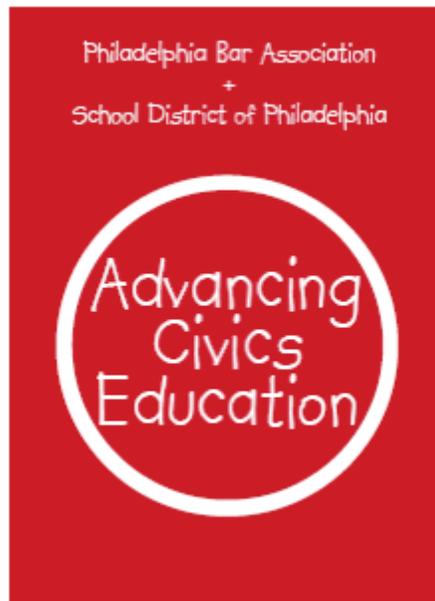


Advancing Civics Education Legal Team Curriculum



Advancing Civics Education
TABLE OF CONTENTS

WELCOME TO ADVANCING CIVICS EDUCATION: A “HOW-TO” GUIDE2
A.C.E. ENRICHMENT UNIT SUMMARY - CHART FORM9
A.C.E. COMMITTEE CONTACT INFORMATION.....49

I. WELCOME TO ADVANCING CIVICS EDUCATION: A “HOW-TO” GUIDE

First and foremost, we would like to thank you for your commitment to this extraordinary effort to bring an influx of human resources into ninth grade classrooms throughout Philadelphia. As judges and attorneys, we know your time is precious. This introduction will give you a sense of how to best utilize these curriculum materials and maximize your efficiency in the classroom. Should you have abundant time to prepare for a class visit – and we hope you do – the attached materials are detailed enough to fully prepare you for each enrichment session. By the same token, we have provided summary pages for each unit to assist you when your time is limited.

BEFORE YOUR FIRST SCHOOL VISIT

In addition to undergoing the training and orientation session, it will be beneficial to take some time to familiarize yourself generally with the historical and civics topics that will be covered over the course of the school year. To that end, take 15-20 minutes to review the Table of Contents and the Chart on page 7, which give an overview of how our civics enrichment topics align with the existing world history curriculum. Because an “add-on” activity that has no real connection to the material being taught to students would be unlikely to take root in students’ minds, the A.C.E. lessons are tailored to dovetail with the areas of history being studied during that month in the classroom. Additionally, each A.C.E. lesson contains connections to the modern era and to other historical periods that could be lost if you are not familiar with how the units relate to each other and to the program as a whole. Again, do not worry if your history is rusty; these materials give you all the information you need to enrich the standardized curriculum that has already been studied by your students.

We also encourage you to dedicate some time to getting to know your teaching teammates (the “Legal Team”) and building a relationship with the teacher who heads your class (the “Classroom Teacher”). You will receive your teaching assignments in the near future and contact information for your co-volunteers. Once your Legal Team has been assembled, you will choose a team leader who will serve as a liaison to the A.C.E. Committee, handle logistics, voice concerns to the A.C.E. Committee, and share success stories with other A.C.E. participants. Building relationships with the School District staff, as well as with your Legal Team, will ensure that everyone is prepared, both logistically and stylistically, to smoothly conduct each month’s enrichment session.

One of the reasons to teach in Legal Teams of 3-5 legal professionals is to minimize the interruption to students and Classroom Teachers when “no-shows” occur. The A.C.E. Program expects you to coordinate with your Legal Team to ensure that sufficient volunteers will be present each month to allow for effective presentation of all the units, including small group sessions and interactive activities.

BEFORE EACH CLASS SESSION - LESSON FORMAT

Ideally, you should spend at least one hour in preparation for each 45-55 minute class session. This includes time spent coordinating and discussing teaching logistics with your Legal Team and with the Classroom Teacher. Recognizing that lengthy preparation is not always possible, the Teaching Guide is structured so that the first page of each lesson is in a “Class-at-a-Glance” format that can serve as a quick reference for conducting the lesson. This summary gives the topic and step-by-step instructions on leading a class through their lesson.

