

# Literacy and the Law

## Lesson Title: Lesson 6: Argue Civil Rights and Wrongs



**Context of the lesson within the project:** This sixth lesson reinforces vocabulary through a game, and reviews the fact pattern of the Fred Korematsu case. Students write arguments given their assigned side, ie: Korematsu or U.S. Government **Powerpoint slides 15 - 20**

### History Social Science Content Standards (applicable grade level standards)

**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.

**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.

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**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 Writing K-12**

**(Specific grade level standards within these subtitles are written to provide developmentally appropriate details)**

### **Text Types and Purposes**

1. Write arguments to support claims in an analysis of substantive topics or texts, using valid reasoning and relevant and sufficient evidence.

### **Theatre, Creative Expression**

#### **Creative Expression, Development of Theatrical Skills**

- 2.1 Participate in improvisational activities to explore complex ideas and universal themes in literature and life.

### **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 the use of a game, students will demonstrate a clear their understanding of key vocabulary related to the internment, the plot of the story and government processes.

Students will analyze, synthesize and evaluate their findings from research and write argument "briefs" using valid reasoning and strong evidence.

As teams of attorneys, students will collaboratively present their arguments to the "Justices of the Supreme Court", showing their strong preparation, stating their conclusions with logical reasoning.

| Quality Criteria   |  |  | Yet |
|--|--|--|-----|
| <p><b>Written:</b> <b>Literacy and the Law</b></p> <p>Written opinion supports point of view with reasons and information.</p> <p>Clear intro, statement of opinion</p> <p>Logically ordered reasons supported by facts and details</p> <p>Use of words, phrases and clauses</p> <p>Provides conclusion related to opinion presented</p> |  |  |     |
| <p><b>Speaking and Listening</b></p> <p>Collaborative discussions with clear expressions of ideas</p> <p>Builds on other's ideas, responds to others' questions</p> <p>Prepared, follows roles assigned</p> <p>Reviews key ideas from discussion and draw conclusions, shares at a reasonable pace using logical reasoning</p>           |  |  |     |
| <p><b>Theatre</b></p> <p>Active participation in improvisation, exploring emotions, physical characteristics, developing character</p> <p>Strong collaboration with "teams" of attorneys, and in role as Supreme Court Justices</p>  |  |  |     |

**Materials and Resources Needed:** PowerPoint presentation 15-20, Handouts: Argumentative Organizer, Brief Form, Vocabulary List, and Vocabulary Cards

**Learning Activities:**

(5 minutes)

**Hook: Anyone up for a vocabulary game?** Model the following with a group of three students and yourself before breaking students into group. (Practice with these students first)!

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(15 minutes)

Students are in groups of four, and each has their own vocabulary list given previously. The group also has an envelope of the vocabulary words on cards. Each student is passed a vocabulary card. The first person takes her turn and begins talking about the case (improvisation), trying to get the team to guess the vocabulary word, **without saying the word**.

This person has **one minute** to get his/her team to guess the word. You can have one person “watch the clock” or use a minute timer. **Each person on the team may ask questions, but can only make one guess, and then may only ask questions, but may not guess again.** The one with the turn receives the point if the team guesses the word before the 1 minute time is up.

*Note:* There are many vocabulary words, you may want to choose particular words that need understanding more than others, or play the game for a short time on several different occasions.

(Variation: teams can play against one another, while one team watches the other try to guess the vocabulary word).

Teacher Notes:

**Some examples of arguments we hope students to identify in support of the legality and need for Executive Order 9066:** 5<sup>th</sup> Amendment: Exception in “time of war”, “military necessity”, “public danger”, claim of espionage and sabotage, government claimed there had been acts of espionage ... some even argued public danger to the Japanese due to the fear and hysteria. Other facts not dealing with the amendment: Public pressure, General DeWitt’s insistence.

**Some examples of arguments we hope students to identify against the need for Executive Order 9066:** 5<sup>th</sup> amendment: the right of “life, liberty, and property”, due process not observed. Others found arguments in the 14<sup>th</sup> amendment, illegal search and seizure, right to a trial by jury. Korematsu was never questioned regarding his loyalty to the US. Claim that this is an over reaction and has to do with racial prejudice. Korematsu was an American citizen, born on American soil.

(Argument writing review with PowerPoint and organizer should take 20 minutes, depending on student experience. Their own writing however, will take editing, re-writing, possible homework, and more class time)

**Slide 15, 16, 17, 18, 19 : Argument Writing:** Give students the Handout: Argument Organizer for the case, Korematsu v U.S. Government. Have them work on one section at a time, depending on the experience and writing abilities of your class. You may want to pull a small group and have them develop the arguments together.

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Remind students that the Supreme Court has not heard this case yet – **we are in 1944!** It is understood that students must research the facts to back up their arguments for the upcoming mock trial.

Assign students to write their argument for the Government or Korematsu. You may choose to have them write separately and later form teams of attorneys when they may combine their arguments as a team in preparation for court.

***Please note:** Due to good discussions and the understanding that the internment was a mistake on the part of our government and not an event we are proud of as Americans, many students do not want to argue for the government. Students can be told that we need to hear this side of the argument to understand the history of the event and how it happened, so that we do not repeat history. In addition, in Scene 2, we will have two teams of attorneys present their arguments in front of the “Supreme Court Justices” who will ask clarifying questions of **both** sides.*

(5 minutes)

**Closure:** Writing will take editing, and careful revisions, using smooth transitions. You must be very convincing and confident as you argue your case. Two attorney teams will be chosen to give their oral arguments (from written arguments) to the Supreme Court!

In addition, in Scene 2, these two teams of attorneys will present their arguments in front of the “Supreme Court Justices” who will ask clarifying questions of both sides.