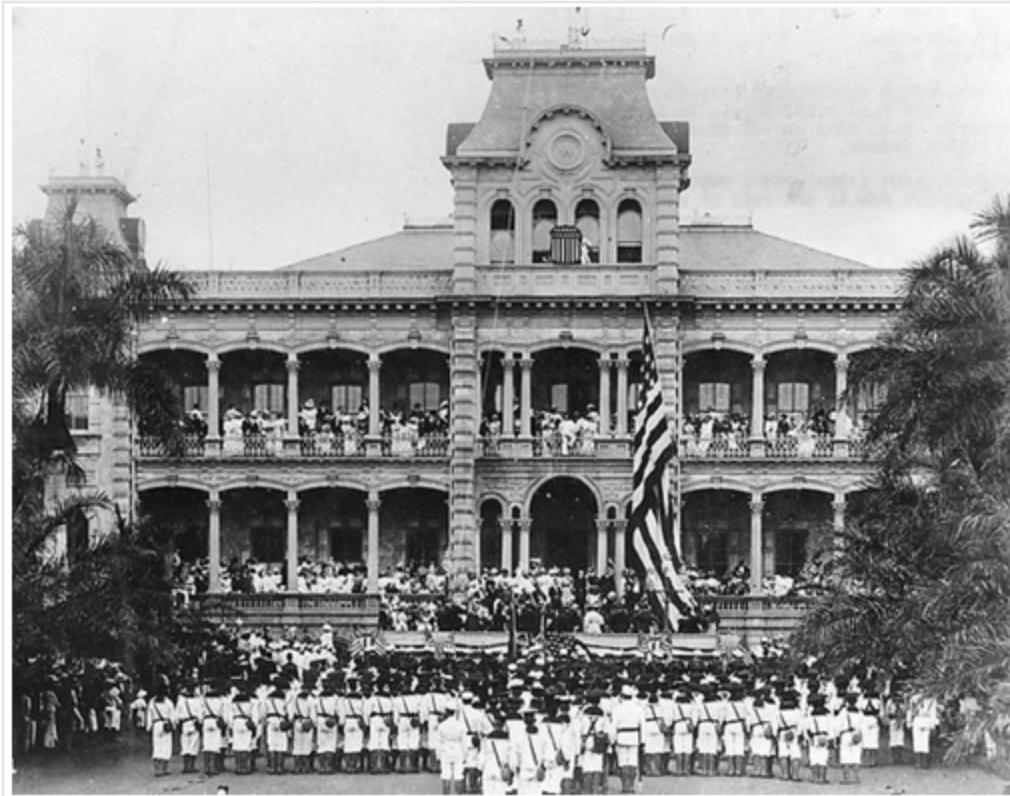
- **The Labor Movement**

- [Lowell Mill Girls Strikes, 1834 & 1836](#)
- [The Great Railroad Strike of 1877](#)
- [Atlanta Washerwomen Strike of 1881](#)
- [The Pullman Strike of 1894](#)
- [Shirtwaist Makers Strike of 1909 and Bread and Roses Strike of 1912](#)

- **State Your View**

- How did American realities conflict with American ideals during each of the Civil Rights movements?

2. UNCOVER: Queen Liliuokalani and the American Annexation of Hawaii



Raising American Flag at 'Iolani Palace, Honolulu, Hawaii, August 12, 1898

["Raising of American flag at Iolani Palace with US Marines in the foreground"](#)
by Frank Davey | Public Domain

On January 17, 1893, **Queen Liliuokalani**, the ruler of Hawaii, was overthrown by an American-backed group of businessmen and sugar planters ([Hawaiian Monarchy Overthrown by America-Backed Businessmen](#)). Historians have concluded that the interests of the Dole Food Company and the growing global Pineapple trade played a key role in the annexation. A *resourcesforhistoryteachers* wiki page, [Annexation of Hawaii](#) provides more on connections between the Dole Food Company, pineapples, and American Foreign Policy.

Prior to the overthrow, the islands had only been unified as the **Kingdom of Hawaii** since 1795 (Europeans first arrived there in 1778). Liliuokalani was the last monarch before Hawaii became an American territory and eventually the nation's 50th state on August 21, 1959. In 1993, the United States Congress passed a resolution formally apologizing to Native Hawaiians for American actions nearly a century before ([103d Congress Joint Resolution 19: Apology to Native Hawaiians](#)).