The “Class-at-a-Glance” also lists materials, such as primary sources, role-playing cards, or audio equipment, which will be needed for your class. Most importantly, the “Class-at-a-Glance” allots a particular amount of time to each part of the lesson so that you can effectively manage the limited duration of the lesson. We suggest that your Legal Team assigns a timekeeper for each session to help keep students on track.

We sincerely hope that you will take the time to thoroughly review more than just the “Class-at-a-Glance.” Each lesson also has supporting materials that will help you prepare for the class and will serve as a history refresher.

Each “Class-at-a-Glance” is comprised of the following sections:

Title/topic: This is the overarching civics lesson to be taught.

Framing question: This question encapsulates the central principles that should inform the students’ critical thinking exercise. It also ties your civics topic to the historical period of study. The framing question serves as the backbone of the lesson.

Class activity and timing: This critical portion of the guide leads you through the steps needed to accomplish your interactive session, and gives time limits for each portion of the class activity. An optional activity is included for

classes that have an extended bell schedule (meaning that you have an additional 10-15 minutes of class time).

Behind each “Class-at-a-Glance” there are detailed supporting materials as a reference guide to help you thoroughly prepare for the class. Those support materials include some of the following:

Looking forward and back: Here, you can see how each lesson fits into the A.C.E. Program as a whole. A short summary describing how this enrichment session relates to past civics and world history topics is provided, and modern examples are given to help ground students in present-day topics that can trigger more engaged discussions.

Historical abstract: The abstract gives a snapshot of the relationship between the historical period and the legal principles encompassed in the lesson.

Historical/modern background (extended): For those who want a more in-depth summary of the historical period being studied by students in their classrooms (and modern trends related to that period), we have included a lengthier description for your review. Remember that you are not teaching history to the students – nor does a short class session permit you to do so – but rather this information is a backdrop for your enrichment/critical thinking activity. This section also may be useful in answering student questions.

Resources (primary sources/teaching tools): Visual aids and primary sources not only instruct students in textual analysis, but also help capture their attention. We have referenced the tools you may use to conduct your lesson, and at times, directed you to additional optional materials.

OTHER MATERIALS, INCLUDING SCHOOL DISTRICT CURRICULUM GUIDE

The Classroom Teachers involved in the civics initiative have undergone a parallel process to prepare them to participate in the A.C.E. Program. The schools selected for the program have competed to feature the A.C.E. Program in their world history classrooms. Moreover, the Classroom Teachers have undergone training and orientation to help ease the translation between the legal and educational worlds. They have been given materials to help

them cover the necessary historical content in advance of your classroom visits, and to introduce Classroom Teachers to the civics topic by way of background.

We hope that the attached curriculum materials are self-contained and that you will not feel the need to seek additional teaching materials elsewhere. Each class period will be less than an hour in length, so additional materials are not necessary. However, if you would like more context or background materials to help you prepare for your class visits, please contact your Classroom Teacher.

OTHER TIPS

Here are some additional suggestions to enhance the experience of the Legal Team, your students, and the Classroom Teacher:

1. Develop clear goals and assign clear roles to each member of the Legal Team. Is one person particularly good at leading small groups, another good at timekeeping, and yet another best at interacting with the Classroom Teacher? Capitalize on these strengths as much as you can.
2. Remember what worked and did not work in the past, and build upon successes. After each activity, take a bit of time to debrief with your Legal Team and strategize for the next session.
3. Reach out to students and be inclusive. Not all students will have the same skills and their levels will vary within classrooms. Do not shut out certain students; continue to encourage participation. In particular, use the modern connection outlined in each unit to spark students' interest in current events and engage their minds. Small group discussions can elicit greater participation than the full classroom setting.
4. Above all, the A.C.E. Program is designed to expose students to critical thinking and encourage them to examine about how individuals relate to and operate in

social systems. Anything that you can do to encourage reasoning skills and the application of concepts to new scenarios will assist students in making those connections.

