NO PREP

Fear and Policy-Making

Includes: Student reading, case study, differentiated questions, teacher key

Name: Period: Date:

Fear and Policy-Making

Fear as a Force in Lawmaking

Throughout American history, fear has shaped the way governments create policies. In times of crisis, fear can lead leaders to pass laws quickly, often with the goal of protecting the public. However, such laws sometimes sacrifice civil liberties in the name of safety. From the Salem Witch Trials of the 1600s to modern national security debates, fear has proven to be one of the most powerful motivators in policymaking. Fear-based laws are not always permanent, but their effects can last for generations. They often reflect the anxieties of the time: fear of witches, fear of communism, fear of terrorism, or fear of crime. These moments show how emotions, rather than reason, can guide government decisions. Studying them helps

Name: **Period:** **Date:**

Fear and Policy-Making

Fear as a Force in Lawmaking

Throughout American history, fear has shaped the way governments create policies. In times of crisis, fear can lead leaders to pass laws quickly, often with the goal of protecting the public. However, such laws sometimes sacrifice civil liberties in the name of safety. From the Salem Witch Trials of the 1600s to modern national security debates, fear has proven to be one of the most powerful motivators in policymaking. Fear-based laws are not always permanent, but their effects can last for generations. They often reflect the anxieties of the time: fear of witches, fear of communism, fear of terrorism, or fear of crime. These moments show how emotions, rather than reason, can guide government decisions. Studying them helps students understand both the importance and the dangers of letting fear drive lawmaking.

Historical Examples of Fear-Based Laws

One of the earliest examples comes from the Salem Witch Trials in 1692. In the face of panic about witchcraft, colonial courts accepted spectral evidence—dreams and visions—as proof of guilt. This undermined fair trials and led to wrongful executions. Fear of the supernatural outweighed reason and justice. Centuries later, fear influenced policy again during the Red Scare of the 1950s. In an effort to fight communism, Congress held hearings to expose suspected communists in government, schools, and Hollywood. Many innocent people were blacklisted, losing their jobs and reputations without real evidence. In this case, fear of a political ideology drove laws and investigations that limited freedom of speech and association. A more recent example comes from the aftermath of September 11, 2001, when Congress passed the USA PATRIOT Act. The law expanded surveillance powers to prevent terrorism, but critics argued it reduced privacy rights. While fear of terrorism justified the law at the time, its long-term effects on civil liberties are still debated today.

The Double-Edged Sword of Fear

Fear is not always negative—it can push governments to act quickly in emergencies. However, when unchecked, fear can create unfair laws that target groups or individuals. By studying these examples, students can see how important it is for lawmakers to balance security with freedom. Understanding fear as a political tool helps citizens evaluate laws critically, ensuring that fear does not override reason and justice.

Key Information: Table: Examples of Fear-Driven Laws in American History

Period	Fear	Law/Policy
1692	Witchcraft	Spectral evidence accepted in Salem trials
1950s	Communism	Blacklisting and congressional hearings
2001	Terrorism	USA PATRIOT Act expanded surveillance

Case Study: Fear-Based Laws in American History

The Red Scare of the 1950s illustrates how fear can alter public policy. Senator Joseph McCarthy became famous for accusing individuals of being communists without solid evidence. Congressional hearings pressured witnesses to name others, creating a climate of suspicion. Thousands of Americans in government, teaching, and entertainment lost jobs or faced harassment. Fear of communism justified policies that violated constitutional rights, especially freedom of speech and association. Later, historians judged this period as one of the most damaging to civil liberties in modern American history. While many Americans supported these measures at the time, looking back shows how fear clouded judgment. The case highlights how government responses to fear can harm democracy, even when the goal is national security.

1. How did fear of communism affect Americans working in government and entertainment during the Red Scare?

---

2. What constitutional freedoms were limited by fear-driven policies during the Red Scare?

Multiple Choice

1. What kind of evidence was used in the Salem Witch Trials?

    a) Jury trials with modern protections

    b) Spectral evidence such as dreams

    c) Eyewitness accounts only

    d) Scientific experiments

2. What was one effect of the Red Scare in the 1950s?

    a) People were encouraged to join communist groups

    b) Freedom of speech was expanded

    c) The Cold War ended immediately

    d) Innocent people were blacklisted and lost jobs

3. What law passed after September 11, 2001, expanded government surveillance powers?

    a) USA PATRIOT Act

    b) Bill of Rights Act

    c) National Security Act of 1947

    d) Freedom Act

Matching

Write the letter of the correct definition on the line next to each term.

Term	Definition
1. ___ Salem Witch Trials	A) USA PATRIOT Act expanded surveillance
2. ___ Red Scare (1950s)	B) Pressured witnesses to accuse others without proof
3. ___ Post-9/11 era	C) Spectral evidence led to wrongful executions
4. ___ Colonial courts	D) Fear of communism caused blacklisting
5. ___ McCarthy hearings	E) Example of emotional decisions replacing reason

Fill-in-the-Blank

1. The _____ Act of 2001 expanded surveillance powers after the September 11 attacks.

2. During the Red Scare, many people in Hollywood were placed on _____, preventing them from working.

3. The Salem courts accepted _____ evidence, which relied on visions and dreams.

Short Answer

Answer each question in 2-4 complete sentences.

1. Why do fear-based laws often seem justified at the time but controversial later?

_____

_____

_____

2. How does the study of fear-based policymaking help students understand democracy?

3. Do you think fear can ever be a positive influence on laws? Why or why not?