

Grade Civics – Unit 3 Lesson 4

1933 Germany Enabling Act versus USA 2001 Patriot Act

	1933 Enabling Act	2001 Patriot Act
Introduction	27 February 1933, the German Parliament (Reichstag) burned. Although it is widely believed the Nazis started the fire, they successfully blamed it on the Communists. On 23 March 1933, the Enabling Act was enacted as a defensive measure against acts of violence that could endanger the state.	Only 45 days after 9-11, the Patriot Act was enacted as a security measure.
Investigation	Hitler refused any request to investigate the Reichstag fire	Bush refused any request to investigate the government role and actions from 9-11
Reorganized Power	The Enabling Act gave the Executive Branch of German Government the right to make the laws without review of the Reichstag.	Act gives the Executive Branch of government the ability to create its own processes and procedures for how it will behave. As well, the Act removes any oversight processes from the other two branches of the government.
Ruler Power	Hitler giver dictatorial powers for four years. He could introduce of alter laws without Parliamentary review, comment and approval. Elections were no longer needed. Hitler was the Fuhrer.	The rule of law tells us that no man is above the law -- and as an extension of that principle -- that no executive will be able to act unchecked by our legal system. The Patriot Act puts unchecked power in the hands of the USA President without the usual checks and balances to constrain individual power.
Constitutional Amendment	Hitler sought and gained a Constitutional Amendment (...by using force and intimidation).	Bush did not seek an amendment; rather, he asked Congress to pass the Act as a normal bill.
Civil Liberties	Suspended including (1) freedoms of speech, press and assembly, (2) freedom from invasion of privacy, and (3) freedom from house search without warrant. The federal government was given complete control over all the state governments. They allowed the death penalty in more cases, such as treason. Jews blamed. "Us versus them" mentality. It leads to the Holocaust.	Power to Secretary of State to define and designate groups as terrorists, and as such, detain indefinitely. As well, police can search confidential records (e.g., health, education). Removed freedoms such as freedom of expression, freedom of the press, right to assemble, and protection against unlawful search and police action. Arabs blamed. If you were against, you were unpatriotic.

Jail	The Act permitted the arrest and imprisonment of 4,000 communists and 40,000 members of the opposition. First German concentration camp built	Attorney General can detain or deport suspected terrorists without a crime committed. Hundreds of suspected terrorists were arrested. Guantanamo Bay built
Army	President can use army to enforce	President can use army to enforce
Removal	Once the emergency passed, the Act would be withdrawn...but it was not.	Act has defined number of years

Task

In your own words, what similarities and differences exist between the Hitler's 1933 Enabling Act and George W. Bush's 2001 Patriot Act.

Provide your thoughts on this comparison