5. Share your experience with others. Many of your colleagues will be interested to hear about the new perspectives that you have gained because of the A.C.E. Program. Do not hesitate to talk about what you have learned about the students, your assigned school, and of course, what you have imparted!
6. Be considerate of the Classroom Teacher and school principals. Good teachers have to spend several hours preparing for each visit from outside visitors. Please respect the Classroom Teacher's requests and time commitment, and maintain strong lines of communication. This will help minimize stress and unexpected events by keeping the Classroom Teacher informed of your plans.
7. Stay committed. We know that this program asks a great deal from you in terms of time and dedication. Some class sessions may not be as inspiring as others, but keep at it. Your efforts and a consistent energy level will bear fruit and will be rewarding for all involved.
8. Consider participating in the optional re-training session which will be offered mid-year. This might provide you with additional tools to enhance the overall experience, and you can help Legal Teams from other schools learn from your experience.
9. Be a role model. You may be the first lawyer to whom some ninth graders have ever been exposed. Feel free to talk about why you have succeeded in your profession, and why your educational experience has been beneficial to you.

10. Ask for help and give feedback. We encourage you to engage in dialogue with the A.C.E. Committee through your team leader.
11. Be flexible and have fun!

Thank you again for participating in Advancing Civics Education.

Lesson Plan #2

*Law in Western Medieval Societies: Introduction to Early Democracy, Citizenship
and the Jury System*

Framing Question:	What is the role of the citizen?
Materials:	Juror Cards (attached)
Opening Activity (5 Minutes):	<ul style="list-style-type: none"> • Ask the students who could traditionally serve on juries in Western Medieval times. • Explain that freemen, but not women or serfs, traditionally served on juries (a serf is the equivalent of an indentured servant and women were technically owned by their husbands). • Before the U.S. Civil War, who could vote and serve on juries here in America? Why were only white, landed freemen allowed to vote and serve on juries (was it economically driven)?
Class Activity (30 Minutes):	<ul style="list-style-type: none"> • Divide the class into 12 groups. Explain that each group will have the role of a juror in the trial the class is going to act out. Hand out one card to each group, and ask them to review it quietly. • Explain the fictional case to the class by reading the attached summary. • Have each group decide how to vote—guilty or not guilty—based on the facts as they’ve heard them and have read on their cards. Give the student groups 5 minutes to discuss their vote. • Have each group write down their vote and give it to a Legal Team member. The Legal Team member should tally the votes and announce the MAJORITY’S decision. • Debrief by asking the following questions: --Did the Jury make the right decision? (No—Juror #5 did it!) --How did Juror #9’s situation help or hurt Tom? Have the group explain Juror #9’s background and how they decided how to vote. --How did the biases of Jurors #6 and #10 affect their decisions (one likes Tom, one doesn’t)? --How did the knowledge of Jurors #3 and #8 affect their decisions (they know Tom is a poacher)?
Closing Activity (5 Minutes):	<p>Wrap up by asking the class the following questions:</p> <ul style="list-style-type: none"> • What did you need to know to make a better decision? How could you access that information? • Why do you think we need a unanimous decision today in criminal trials? Would this have helped Tom? • So what does it mean to be a citizen? What do you have to do? What rights do you have? • How does voting work in Philadelphia and other jurisdictions? (Pool of those with driver’s licenses or who are registered to vote.) What does this mean about the ability to have a “jury of your peers”?

***Note: No Enrichment Activity is included due to the depth of this lesson.**

II.

A.C.E. ENRICHMENT UNIT SUMMARY - CHART FORM

CLASS VISIT	BACKGROUND INFO/ HISTORICAL PERIOD & UNIT	A.C.E. ENRICHMENT TOPIC	FRAMING QUESTION(S)	ACTIVITIES
1	Introduction to A.C.E. Program	Introduction to the A.C.E. Program: The rule of law	What role does law play in society? Why study law?	*10 things I'd rather be doing (brainstorm re: connections to the law) *No Vehicles in the Park mock statute activity
2	Ancient World (Egyptian Law, religious law, Greek and Roman Law, Hammurabi)	Origins of legal power and authority: Divine law in early human cultures	What is the source of governmental power? How is the exercise of power justified?	*Scenarios to compare and contrast source of authority in Greece, Egypt & Mesopotamia/ Hammurabi's Code
3	Medieval Period	Law in medieval societies: Introduction to early democracy, citizenship and the jury system	What is the role of the citizen?	*Medieval jury exercise (role playing)
4	Medieval Period	Sovereignty and the law: Challenging the divine right to rule	What limits can be placed on the sovereign's power?	*Q&A session (re: defining rights) *Ayesha's Hijab-examining avenues of redress
5	Expansion and Industrialism	Worlds meet: International law and the relationship between law and authority	Who decides between authorities? What is the relationship between authority and law?	* <i>Amistad</i> case (role playing)

