**Unit #15: The Cold War Heats Up– late 1950’-1970’s**

To try to help the Civil Rights Movement, President John F. Kennedy launched his **“New Frontier Program”** which tried to pass civil rights laws, end segregation and help blacks with job opportunities. The New Frontier program also put money towards winning the Space Race with Russia and helping impoverished Americans. While Kennedy did try to help America, the failed **Bay of Pigs** invasion of Cuba to overthrow Fidel Castro made him look very bad, although he was able to avoid nuclear war with Russia during the **Cuban Missile Crisis.** Kennedy also began to get America deeper involved in Vietnam. Kennedy was unfortunately assassinated in November 1963. His vice-president, Lyndon B. Johnson took over for him. Johnson continued domestic and foreign policies.

President Johnson also increased America’s involvement in Vietnam (which began under Eisenhower and increased under Kennedy), and with the **Gulf of Tonkin Resolution**, he received permission from Congress to use force in Vietnam (although Vietnam was an undeclared war with no formal declaration of war) to protect South Vietnam from Communist North Vietnam. The War lasted from 1965-1975. The Vietnam War was very unpopular because many did not understand the need to go there to stop Communism from spreading and there was a draft, which many rich people were able to buy their way out of. There were many protests, which were especially led by college students. In the worst incident which occurred at **Kent State**, 4 students were killed by the Ohio National Guard. High School students even protested; in a high school in Des Moines, students were suspended for wearing black armbands to protest the war, however, they sued and in the case of ***Tinker v. Des Moines***, the Supreme Court said that the school violated their first amendment right. Along with students, Civil Rights leaders and even Veterans (Vietnam Veterans Against the War) protested. The money spent and attention given to the Vietnam War took away from the Civil Rights Movement and Great Society Program.

Due to all of the controversy of the Vietnam War, President Johnson did not run for re-election and when President Richard M. Nixon won, he began the process of **Vietnamization** – withdrawing from South Vietnam. However, when America left, South Vietnam fell to Communism along with neighboring Cambodia and Laos. Nixon also tried to create a policy of **détente (reduction of nuclear arms)** with Russia and open diplomatic talks with Communist China.

There were several legal backlashes from the Vietnam War. Congress passed the **War Powers Act** to limit how long the President can use soldiers without a declaration of war (although future Presidents will ignore this rule since they are Commander-in-Chief). The worst controversy came when papers showing the secret history of the Vietnam War were stolen from the Pentagon (military command center of U.S.) and then leaked to and published by the New York Times. In **Nixon v. N.Y. Times**, the Supreme Court sided with the New York Times citing the First Amendment’s Freedom of Speech and Press.

Yet for all Nixon’s good work on foreign policy, he will probably go down as one of America’s most controversial Presidents for **The Watergate Scandal**. Nixon was accused of covering up a break-in at the Democratic Headquarters at the Watergate Hotel. Nixon tried to withhold evidence (claiming executive privilege), but in the case of **U.S. v. Nixon**, the Supreme Court ruled that no President was above the law. Instead of facing an impeachment trial, President Nixon resigned (and is the only President to do so). As the Cold War heated up, so too did tension in America.

Part I. Copy these keywords and their definitions: **Regents Words**

**1) New Frontier Program:** President John F. Kennedy’s program to help civil rights, impoverished citizens and win the space race with Russia.

**2) Bay of Pigs:** Failed invasion of Cuba by America to overthrow Fidel Castro.

**3) Cuban Missile Crisis:** 14 days in October when Russia put missiles in Cuba and America and Russia became dangerously close to nuclear war. Kennedy and Russia had secret talks and Kennedy was able to avoid war by withdrawing missiles from Turkey and Italy.

**6) Gulf of Tonkin Resolution:** When Congress gives President Johnson permission to use U.S. soldiers in Vietnam.

**7) Vietnam War (1965-1975**): controversial undeclared war where America tries to stop Communist North Vietnam from conquering South Vietnam. Costs 58,000 American lives. There were many protests (mostly lead by students) against the war.

**8) Kent State Massacre:**  When 4 Ohio students are killed protesting the Vietnam War.

**9) Tinker v. Des Moines (1969):** Supreme Court rules that children’s first Amendment rights were violated when they were suspended for wearing black arm bands to protest the Vietnam War.

**10) Vietnamization:** President Richard M. Nixon’s policy of withdrawing American soldiers and letting South Vietnam fight war by itself.

**11) Détente:** President Nixon’s foreign policy with Russia to try to reduce nuclear tension and weapons arsenal.

**12) S.A.L.T. I:** Strategic Arms Limitations Treaty I. America and Russia’s agreement to reduce nuclear arms.

**13) War Powers Act:** Congress’s limiting the amount of time a President can send soldiers overseas without a declaration of war.

