

SCENE 1: (1944, Oakland, California)

Drama: Yuki Calls for Action!

Scene One: Students lined up with backs to the Audience in order, 1-10, Yuki is number 5. A Narrator is on each side of the line facing the audience.

Narrator One:

Yuki and her family are very happy to be back in Oakland, and released from the internment camp in Topaz, Utah. They are sharing a home with other families, her father is looking for work, and her brother Ken has come back from fighting the war as a very different person.

Narrator Two:

Yuki is happy to be back in school. She sees some of her old friends, but even her best friend seems very different to her. After all, she has been gone for four years! Her father says, “We must put the past behind us!” Both parents say that her job now is to do very well in school and learn all that she can.

(Narrators turn backs to the audience)

Mrs. Jones: (turns to the audience) Students, it is time for social studies. Please get our your text books and turn to Chapter 5 on the United States Constitution. (Students open their books with backs to audience, their script may be inside the book.)

Mrs. Jones: We are continuing our study from yesterday, when our nation was just forming. You will recall that the Constitution was written in.....class

Students: (all turn around with books open)

Together _____ (1787)

Mrs. Jones: But, most importantly, class – what *is* the Constitution? (All are facing the front except the narrators)

Student No. 1: *raises hand, turns around.* The Constitution is the highest law in the United States and all other laws come from the Constitution.

Student No. 10: *raises hand, turns around.* The Constitution says how the government works: It creates the Executive, Legislative and Judicial Branches.

Student no 3: *raises hand, turns around .* Each state has a Constitution too, but the United States Constitution is higher.

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Yuki’s Study of the 5th Amendment

Mrs. Jones: As you recall, Amendments (or changes) to the Constitution were written from the very beginning. The first ten amendments to the Constitution are called....class

Students: The Bill of Rights! (Heads turning toward teacher)

Mrs. Jones: Very good students! Now, in your own words, I want each one of you to give a short description to the class of the Bill of Rights, these first ten amendments.
All students turn around.

Student#1 (steps forward) Amendment 1: **Amendment 1: Freedom of Religion, Speech and the Press: The Right to Assemble and Petition** It allows people to establish and practice their religion freely, and to speak their ideas and opinions. It protects the rights of its citizens to hold meetings and to petition the government if they think changes need to be made. It gives the press (newspapers, magazines) the right to publish the news and ideas.

Student #2 (steps forward) Amendment 2 **Amendment 2: The Right to Bear Arms** The Second Amendment gives citizens the right to own guns.

Student #3 (steps forward) Amendment 3: **Amendment 3: The Right Not to Quarter Soldiers** When the colonies were ruled by England, people were forced to let soldiers stay in their homes. They would have to give them a place to sleep and meals.

Student #4 (steps forward) Amendment 4: **Amendment 4: Protection from Unreasonable Searches and Seizures** The people remembered how British soldiers came into their homes and arrested them without reason, took away their property and kept them in jail. This amendment says that the government must have permission from a judge before they search someone or the property that belongs to them.

Student #5 (steps forward) Amendment 5 **Amendment 5: Guarantees Due Process of Law and Protection from Testifying Against Yourself** No one can be punished without **due process of law**. Mrs. Jones, what is due process of law?

Mrs. Jones: It means that all Americans are guaranteed the right to a fair and legal trial and they cannot be punished unless they have been found guilty at the end of the trial.

Student #5: Okay, and the 5th amendment also says that people cannot be charged with the same crime twice and a person does not have to testify against himself or herself.

Student #6 (steps forward) **Amendment 6: Rights to a Fair, Speedy, Public Trial by Jury** This amendment requires a person accused of a crime to receive a speedy public trial by a jury (regular people). The government cannot put people in jail for a long time without a trial.

Student #7 (steps forward) **Amendment 7: Right to a Jury Trial in Cases that are not Crimes** A civil case is brought by a person to get back property, to have a contract enforced, or to protect a person's rights. The Seventh Amendment allows a civil case, or an argument by people about money to be decided by a jury trial when the amount of money involved is over \$20.

Student #8 (steps forward) **Amendment 8: Right to Bail and No Cruel or Unusual Punishments** The Eighth Amendment does not allow for unfair bail or fines and the use of cruel or unusual punishments. The framers wanted to eliminate the use of torture on suspected criminals or as punishment for a crime.

Student #9 (steps forward) **Amendment 9: Rights of the the People** Some of the delegates thought that if a right was not listed in their Bill of Rights, it might be interpreted to mean that the people did not have that right. The Ninth Amendment protects other rights people have even if they are not listed in the Constitution.

Student #10 (steps forward) **Amendment 10: Rights of the States** The Constitution is "the supreme Law of the Land". But the states still have rights too – they have their own Constitutions that handles things not already written in the US Constitution.

Mrs. Jones: Very good students...Do you have any questions about the Bill of Rights?

Students and teacher turn around slowly, except Yuki, who has the expression (hand to face, head cocked to the side).

Narrator 1: (turns to the audience) Yuki is wondering about something she heard, especially when **Amendment 5** was explained. She thought she heard the part of Amendment 5 that said *citizens cannot be punished without "due process" of law*. Mrs. Jones said **due process** means citizens must get a fair trial.