[Queen Liliuokalani](#) was the last Monarch of Hawaii
"[Liliuokalani sitting on chair draped with feather cloak](#)"
by [James J. Williams](#)
[Hawaii State Archives, Call Number: PP-98-12-002](#) | Public Domain

The annexation of Hawaii launched an era of expansion and imperialism that many historians refer to as an American empire (Immerwahr, 2019; Hoganson, 2017). The U.S. acquired the Philippines, Puerto Rico, and Guam in 1898 at the end of the Spanish-American War. This resulted in the [Philippine-American War of 1898-1900](#), a bloody struggle that cost the lives of 4,200 American and 20,000 Filipino fighters along with some 200,000 civilian deaths. Samoa was annexed in 1899. The Virgin Islands were acquired in 1917.

The annexation of Hawaii was a time when the nation's commitment to liberty, freedom, and individual rights came into conflict with its desire for international expansion and economic gain, a pattern that has been evident throughout United States history. In a sweeping study, *The United States of War*, historian David Vine (2020) states that from its beginnings, the US has engaged in nearly continuous series of military interventions and conflicts around the globe that has produced not only a collection of territories, but some 750 military installations in other countries -- what he calls an "**empire of bases**" that has "actually made aggressive and offensive war *more likely*" (Vine, 2020, p. 13).

In recent years, America's involvements abroad include military missions in Afghanistan, Iraq, and Syria as well as conflicts in Chad, Kenya, Mali, Niger, Nigeria, Somalia, and South Sudan. One reviewer of Vine's book concludes that there have been only two years in the past seven and half decades --1977 and 1979--when the United States was not invading or fighting in some foreign country (quoted in "Fort Everywhere," Daniel Immerwahr, *The Nation*, December 14.21, 2020, p. 34). Vine (2020, p. xxii) states "the total effects of the post-2001 wars have been so disastrous that words can't capture the calamity." Death, destruction, economic and social collapse abroad and at home, the expenditure of more than \$70 billion every year that could have gone instead to improving health

care, education, and the environment for all Americans.

Suggested Learning Activities

- **State Your View**
 - How did the imperialist actions of the United States cause conflict (at the time and regarding issues today) with the American ideals of liberty, freedom, and individual rights?
- **Complete a WikiQuest**
 - Summarize American Foreign Policy in Different Parts of the World using the following wiki pages:
 - [The Barbary Pirates](#)
 - [Building the Panama Canal](#)
 - [The Great White Fleet](#)
 - [The Manhattan Project](#)
 - [A Vietnam War WikiQuest](#)

Online Resources for the Annexation of Hawaii

- [America Becomes a Pacific Nation: Hawaiian Annexation](#)
- Summary of Hawaiian Annexation [from Digital History](#)
- Queen Liliuokalani wrote over 160 songs including the classic "Aloha Oe" ([History Biography: Liliuokalani](#)).
- [Annexation of Hawaii](#) has multiple primary sources, including Hawaii Statehood in 1959 and a Congressional Apology to Native Hawaiians in 1993.

3. ENGAGE: What are Transgender Students' Rights at School?

Transgender is a term for individuals whose “gender identity differs from the sex they were assigned at birth” ([Transgender FAQ, n.d., para. 1](#)). Transgender people may also refer to themselves as “non-binary” or “gender non-conforming.”

A 2018 study by the Centers for Disease Control and Prevention as well as 2019 survey data from 15 states found that nearly 2% of high school students identify as transgender. These studies also found that transgender students face widespread prejudice and discrimination in school and society - transgender students are twice as likely as cisgender students to be bullied; one in three did not go to school at least once because they felt unsafe; and alarmingly high numbers have considered (45%) or attempted suicide (29%) in the past year ([Brookings](#), September 13, 2021).

The rights of transgender and gender non-conforming people is a complex and contested issue, with laws varying greatly from state to state. The Transgender Law Center has an [interactive online map showing LGBTQ equality by state](#) (including sexual orientation and gender identity by state). The map shows the number of laws and policies that promote equality for LGBTQ people in each state.