CLASS VISIT	BACKGROUND INFO/ HISTORICAL PERIOD & UNIT	A.C.E. ENRICHMENT TOPIC	FRAMING QUESTION(S)	ACTIVITIES
6	Expansion and Industrialism/ Imperialism	Legal protection of people and resources	What happens to the structure of power when resources are perceived to be scarce? How can legal systems promote balance?	*Mock workers' compensation hearing (teen worker)
7	1900-1945/World Wars	Conflict & equality: Voting rights and changing view of citizenship	Do rights expand and contract? Who is entitled to vote?	*Define citizen and suffrage *Mock amendment ratification
8	Post World War II	International movements for civil and human rights	How can power structures be changed?	*Peace Movements *Gandhi
9	"Modern" Era	Protection of individual rights in the modern world	What limits individual rights?	*Students identify rights from the Bill of Rights and then discuss how one right might impinge on another
10	Celebration/Closing	Culminating activity		

Lesson Plan #1

Introduction to the Program: The Rule of Law

Framing Question:	What role does law play in society? Why study law?
Materials:	No Vehicles in the Park Handout
Opening Activity (10 Minutes):	<ul style="list-style-type: none">• Start with “10 Things I’d Rather be Doing” in which you challenge the students to answer the hardest question they will ever be asked—can the students think of ten things they would rather be doing than listening to you?• Make a lists of things students would rather be doing (pick some students to write on the Board or have members of the Legal Team write on the Board).• Go through each item and show how the law is connected to everything they have thought of (sleeping, from the tags on pillows to laws about who you can and cannot “sleep” with; shopping, from implied warranties to the “legal tender” on the money). This underscores why they need to know about the law as they prepare to move forward with their lives.• Challenge the students to come up with new ideas that they think are unconnected to the law. Throw the challenge back to the class and see if they can think if anything unconnected to the law.
Class Activity (25 Minutes):	<p>The “No Vehicles in the Park” lesson involves a simple mock statute. Read the summary of the situation and the Rule from the top of the attached worksheet to the class.</p> <ul style="list-style-type: none">• Ask the students whether they understand the rule “No Vehicles in the Park.” Ask opinions about what makes up a good rule. Suggested answers: clarity, enforceability and fairness.• Put the students into groups of five or six and ask them to serve as participants in city council hearing petitions involving several disputes over the interpretation of the law “No Vehicles in the Park.” Will they allow exceptions to the law?• The attached worksheet sets forth some scenarios (please feel free to copy the worksheet for your students). Keep in mind that there is no correct answer; the power of the activity is in the discussion explaining each answer.
Closing Activity (5 Minutes):	Tell the students plans for the year. If time allows, tell them more about yourselves. Wrap up by discussing with students what role law plays in society and why it is important to study law.
Enrichment Activity (For extended class periods):	You might want to reference the www.palawhelp.org website Activity for a wealth of information about civil law.

NO VEHICLES IN THE PARK

A Philadelphia neighborhood had a park that was being overrun by vehicles of all types. To make the park a place where residents might find peace and enjoyment, the city leaders enacted a law that simply reads: “No Vehicles in the Park.”

While the law seems clear, some disputes have arisen over the interpretation of the law. Please decide the cases listed below, keeping in mind both the letter of the law as well as the intent of the law.

* * *

Cases to be decided:

- A. John lives on one side of city and works on the other side. He will save 10 minutes if he drives through the park.
- B. To keep the park clean, there are many trash barrels in which people may deposit all litter. The sanitation department wants to go into the park with trash trucks to collect the trash.
- C. Two police officers are chasing a suspected bank robber. If one officer cuts through the park, he or she can get in front of the suspect’s car and trap it between the patrol cars.
- D. An ambulance has a dying car-accident victim in it and is racing to the hospital. The shortest route is through the park.
- E. Some of the children who visit the park want to ride their bikes in the park. What about the skateboarders?
- F. Mr. Thomas wants to take his baby to the park in a baby stroller.
- G. A monument to the city’s citizens who died in the Gulf Wars is being constructed. A tank, donated by the government, is to be placed beside the monument.
- H. Several of the city’s citizens have made a living for several years by driving people around scenic spots in the city in an old-fashioned horse and buggy. They want to drive people through the park.