Narrator 2: (turns to the audience) Yuki was thinking about their apartment, and all of the belongings that they had to get rid of before they were taken away to an internment camp. Isn't that "punishment"? She thought to herself, "We never had a trial, we were punished. I'm still not sure what **due process** means." Even though she has these questions, she decides not to ask. (both narrators turn back to audience)

Yuki turns back with other students.

Mrs. Jones: (turning to audience) So, to continue this study of the Constitution, you have your homework. (groans from students, all drop heads in unison, even though their backs are turned). I have assigned each of you an Amendment from the Bill of Rights. You are to write at least one paragraph summarizing your assigned amendment in your own words, and, then give an example of how this Amendment might affect you and your family today.

(Mrs. Jones and students walk out, narrators step forward facing the front while Yuki returns with her mother and father with backs to audience)

Narrator 1: Yuki is working hard on her assignment, and becoming more and more frustrated as she tries to understand Amendment #5. *(With back to audience, Yuki shows frustrations by “fidgeting, hands on hips, turning pages back and forth, etc.)*

Narrator 2: Her mother and father notice that she seems upset, and talk to her.

Yuki, Father and Mother all turn to the front, Narrators to the back

Papa: Yuki, are you having trouble with your homework?

Mama: Maybe your Papa or I can help you if you don't understand something.

Yuki: (anger is rising as she speaks) There is a lot I don't understand, Mama and Papa. I don't understand how I'm supposed to explain the 5th Amendment to the Constitution, which is my assignment tomorrow! How can I explain that the Constitution says one thing, but what happens is a very different story?

Papa: Calm down, Yuki. We will figure this out.

Yuki: Okay – first, can you explain what “due process of law” means?

Papa: Let's look it up in your social studies book. What does it say?

Yuki: It says that it is a promise that the government will protect citizens from punishment without due process. “Due process” provides fair procedures for all citizens, like a fair and legal trial.

Mama: What do you think that means?

Yuki: Well it talks about “citizens”, that's anyone who is born here or becomes a citizen...they all have this right to be treated fairly by the law.

Mama: Well, it sounds like you've got it, Yuki.

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Yuki: Something is really wrong here... Think about what happened to us!

Mama: Now, Yuki...

Yuki: The government did not follow the 5th Amendment when they punished us by sending us to an internment camp for four years! We did not have “due process”! We didn’t get a trial to see if we were criminals or had broken the law! They broke the 5th Amendment...that is what I have to report to my class tomorrow. Mrs. Jones told us to tell in our own words about our amendment...and give an example of how this affects our family today. My example will show that the 5th Amendment doesn’t work!

Papa: I have a suggestion, Yuki. You could go back to class and ask some questions about this in a respectful way – and with some knowledge. I suggest that we go to the library and do some research first.

Mama: Oh goodness!

They walk off the stage, and only the two narrators are present.

Narrator 1: Yuki and her father decided to work with the librarian who gathered some information for them to read. They found out that many people felt the same way as Yuki ~ that the 5th Amendment had been broken when the Japanese were sent to camps. They also learned more about laws in a time of war.

Narrator 2: They spent several hours learning about President Roosevelt’s reasoning when he ordered the evacuation of the Japanese, and how and why the government took this action. They even learned about a young Japanese man who refused to go to the internment camp. His name was Fred Koramatsu. He took the government to court.

Narrator 1: Back in class the next day, the students began by presenting their homework. (*Students walk out in a line and turn with back to the audience*). One by one the students presented their “amendment” until it was Yuki’s turn.

Mrs. Jones: Yuki, it is your turn, the 5th Amendment.

Yuki: The 5th Amendment is pretty complicated, Mrs. Jones. *All the children turn around at once and look at Suki. I did my homework. All the children turn back around with backs to the audience again.* The 5th Amendment states that all Americans are guaranteed the right to a fair and legal trial ~ that is **due process**.

Mrs. Jones: It sounds as if you did do the first part of your homework, were you able to complete it? Can you give an example of how this amendment affects you and your family today?

Yuki: Well, this amendment has not worked for my family, or 120,000 innocent Japanese Americans who were taken out of their homes and sent off to internment camps. We did not receive due process.

All Students: (face front) 120,000? (turn back again)

Mrs. Jones: I see, Yuki. This **is** complicated.

Yuki: Well I guess I want to know *why* the 5th Amendment was not followed.

Mrs. Jones: This is a good question, Yuki, and it *is quite complex!*

Narrator 1: *All students turn around, look at Mrs. Jones and Yuki with interest, nodding heads, etc. Yuki and Mrs. Jones keep making moves as if they are speaking to one another, with no sound* . Yuki explained to Mrs. Jones that she read many articles about Fred Koramatsu, a young man who refused to go to the internment camp, and how he stood up for what he believed in by taking the government to court. Yuki asked Mrs. Jones if some of the kids in the class could hold a “mock trial” on the Koramatsu case ~ convincing her that they would learn more about the 5^h Amendment if they could study about what happened.

Narrator 2: And Mrs. Jones agreed! Many of the kids in Yuki’s class wanted to be in the mock trial and would even be willing to research the law and what had happened to Fred Koramatsu. His case was scheduled to be heard by the U.S. Supreme Court very soon.

All Students: We’ll decide on the case before the Supreme Court makes their decision! *(turning, holding up a finger and leaning forward toward the audience).*