The story at the federal level is similarly complex. Title VII of the Civil Rights Act of 1964 bars employers with 15 or more employees from discriminating on the basis of sex ([Know Your LGBTQ](#)

[Rights](#), American Civil Liberties Union). There is no federal law prohibiting discrimination based on sex, gender, or sexual orientation in public accommodations ([Know Your Rights: Public Accommodations](#)). Minnesota was the first state to bar gender-based discrimination at the state level in 1993, and in 2009, President Obama issued an executive order barring gender discrimination in hiring within the federal government's executive branch. Since 2016, however, despite growing public opinion support for LGBTQ rights, the Trump Administration has sought to curtail rights for transgender Americans.

Court cases involving transgender student rights at school center around three main areas: restrooms, preferred pronouns, and athletic participation ([The Complex and Dynamic Legal Landscape of LGBTQ Student Rights](#), Brookings, October 19, 2020). The following resources outline the state of transgender student rights at school:

- [Fact Sheet on U.S. Department of Education Policy Letter on Transgender Students](#)
- [Legal Guidance on Transgender Students' Rights](#), National Education Association
- [Students & LGBTQ Rights at School](#), Southern Poverty Law Center

Media Literacy Connections: Transgender Representation in the Media

Transgender refers to "people whose gender identity differs from the sex they were assigned at birth" ([GLADD Media Reference Guide: Transgender](#), para. 5).

Nearly 2% of high school students in the U.S. identify as transgender, and more than one-third of them attempt suicide ([The Washington Post](#), January 24, 2019). Discrimination based on gender identity is prohibited in schools, yet many LGBTQ+ students face bullying, harassment, and feel unsafe in classrooms and corridors ([Education in a Pandemic](#), U.S. Department of Education, Office of Civil Rights, 2021).

What role might the media play in influencing how transgender students are treated by others?



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In the following activities, you will analyze transgender representation in television and movies and then create a transgender character who accurately reflects the realities of gender identity and gender expression in today's society.

- [Activity 1: Analyze Transgender Representation in TV and Movies](#)
- [Activity 2: Create a Transgender Character](#)

Suggested Learning Activity

- **Design a Transgender Student Rights in School Infographic**
 - [What are My Rights at School?](#) from the National Center for Transgender Rights
 - [Transgender Rights](#) from the ACLU
 - [Transgender Bathroom Rights](#)
 - [Transgender Student Rights: The Basics](#)
- **Learn Online**
 - Explore the [Interactive Equality Maps](#) from Transgender Law Center

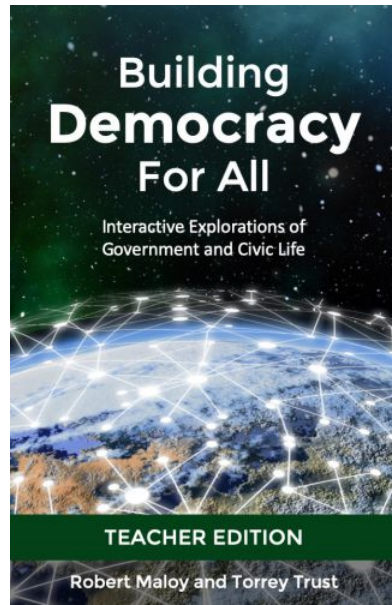
Online Resources and Media Gallery

- [Lesson Plans to Help Students Understand Gender and to Support Transgender and Non-Binary Children](#), Welcoming Schools, Human Rights Campaign Foundation
- [The Rights of Transgender People in Washington State](#), Washington State ACLU
- [Know Your Rights](#), Lambda Legal
- [Transgender History in the United States](#) (2014), from *Trans Bodies, Trans Selves* (Oxford University Press)

- [Celebrating Transgender Awareness Week](#), *Teaching Tolerance*

Conclusion to Standard 10

This standard has focused on times in United States history—and during the present day—when individuals and groups struggled to overcome oppression to gain the freedoms they need to be full participants in a democratic society. **INVESTIGATE** explored movements for civil rights by African Americans, Latinos, women, workers, and LGBTQ people. **UNCOVER** examined the gaps between American ideals and realities in American foreign policy using a case study of the 1893 Annexation of Hawaii when the islands' monarch Queen Liliuokalani was overthrown by the United States, an action for which Congress formally apologized a century later. **ENGAGE** asked what are the rights of transgender students in K-12 schools.



Maloy, R. W. & Trust, T. (2020). *Building Democracy for All*. EdTech Books.
<https://edtechbooks.org/democracy>