**14) Nixon v. New York Times:** After Pentagon papers were stolen then leaked to the New York Times and published by them, Nixon tried to stop it, but the Supreme Court said that it was Constitutional because of the First Amendment Freedom of Speech and Press.

**15) Watergate Scandal:** Scandal where President Nixon was accused of covering up a break-in of the Democratic headquarters. President Nixon resigned instead of facing an impeachment trial.

**16) U.S. v. Nixon:** Supreme Court ruled that the President does not have executive privilege to withhold evidence. No one is above the law.

**Study Questions – Read the historical context and then answer the following in one full T.E.A.L. paragraph (5-7 sentences), using and analyzing at least THREE documents in your answer.**

***Historical context:*** After World War II, the pace of events and the advent of nuclear weapons meant that Presidents and Congress came into conflict over who had more influence over questions of war and peace According to the Constitution, Congress is the branch of government that declares war and appropriates funding for wars. However, the President is the Commander in Chief of the armed forces. The Korean War and the Vietnam War both increased the power of the President because they were not officially declared wars by Congress.

1. ***Evaluate how the Supreme Court decision in the Pentagon Papers Case, and the War Power Act passed by Congress impacted/limited the expansion of executive (presidential) power that had grown since World War II. How does this illustrate the continued relevance of the system of checks and balances? Which branch do you think should have more authority over issues of war and peace?***

**Document #1: National Archives on the Korean Conflict**

Truman's statement on asking Congress for American military commitment to stop the North Korean invasion of the South illustrates his concern with communist aggression and expansion. In it, Truman argues that "communism has passed beyond the use of subversion to conquer independent nations and will now use armed invasion and war." Truman's statement suggests that he believed the attack by North Korea had been part of a larger plan by communist China and, by extension, the Soviet Union. The President believed that the Korean situation was similar to that of Greece in 1947. He informed his advisors that he believed the invasion was "very obviously inspired by the Soviet Union." This gave America a moral imperative to act. "If we don't put up a fight now," Truman observed to his staff, there was "no telling what they'll do." His concern over the future of anticommunist governments in Asia showed in his public statement. Truman pledged to defend Formosa (Taiwan) from attack and to support French forces in Indochina, a conflict that would eventually escalate into the Vietnam War.

**Document #2: Gulf of Tonkin Resolution**

The Gulf of Tonkin Resolution was passed on August 7, 1964, by the U.S. Congress after an alleged attack on two U.S. naval destroyers stationed off the coast of Vietnam. The Gulf of Tonkin Resolution effectively launched America’s full-scale involvement in the Vietnam War.

**Excerpt:** *"The Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression."—Tonkin Gulf Resolution, August 7, 1964.*

**Document #3: The War Powers Act**

The War Powers Act, passed in 1973, is a law designed to limit the U.S. president’s ability to initiate or escalate military actions abroad. Among other restrictions, the law requires that presidents notify Congress after deploying the armed forces and limits how long units can remain engaged without congressional approval.

**Excerpt:** SEC. 3. *“The President in every possible instance shall consult with Congress before introducing United States Armed Forces into hostilities or into situation where imminent involvement in hostilities is clearly indicated by the circumstances, and after every such introduction shall consult regularly with the Congress until United States Armed Forces are no longer engaged in hostilities or have been removed from such situations.”*

**Document #4: The Pentagon Papers Case (New York Times Co. v. United States, 1971)**

As the War in Vietnam dragged on, a top secret government study of the war known as the **Pentagon Papers**, became published by the New York Times a series of articles. The Nixon administration attempted to stop the publication of the articles claiming it violated the nation’s security and war effort. The New York Times sued the government in what became the bases of one of the most important Supreme Court cases on the issue of freedom of the press. The court was faced with balancing national security and the right of the press to report on government actions.

In the following excerpt, Justice Hugo Black finds for the **majority opinion** in favor of First Amendment rights.

*“I believe that every moment's continuance of the injunctions against these newspapers amounts to a flagrant, indefensible, and continuing violation of the First Amendment. . . Only a free and unrestrained press can effectively expose deception in government. And paramount among the responsibilities of a free press is the duty to prevent any part of the government from deceiving the people and sending them off to distant lands to die of foreign fevers and foreign shot and shell. ... The Framers of the First Amendment, fully aware of both the need to defend a new nation and the abuses of the governments, sought to give this new society strength and security by providing that freedom of speech, press, religion, and assembly should not be abridged.”*