

# Literacy and the Law

## Lesson Title: Lesson 8: Justice for Closure



**Context of the lesson within the project:** This eighth lesson begins with Scene 3 as a hook, and reviews the entire unit with students leading the class through the essential questions and overarching goal of the unit.

### 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.

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

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## 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.

### 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):

Students will relate the history of this case as it relates to the essential questions with thoughtfulness and depth of understanding of issues.

### Assessment:

Quality Criteria:	Absolutely!	Almost!	Not Yet!
Through written and/or oral reflections, students demonstrate strong evidence of understanding of ways in which democracy calls for equal justice under the law.			

**Materials and Resourced Needed:** Power point slides 26-32, Handout: Scene 3 Script, Handout: Reflection

(10 minutes)

**Hook: Scene 2: 40 years later:** Two students are chosen for this short closing scene. One plays Yuki and the other, Fred Korematsu ~ they are now over 40 years older, and should be dressed and “in character” accordingly.

(40 minutes)

**Slide 24:** Show students the photo of Fred Korematsu receiving the Presidential Medal of Freedom, the nation’s highest civilian honor, from President Bill Clinton in 1988.

**Review: (Prepping student reviewers in advance is a necessity!)**

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**Slide 25:** Ask a student to “read and lead” the meaning of this quote by Fred Korematsu, “All of them turned their backs on me at that time because they thought I was a troublemaker.” Students may remember reading that most of the Japanese Americans were worried that they would seem disloyal if they protested, and did not lend support to Korematsu.

**Slide 26:** Follow the same process, inviting a student to lead a short discussion about the next quote, “I thought what the military was doing was unconstitutional.” Be certain that the discussion includes essential question: Is civil disobedience ever justified? Explain.

**Slide 27** Follow the same process, inviting a student to lead a short discussion about the next quote, “It may take time to prove you’re right, but you have to stick to it. Be sure that the essential question, “Do citizens have responsibilities as well as rights? If so, do they have a responsibility to speak up about injustice? Explain.

**Slide 28:** In advance appoint three students to reenact the story line told at the very beginning. They do not need to follow the story exactly as it is written, but an overview of the power of King George and the wish for the colonists to rule themselves, and this is why the Constitution with the Bill of Rights set up a Republic, where the people vote and elect representatives and do not give too much power to one person or group. Be sure they use your hats, and your sign, No taxation without representation!

**Slide 29:** Have three students (or teams) represent and share the role of each branch of government and be sure that they share that these branches help to balance one another so that one branch does not have too much power or make mistakes by not following the Constitution.

Legislative makes the laws (Senate and House of Representatives) , the Executive carries out the laws (President, VP, Cabinet), and the Judicial (evaluates the laws).

In this unit we dealt with the Judicial Branch, and the Executive Branch. The “check” was on the Executive Branch, who ordered the Japanese Internment. The Supreme Court found that the ruling was constitutional – due to military necessity. However, the system was able to have further “checks”, and the verdict was overturned in favor of Korematsu. Unfortunately, this was many years later, and after devastating consequences for him and other Japanese Americans. The hope is that we will learn from these mistakes and remember that as citizens we must speak up for justice, and maintain an impartial and fair judiciary.

**Slide 30:** Choose two or three students (or teams) to explain the structure of the courts as taught at the beginning of the unit. One could represent the Federal Courts and one could represent the State Courts, and then ask students if they can give an example of what kind of a case would go to the federal, and which to the state. They can then review the three levels – both begin at the Trial Courts, and can be appealed to the second level. They can ask for an appeal at the Supreme Court level, but the Supreme Court may or may not accept the case.

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(10 minutes)

**Slide 31: Closure:** Ask students if they know who this is on this slide and close the unit with an explanation of all Lady Justice stands for.

**Questions and discussion:**

How does Lady Justice depict or stand for the impartiality and fairness of the courts?

She came from the Roman goddess of Justice, the moral (or correct way to behave) in judicial systems.

Scales: the strength (or weight) of evidence and support for each argument.

Blindfold: blind justice for all – justice should be fair, regardless of someone’s money or power, or ethnicity.

Sword: the sword represents punishment. It is always held down to show that evidence in court is always held before punishment.

**Have students write to the Reflection Handout:**

- Do citizens have responsibilities as well as rights? If so, do they have a responsibility to speak up about injustice?
- Is civil disobedience ever justified? Explain.
- Do you believe that judges and justices today follow impartiality? Explain.