

Literacy and the Law

Lesson Title: Lesson 4: Yuki's Study and the 5th Amendment



Context of the lesson within the project: The fourth lesson reviews the Bill of Rights through a Reader's Theatre (scene 1). Students have the opportunity to begin analyzing and evaluating the 5th amendment as it relates to the Japanese Internment. (**Power point slide 11**)

History Social Science Content Standards (applicable grade level standards)

- 4.5.3** Describe the similarities (e.g., written documents, **rule of law**, consent of the governed, three separate branches) and differences...among federal state, and local governments.
- 5.7.5** Discuss the meaning of the American creed that calls on citizens to safeguard the liberty of individual Americans within a unified nation, to respect the **rule of law**, and to preserve the Constitution.
- 8.2.2** Students analyze the political principles underling the U.S. Constitution and compare the enumerated and implied powers of the federal government.
- 11.7.5** Students analyze American's participation in World War II. Discuss the constitutional issues and impact of events on the U.S. home front, including the internment of Japanese Americans (e.g., Fred Korematsu v. United States of America).

Suggested K-12 Pathway for College, Career, and Civic Readiness

Dimension 2, Participation and Deliberation.

By the end of Grade 5: D2.Civ.9.3.5. Use deliberative processes when making decisions or reaching judgments as a group.

D2.Civ.10.3-5. Identify the beliefs, experiences, perspectives, and values that underlie their own and others' points of view about civic issues.

By the end of Grade 8: D2.Civ.10-68. Explain the relevance of personal interests and perspectives, civic virtues, and democratic principles when people address issues and problems in government and civil society.

By the end of Grade 12: D2.Civ.10.9-12. Analyze the impact and the appropriate roles of personal interests and perspectives on the application of civic virtues, democratic principles, constitutional rights, and human rights.

Suggested K-12 Pathway for College, Career, and Civic Readiness

Dimension 2, Processes, Rules, and Laws

By the end of Grade 5: D2.Civ.14.3-5. Illustrate historical and contemporary means of changing society.

By the end of grade 8: D2.Civ.12.6-8. Assess specific rules and laws (both actual and proposed) as means of addressing public problems.

D2.Civ.14.6-8. Compare historical and contemporary means of changing societies, and promoting the common good.

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By the end of Grade 12: D2.Civ.10.9-12. Analyze the impact and the appropriate roles of personal interests and perspectives on the application of civic virtues, democratic principles, constitutional rights, and human rights.

D2.Civ.14.9-12. Analyze historical, contemporary, and emerging means of changing societies, promoting the common good, and protecting rights.

College and Career Readiness Anchor Standards for Speaking and Listening K-12 *

***(See specific grade level CCSS within these subtitles that provide developmentally appropriate details)**

Comprehension and Collaboration

1. Prepare for and participate effectively in a range of conversations and collaborations with diverse partners, building on others' ideas and expressing their own clearly and persuasively.
3. Evaluate a speaker's point of view, reasoning, and use of evidence and rhetoric.

College and Career Readiness Anchor Standards for Reading K-12

Key Ideas and Details

1. Read closely to determine what the text says explicitly and to make logical inferences from it; cite specific textual evidence when writing or speaking to support conclusions drawn from the text.
2. Determine central ideas or themes of a text and analyze their development; summarize the key supporting details and ideas.
3. Analyze how and why individuals, events, and ideas develop and interact over the course of a text.

Craft and Structure

4. Interpret words and phrases as they are used in a text, including determining technical, connotative, and figurative meanings, and analyze how specific word choices shape meaning or tone.

Integration of Knowledge and Ideas

8. Delineate and evaluate the argument and specific claims in a text, including the validity of the reasoning as well as the relevance and sufficiency of the evidence.

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Essential Questions:

- What is justice?
- Is civil disobedience ever justified? Explain.
- Are the processes in place in democracy designed to “level” individual bias in the court system effective? Why or why not?
- In what ways do people react to race and differences between one another?
- Do citizens have responsibilities as well as rights? If so, do they have a responsibility to speak up about injustice? Explain.

Objective(s):

Through interpretation and analysis of reading, and inferences from primary sources, students will determine themes present within the period of time of the Japanese Internment.

Students will demonstrate their ability to collaborate and build on others ideas as they draw conclusions regarding the principles of the 5th amendment, the role of the branches of government and the rights of citizens.

Students will stay in character as they perform a reader’s theatre that reviews the Bill of Rights.

Assessment: These objectives will be assessed through teacher observation of small and large group discussion, notes showing analysis and evaluation, and interpretation of the 5th Amendment.

Quality Criteria:	Absolutely!	Almost	Not Yet
Student collaborates by listening to others ideas, analyzing and making inferences from discussion based on reading and understanding of the 5th amendment through written interpretation as well.			
Student understands the structure of the courts, as evidenced by statements and reasons for the Korematsu case to take place in the federal court.			
Students will portray their part of the reader’s theatre in character with expression.			

Materials and Resources Needed: Power point slides 11, Handout: In your own words the 5th Amendment, , Handout: Scene 1 Reader’s Theatre

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Learning Activities:

(2 minutes)

Hook: Today we will be actors, taking our story back to 1944 when Yuki returned to school following her family's internment in Topaz. Please remember, when cases go to court, decisions are made by the courts based on the **Rule of Law**, which comes from the State Constitution or the Federal Constitution and the Bill of Rights. We will not review our entire Constitutions, but we will review the first ten Bill of Rights from the U.S. Constitution using Reader's Theatre.

(15 minutes)

Reader's Theatre: **Scene 1:** Yuki has just returned from the Internment Camp and is back at a school where they are studying the Bill of Rights. *Note: You may have students write their own short summary of each amendment within the Bill of Rights, or use the script provided. Depending on your class size and abilities you may group students in groups of 4, so that everyone has a part and they all perform their reader's theatre at one time. Remind them to use expression, and to stay in *character.

*Lesson on character development available on website

(20 minutes)

Slide 11: Fifth Amendment: Read this part of the 5th Amendment and discuss the meaning with the students – what does this mean? Note: *Due process of law means that rules and laws must be followed so that everyone is treated equally, both when they have been accused of a crime, and when they go through the court procedures. People may not be locked up without being legally accused of a crime, with sufficient evidence against them.*

Use the handout “In Your Own Words” and have students complete the meaning of the 5th amendment independently or in pairs. Have them put this in their folders for the next lesson and use in their investigation. *(Please remember, this PowerPoint, is only part of the 5th amendment – the part that most closely relates to the Korematsu case.*

(5 minutes)

When finished with In Your Own Words, remind students that we have two court systems: federal and state, and three levels within the courts...see what students can remember. Go back to slide 8 which gives the visual of the Structure of the Courts and ask more leading questions, ie: which court did Korematsu begin with – why? (Federal court because the U.S. Government was taken to court, an Executive Order is from the President of the United States called for the internment, not the state.) You will learn more in your investigation about other reasons why this was a federal case in the next lesson. The first time Korematsu went to court, he began at the first level, the U.S. District Court.

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Closure:

Let your students know that they are to be very careful and thoughtful *investigators*; ask what they think an investigator does. In the next lesson, they will work to gain as much knowledge as they can ~ they must know the facts of the case. They will take their findings, write and present arguments as lawyers very soon...

So far, they do not know which side they must argue. Whichever side they are assigned, they must be able to back up the argument with important details and historical facts, and relate those facts to Constitutional law and important facts and details about the case.