

American Government & Politics: A Christian Worldview:
Suspend It Or Not? – Habeas Corpus (15-20 minutes)

TEACHER INSTRUCTIONS/KEY

Goal

Students apply the idea of habeas corpus by deciding: When should the government temporarily gain emergency detention powers...and when is that dangerous? Students must justify their answers using public safety, individual rights, rebellion/invasion, and fear of government abuse.

Instructions

1. Divide students into groups of 3–4.
2. Tell students:
 - “You are members of Congress during national emergencies.
 - The president wants stronger powers to jail suspects quickly.
 - Your job is to decide whether habeas corpus should be temporarily suspended.”
3. For each situation, teams must decide whether or not to suspend the right of habeas corpus.
4. Give groups 10-12 minutes to finish the cases, and then have volunteers share their decisions to the class.

Scenarios/Suggested Answer Key

1. **Setup 1:** Armed rebels seize several government buildings and begin attacking soldiers.
Suspend (immediate public danger).
2. **Setup 2** – A president wants to jail newspaper editors who criticize his handling of a war.
Do not suspend (looks like an attempt to silence opponents).
3. **Setup 3** – A foreign army invades part of the country, and officials suspect spies are helping them.
Depends (invasion is occurring, but suspending needs limits/safeguards).
4. **Setup 4** – Large protests break out across major cities. Some vandalism occurs, but most protests are peaceful.
Do not suspend (leave this to local law enforcement).
5. **Setup 5** – After a terrorist attack, the gov’t wants power to hold suspects for months without charges.
Debatable (immediate threat, but indefinite imprisonment and vague “terrorism” claims dangerous).
6. **Setup 6** – The president says criticism of the government during wartime is “helping the enemy.”
Do not suspend (gov’t officials often claim any opposition is dangerous to shut down debate).
7. **Setup 7** – A state governor requests emergency detention powers after riots damage businesses and police stations.
Probably do not suspend (riots are dangerous, but police and courts still exist!)

Wrap-Up/Final Direction

Ask students:

- Why would rulers WANT suspension powers?
- Why did the Constitution limit suspension mainly to rebellion or invasion? How is even this limitation a potential danger to liberty?
- Why give this power to Congress instead of one ruler?
- Which scenarios sounded truly dangerous, and which sounded like excuses to silence critics?

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For each situation, decide as a group whether or not you as members of Congress should temporarily suspend the right of habeas corpus. You must defend WHY!

Setup 1: Armed rebels seize several government buildings and begin attacking soldiers.

Do you suspend habeas corpus or not? Why?

Setup 2 – A president wants to jail newspaper editors who criticize his handling of a war.

Do you suspend habeas corpus or not? Why?

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Setup 7 – A state governor requests emergency detention powers after riots damage businesses and police stations.

Do you suspend habeas corpus or not? Why?