Lesson Plan #2

Origins of Legal Power and Authority: Divine Law in Early Human Cultures

Framing Question(s):	What is the source of governmental power? How is the exercise of power justified?
Materials:	Role-Playing Scripts (attached)—4 of each
Opening Activity (5-10 Minutes):	Begin by asking the class: <ul style="list-style-type: none"> Where did the first law come from? Why were laws needed?
Class Activity (20 Minutes):	The students will participate in short mock arguments, with commentary from the judges, on a similar fact scenario presented under three different legal ancient regimes – Mesopotamian, Egyptian, and Greek. <ul style="list-style-type: none"> Choose a role-playing script (attached) and ask for three volunteers to play each of the roles, or have the members of the Legal Team play the roles. Have student volunteers/Legal Team members act out each skit. Each scenario is about a page long and should take about 5 minutes to perform.
Closing Activity (15 Minutes):	Conduct a discussion to connect the themes that they have seen in the scenarios. <ul style="list-style-type: none"> Ask the class about the source of law in each skit. What was the source of law in ancient Egypt? In Mesopotamia? In ancient Greece? Encourage the students to think critically about the difference between power and authority by posing the following questions: <ul style="list-style-type: none"> --Why does the Judge in the Mesopotamian skit introduce Hammurabi lawgiver and conqueror? --Why does the Pharaoh decide all criminal cases? --Why does the Greek jury need to justify itself by the legend that Athena invented the jury system? Contrast these themes with modern examples. Ask: <ul style="list-style-type: none"> --How and when do we call on deities today as a justification for exercising authority (e.g. “so help me God” in a typical witness oath and the reference to God in the Pledge of Allegiance (“One nation under God”))? --If a nation is conquered after war, whose law then governs? (Usually, the conquering nation.) --Why do we call English law “The King’s Law”? Wrap up by asking: What are the positive and negative aspects of these systems? Why did we choose a system of written laws, enforced by an unaccountable jury?
Enrichment Activity (For extended class periods):	Other interesting points of comparison include the absence of advocates in the ancient systems, the role of the judge in each scenario and in modern day, and the difference between a written legal system (Mesopotamia), an unwritten common law system (Egypt), and a free-form system of independent decisions (Greece).

SCENARIO 1: ANCIENT MESOPOTAMIA (Hammurabi's Code)

Judge: I am here in Borsippa as a personal representative of our King, Hammurabi, who, by the will of the great gods Anu and Bel, the Lord of Heaven and Earth, conquered Borsippa, Kish, Sippar, Eshunna, Larsa, and Elam. Samsu the baker has accused Iluna the peasant of stealing a loaf of bread. The law presumes that Iluna is innocent unless evidence is presented that he is guilty. Samsu, if your accusation is false, you will be put to death. Come here and state your case.

Plaintiff (Samsu the Baker): I am Samsu, and I am a baker. I speak for myself, and I give my oath that all that I say is true, so that you will know that I am honest. Six weeks ago today, I was standing by the ovens in my bakery at noon, making bread. I laid some of the bread on my windowsill, but when I looked up, the bread was gone. I ran out into the street and saw a man wearing peasant outfit, walking down the street with a loaf of bread in his hand. The bread was the kind of bread that I had baked, and I did not see the peasant pay my clerk for the bread. I shouted at him, and he ran. I chased him down the street and around a corner, where I finally caught him when he ran out of breath, and I tackled him. The man that I tackled had a loaf of my bread in his hand, and I swear that the man is the same man who is sitting there, the defendant, Iluna.

Judge: Iluna the peasant, what is your answer?

