

Film Review: *The Response*

Greg Snoad

A man accused of bombing a U.S. embassy. Information obtained through the possible use of torture. Classified information. A man's future hangs in the balance, and, in the end, one person will decide his fate. It sounds like a trailer for a movie my students would watch on Saturday night for entertainment; instead, it is a movie created for the classroom to help teach difficult legal concepts and spark important moral and ethical discussions about the ages-old debate of security vs. rights.

The film is *The Response*, a remarkable teaching tool created in collaboration with the University of Maryland School of Law, Venable LLP, with educational materials developed by Street Law, Inc. The film is based on actual transcripts of Guantanamo military tribunals. This is not, however, your average “educational video.” Instead, it's a Hollywood-quality film that has received multiple awards and was shortlisted for an Academy Award in the category of Best Live Action Short Film. *The Response* was written and produced by Sig Libowitz, and stars actors Kate Mulgrew, Peter Riegert and Aasif Mandvi. *The Response* is a well-written drama about a Combatant Status Review Tribunal (CSRT) at the Guantanamo Naval Base in Cuba, and the deliberation of an accused terrorist's status as an enemy combatant. The writing is tight and understandable, with clearly defined characters with opposing opinions.



Kate Mulgrew (as Col. Simms), Peter Riegert (as Col. Jefferson), and Sig Libowitz (as Capt. Miller), photo credit by Barry Stelzer / Richard Chisolm

In Scene One, Tribunal, the accused terrorist is brought before a three-person tribunal for a hearing. Teachable moments abound as the suspected terrorist is questioned, about his connection to a terrorist plot. Government teachers will appreciate the portrayal of the conflict between national security and constitutional rights. Specifically, the suspected terrorist is denied an attorney, and is not given the opportunity to confront the witnesses against him. It is sometimes difficult for students to grasp the importance of these rights because classroom discussions can be abstract. *The Response* brings these rights into focus, however, and the concepts become concrete and easy to understand. The

first scene also highlights the nuances and dangers of different cultural viewpoints. There is a controversy over the term “Jihad” which is very instructive. Western culture typically defines the term as literally meaning “Holy War,” implying that involvement in Jihad is by definition violent. In the film, the suspect's interpretation is that Jihad has both a humanitarian and military component.

In Scene Two, Deliberation, the theme of rights vs. security continues. Mulgrew (Colonel Carol Simms) argues that national security interests require that the tribunal deny the accused access to classified information, some of which may have been gained, in part, through

the use of torture. Mulgrew's character takes the emotionally charged position that constitutional rights should not get in the way of the satisfying, although constitutionally questionable, conviction of a "terrorist bomb maker."

Government teachers, and, for that matter, most who have participated in dinner table discussions post 9/11, will find Mulgrew's arguments familiar. Riegert (Colonel Richard Jefferson) argues that the foundation of the American justice system, from the rules of evidence to the inviolate right to face one's accuser, is what is actually at stake in the trial. To Riegert, allowing torture-tainted evidence and anonymous accusers puts the United States more at risk than an individual potential terrorist.

The rights vs. security debate is as old as our country, and most government teachers have this debate in their classrooms regularly. The great benefit of *The Response* is the actors' ability to make the debate come to life in a compelling, current story. Fortunately, unlike many Hollywood movies that drive home endings with a clear "winning side," *The Response* leaves the decision up in the air, teeing up an engaged and spirited classroom discussion.

The film is classroom friendly, and the Street Law website provides three sets of downloadable teaching materials for high school, college, and law school students. The film is divided into two clear segments. Scene One is the hearing and is the longer of the two scenes, lasting approximately 19 minutes. Scene Two, the deliberation, is shorter, just over 10 minutes. I have used the film this year in my 10th grade Global Studies II class, and, coupled with the teaching materials, it was a strong two-day lesson. Before showing *The Hearing*, I used the vocabulary list provided in the teaching materials to review essential terms that would be used in that scene. After viewing Scene One, I assigned some of the discussion questions as a way to summarize the significant issues addressed. On the

second day, we reviewed the significant information from the day before, then watched *The Deliberation*. The discussion questions provided in the teaching materials nicely structured the discussion about the unanswered question: security or constitutional rights?

I have led a form of this debate for years. I was struck, however, at how evenly divided the class was over the verdict, and how passionate students were about their positions. More importantly, they were able to fully explain their opinions, often citing specific lines from the movie to support their position.

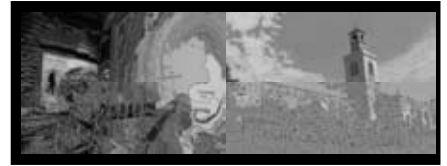
I wrapped up this lesson by assigning students to write about three main points: the conflict between national security and constitutional protections; the use of evidence gained through "enhanced interrogation techniques"; and how they would have voted had they been on the tribunal.

I used two 50-minute class periods and some outside writing assignments in this unit. We could have devoted more time to the discussions had time not been an issue. My students were engaged and excited to talk about what they learned. They did significant critical thinking, and listened to and debated opposing sets of beliefs. I have no doubt that the concepts and the dilemma presented in the rights vs. security debate will be among the lessons my students will take with them long after they have left my classroom. Given the primacy that this debate has in our ongoing national and international security conversation, I am confident that my students will be able to participate in that conversation as well-informed and thoughtful citizens. 📺

GREG SNOAD is social studies chair, NBCT, at Mauldin High School, in Mauldin, South Carolina.

An educational version of the DVD can be ordered at: www.streetlaw.org/theresponsemovie

Where History Comes to Life



The National Churchill Museum
Interactive Museum and Classroom Programs
Grades 4-12

MUSEUM HIGHLIGHTS

- World History Museum
- Berlin Wall Sculpture
- Church of St. Mary
- Traveling Exhibits

CONTENT AREAS

- Social Studies
- Language Arts
- Visual Art
- Science
- Leadership

We Will Tailor to You!

FOR TEACHERS

- Museum Programs
- Classroom Presentations
- Teacher In-Services
- Traveling Trunk
- Teacher Open House
- Student Essay Contest



National Churchill Museum
501 Westminster Ave • Fulton, MO 65251
• www.nationalchurchillmuseum.org •
Mandy.Plybon@churchillmemorial.org
• 573.592.6242 •

Advertising

For inquiries about advertising, call Doran Communications at 302-644-0546, or e-mail advertising@ncss.org. Information about advertising rates and specifications can also be found at www.socialstudies.org/advertising

C-SPAN.....	cover 4
Harper Collins	cover 2 / cover 3
Herff Jones, Inc.	136/137
James Madison Memorial Fellowship Foundation	163
Maxwell School, Syracuse University	159
The National Churchill Museum	165
Stenhouse Publishers	151