



PROFILES IN COURAGE

Teacher's Guide

JOHN M. SLATON

CREDITS:

Starring Walter Matthau, Michael Constantine, Betsy Jones-Moreland, and Frank Marth. Written by Don M. Mankiewicz. Directed by Robert Gist. 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 discuss the American concept of equal protection under the law.
- To examine the danger of mob rule.
- To review the American belief in innocence until guilt is proven beyond a reasonable doubt.
- To understand the meaning of moral courage.

BACKGROUND:

While most Americans do not know the name Leo Frank, his experience ranks as a classic case of injustice. Writer Irving Wallace, in his *Book of Lists, #2*, identifies "ten notorious cases of terrible justice." Leo Frank is on this list, which includes Alfred Dreyfus, Dr. Samuel A. Mudd, and the Scottsboro Boys.

"Lynch Law," popular on the American frontier, where "circuit" judges were often weeks away from dispensing "justice," is still practiced occasionally today. In the early 1900s it was a common way of "bringing a Negro to justice," especially in the South, but in the North as well. Leo Frank was not black, but he was a Jew, a distinction of little note to the mob in Georgia. But while it was the mob that killed Frank, he was first a victim of institutional injustice: his jury ignored strong evidence of his innocence.

Exemplifying a popular mood in Georgia at the time of Frank's lynching, *The Jeffersonian*, a weekly paper edited by Thomas E. Watson, the leading political "boss" in Georgia and later a United States Senator,

carried a headline:

"A Vigilance Committee redeems Georgia and carries out the sentence of the law... Let Jew libertines take notice!"

SYNOPSIS:

We view the trial of Leo Frank, accused of the rape and strangulation murder of a 13-year-old girl who worked in the pencil factory where he was the manager.

We observe the influence of an angry mob on the deliberations of the jury. We see political "boss" Tom Watson threaten the political future of Governor John M. Slaton, if he consider Frank's appeal.

We watch as Governor Slaton visits the crime scene and interviews the attorney for Jim Conley, Frank's principal accuser.

Convinced that Frank is innocent and that perjured testimony has contributed to the guilty verdict, Governor Slaton commutes the sentence to life in prison, only to see the mob execute the sentence by lynching.

VOCABULARY:

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

defendant	clemency	impart
waver	discretion	variance
acquittal	conflict of	reposed
cordon	interest	misconstruction
clamor	essence	condemnation
appeal	counsel	lynched
William Tecumseh	commute	condone
Sherman	theorize	eradicated
scalawag	obstruction	obscurity

QUESTIONS FOR DISCUSSION:

1. What charges were leveled at Frank by the speaker at the mob scene outside the court? Can you identify three charges, unrelated to the crime? What three words appeared over the door to the courthouse?
2. Judge Powell says, "If those jurors were not on the panel, they'd be right out there in the street with that mob." What does Powell imply in this comment about the jury? What is Judge Roan's reply?
3. Why do you suppose a judge or an attorney request that a jury be polled after the verdict is given?
4. "I'm probably the only man in Georgia who can read who doesn't have a firm opinion one way or the other what should be done with Leo Frank. The only man who doesn't know what he'd do if he were governor is the Governor." What kind of an attitude is this? Explain.
5. Can you explain the peculiar relationship between the "unwashed" Tom Watson, and the "aristocratic" Governor Slaton? What information does Watson present in an attempt to influence the Governor? What is Slaton's reaction?
6. Why does Governor Slaton convene a public hearing? Give two reasons. We see four different speakers. What attitudes do they present?
7. What "evidence" does Slaton discover that convinces him that Frank is innocent? Why does he not pardon Frank?
8. Slaton's brother-in-law, suggesting that the mob will never let Frank live, criticizes the commutation saying, "It seems to me all you'll be doing is changing the place of his hanging from a gallows to a tree." Slaton rejects this notion, but says even if true, his mind won't be changed. What does he say about the mob and the state? About the mob influencing his actions? About the mob's responsibility in Frank's death?
9. "Lynching strikes at the body of civilization," says Slaton, "execution, without proper cause, strikes at the soul." Do you see the distinction he makes? Explain. Do you agree?

10. Supporting her husband in his right to make his own decisions, Mrs. Slaton said, "I'd rather be the widow of a brave man than the wife of a coward." Do you support this view? Explain.

ACTIVITY:

When Leo Frank's freedom came into conflict with the confidentiality of the attorney-client relationship, Governor Slaton chose not to pardon Frank; but only to commute his sentence to life in prison.

Hold a class discussion or debate where the merits of Slaton's priorities are examined. Do you suggest alternatives?

Ask an attorney to discuss this issue with your class. What does he/she say about defending people who have admitted their guilt?

FOR RESEARCH AND DISCUSSION:

In 1894, Alfred Dreyfus, a captain in the French army, was unjustly accused and convicted of the crime of treason. Find out what the French Government did even after the guilty man confessed. Do you find any similarities to the Leo Frank case?

SPECIAL NOTE:

In 1983, belated testimony by an eyewitness to the murder confirmed Leo Frank's innocence.