Defendant (Iluna): I am Iluna. I speak for myself, and I give my oath that all I say is true. I am a peasant, and I have no farm of my own and no job now. I have a family, though, a wife and two children, both of whom are very young. Six weeks ago today, I was walking down the street, and I was looking for food for my family. I could find no work, and I had no money. I saw the bread sitting in the window of Samsu's bakery, cooling. I knew that if I did not get bread to my family, they could die. I did not want to be a thief, but I had no choice. I swear that I only wanted bread for my family, none for myself, and if I had a way to pay, I would have done that. But I did not, and I stole the bread. I am very sorry, and I will never do it again. All I ask is mercy, so that I can feed my family.

Judge: Our King, Hammurabi, was commanded by the Great God Marduk to give justice to all the people of the land. He wrote his laws down, so that anyone can see them. The law on stealing is clear. The twenty-second article of the Code says that "If anyone is committing a robbery, and is caught, then he shall be put to death." I am sorry for Iluna the peasant, because he does not seem like a bad person. But the law is the law, and there is no provision in the law for me to do anything except what the law says. I find that Iluna the peasant was caught committing a robbery. I therefore order that Iluna the peasant shall be put to death for his crimes. Iluna – you may choose to appeal my decision by going to Babylon and asking the King to hear your case. If he agrees with you, my decision will be reversed, and I shall pay you damages and be removed from the bench forever. That is all.

SCENARIO 2: ANCIENT EGYPT (Dynastic “Common Law”)

Vizier: I am Khufu, Vizier to Pharaoh Horemhab, child of the sun god, Ra, and ruler of the North and South Kingdoms. I am here to recommend a judgment and a punishment to our Pharaoh regarding the case of Hunanup, the peasant, who is accused of stealing bread. Hunanup, you have a choice. I can hear your case or I can let this statue of Ma’at, daughter of Ra, goddess of judgment, decide your fate. What is your choice?

Hunanup: I am Hunanup, a peasant. I choose to place my fate in the hands of your Lordship, for you are a wise and merciful man, and in the hands of our Pharaoh, may he reign for a thousand years.

Vizier: Very well. Dehuti, the baker, present your testimony.

Plaintiff (Dehuti the Baker): I am Dehuti, and I am a baker. Six weeks ago today, I was standing by the ovens in my bakery at noon, making bread. I laid some of the bread on my windowsill, but when I looked up, the bread was gone. I ran out into the street and saw Hunanup, the peasant, walking down the street with my bread in his hand. I shouted at him, and he ran. I chased him down and I tackled him. He had my bread in his hand. I have had bread stolen before, and it is very expensive.

Vizier: Hunanup, what do you have to say to that?

Hunanup: Oh great and merciful Vizier, I am indeed the one who took that bread, but I am guilty of no crime. What I did I did in order to feed my family, my wife and my children, who are very young. They are hungry and they cry out for food, pitifully begging their father to bring them something to eat. When I saw the bread sitting in the window of Dehuti’s bakery, I could not restrain myself. I thought only of my children, their tired, sad faces begging me to help them. I know that what I did was not right, but it was not wrong. I must feed my family, and if this is what it takes, then I must do it. There is no written law saying that I cannot do this, and I believe that a man’s duty to feed his family comes first.

Vizier: Very well. As you know, I do not decide criminal cases myself, but I make a recommendation to the Pharaoh. You are correct, peasant, that there is no written law, but many viziers and Pharaohs before me have said that it is wrong to steal, and that a person should not steal. Therefore, you should not have stolen the bread. However, there are many punishments for stealing. Some Pharaohs have decided that you should pay twice the price of what you stole. Some others say that you should have your hand cut off. Still others have said that a thief should be put to death. Because you were stealing to save your family and to protect your children, I think it is best that you should only have to pay twice the value of the bread you stole. If you cannot afford to pay, you shall be forced to work on projects to make the public better. I remind you that this is only your punishment in this life. When you die, your soul will be judged by Anubis and if you are found guilty, your soul will be eaten by Ammit, the crocodile beast.

SCENARIO 3: ANCIENT GREECE (Jury System)

Narrator: We are here in one of the great assembly spaces in Athens to hear the case of two citizens, Hector and Patroklos. Hector, a baker, has accused Patroklos, a peasant, of stealing a loaf of bread. You all are citizens of Athens, and you are part of a jury of 201 citizens called to decide the case. The citizens will make their speeches now, and then you will decide. When I tell you to, and only when I tell you to, you should hiss, to express your displeasure with a speaker. Each speaker has three minutes to speak, and time is kept with a clock.

Hector: Fellow citizens, you know me. I am Hector, who bakes bread down in the marketplace. I am not a man of these courts, and I speak simply. Six weeks ago today, I was standing by the ovens in my bakery at noon, making bread. I laid some of the bread on my windowsill, but when I looked up, the bread was gone. I ran out into the street and saw Patroklos walking down the street with my bread in his hand. He saw me, and he ran away, but I was faster than he was, and I tackled him. He had my bread in his hand. I ask that you find him guilty of stealing my bread. The law is clear: there is no excuse for stealing bread.

Narrator: Hector has just said something wrong about the law, and he has tried to tell the jury what to do. You should hiss at him.

Patroklos: I am not a man of these courts, and so I ask Glaucon, my friend, to speak for me.

Glaucon: I am Glaucon, a citizen, and I come before you to defend my friend, Patroklos, who is a father to two beautiful children, children who go hungry through no fault of their own, children who beg their father every night for even the tiniest scrap. I ask you, citizens, what would you do for your children? What could any man, any red-blooded Greek do, except feed them? Is this not the way of nature? Is this not the way it always has been? The goddess Athena, goddess of Wisdom, has shown us the path to voting, where each of you, citizens, puts a stone in the urn you choose – one urn for guilt, another for innocence. I urge you as you walk forward to imagine yourself poor, hungry, staring into the eyes of your children, weeping with hunger, crying out in pain. Would not you do as this man did and feed them? Would you deserve to be called a father if you did any less? Please, citizens, your verdict must be innocent, or your punishment light as a feather. Is not this man just like you?

Narrator: At this point, you all would come forward and vote by putting either a white stone (innocent) or a black stone (guilty) into a large clay pot. The party who got the most votes would be the winner. If the verdict was guilty, the prosecutor and the defendant would each suggest a punishment and you would vote for the one you thought was fairest. Again, majority would rule.

[At the end of this skit, ask for the remainder of the class to vote on guilt or innocence.]

BACKGROUND INFORMATION - A.C.E. Lesson 2

Origins of Legal Power and Authority: Divine Law in Early Human Cultures

Looking Forward and Back

This lesson follows the conceptual introduction to law and is a critical thinking exercise about the different ways in which legal power is organized. It should introduce some different versions of ancient legal authority, which the Closing Activity will connect to the modern day. This leads into the jury exercise in Lesson 3, which is a hands-on view of one method of legal organization, and sets the table for Lesson 4's discussion of limited government and redress of grievances.

Historical Background

1. Babylonian Law

Hammurabi was the king of the ancient Babylonian empire, ruling from 1792-1750 BCE, a period of forty-two years. Hammurabi united the city-states of ancient Mesopotamia through conquest. Hammurabi established a written, unified code of laws to govern all of the city-states in his new empire. There are three critical features of Hammurabi's Code that are particularly important to discuss with the students. First, it was written, and thus it was able to be readily understood by the populace. Second, its 282 decrees covered a wide range of subjects, including witchcraft, criminal law, and trading, pricing, and workmanship standards. The Code even set some wages. Most of the laws were written in a basic "If . . . then . . . construction." For example, "If a son has struck his father, the son's hands shall be cut off." Enforcement of these laws was often very harsh, and could be symbolic, e.g. the hand that struck the father was cut off. The death penalty was also very common. However, the basic punishment was a fine, although it could be many times the value of the property in question. Most of Babylonian law appears to have been enforced by appointed judges, ruling upon the sworn testimony of those who appeared before them, and there appears to have been a system of provincial courts in smaller towns. However, there was a final appeal to the king allowed under the law. For the purposes of this lesson, it is also particularly important to note the beginning and the ending of the Code. The Code begins "The Great God Murduk commanded me to give justice to all the people of the land" and it ends "May the mighty gods in heaven and earth curse him," says the king, "and his children, and his land, his people, his nation."

2. Dynastic Egyptian Law

Although relatively little is known about ancient Egyptian law during the dynastic periods, it appears that the ultimate arbiter of right and wrong was the Pharaoh, who was revered not only as a king, but also as a god. Thus, in Egypt, the law appears to have gained its authority from the divinity of the ruler. Indeed, there is evidence to suggest that certain other "divine" individuals were given law-making authority. For example, in the village of Deir El-Medina, disputes were decided by an icon of the village's founder and an oracle of Amun. The law was enforced by

direct representatives of the Pharaoh, often his Vizier, a very high-ranking official. Later, during the reign of Horemhab (1319-1292 BCE), a Vizier was appointed for each of the Northern and Southern Kingdoms, and a more formal court system was established. Nonetheless, the Pharaoh retained responsibility for adjudicating and determining punishment in all significant criminal cases. This may be because criminal offenses were considered offenses against a universal harmony or appropriate “way of the universe.” For similar reasons, the Egyptians believed that the Pharaoh’s judgment was only for this life, but that ultimate judgment would be rendered by the god Anubis, who would weigh the offender’s heart against a feather. One whose guilty heart outweighed the feather would be eaten by a crocodile beast. An innocent spirit would go on to the afterlife.

3. Athenian Law

The legal traditions of ancient Greece, like those of the other cultures discussed, can only be summarized in an extremely brief fashion. One of, if not the earliest, written codes of law in ancient Greece is that of Draco, which dates until approximately 621 BCE. Again, this law was written so that any citizen could read it. In the next century, Solon revised the Draconian laws, greatly moderating many of Draco’s punishments. Around 500 BCE, Athens completed its transition into a direct democracy, although it must be remembered that not every Athenian was a citizen, and thus that perhaps only 10% of the population actually was eligible to participate in governance. Athens maintained a formal, jury-based court system, with participating citizens chosen by lots from an annual pool of 6000 citizens. Only male citizens over the age of thirty could participate in the courts. Generally panels of 201 jurors sat for minor private disputes and panels of 501 sat for public ones. Particularly important public suits had panels of 1001 or 1501 jurors, and on at least one occasion, all 6000 jurors sat on a case. No judges presided, and no legal direction was given to jurors. Equal time was given to the prosecution/plaintiff and defendant, and voting was immediate, without any deliberation by jurors. The simple majority ruled. If the defendant was convicted, both he and the prosecutor proposed a punishment. The jury then voted a second time on the punishment, again with majority ruling. This system was justified by the myth of Orestes, who avenged his father by killing his mother, Clytemnestra, for murdering his father. In the myth, Athena was called on to decide the case, and she turned it over to the citizens.

Modern Connections

The general topic of how to organize legal power is timeless. There is almost no end to the comparisons and contrasts that can be drawn from these ancient civilizations (or those of the ancient Hebrews, Chinese, or many others) with the modern legal system. However, several specific modern connections are suggested in the lesson summary and extended activity sections above and are reflected in and suggested by the scenario scripts.

Scenario Summary: Twelve Lawful and Honest Men

In the Town of Great Peatling, Tom Ayckbourne and Becky Miller were dating. Margaret Cordwainer and her Granny Dunsmere were discussing the circumstances surrounding a mysterious fire which burnt down the Miller's home and their mill, destroying a quarter of the villager's harvested grain. Sarah Thatcher, the Miller's next door neighbor, chimed in that she saw Tom snooping around the Miller's house, waiting for Becky's father Sam Miller to leave, and that she'd even seen him the day of the fire.

However, there was speculation as to who set the fire. Mr. Miller didn't have very many friends due to his overcharging villagers for milling their grain. Tom and Becky had a huge fight right before the fire because Becky said she didn't want to marry Tom. Rumor had it that she'd met someone else. Or perhaps Mr. Miller forced Becky and Tom to part. And Tom had an alibi—he was out collecting fire wood (or possibly poaching—hunting illegally) when the fire erupted.

Or maybe it was that Tom shoved Becky and knocked her down, and then fought with Mr. Miller on the day of the fire. Either way, Tom was arrested deep in the forest a few days later, and claimed he hadn't been to Great Peatling since the afternoon of the fight.

While the ladies discussed the fire, a cloaked horseman rode over to them, asking for directions to town hall. The King of England, Henry II, had recently come up with a trial by jury system to determine if those accused of crime were guilty. The shire (judge) chose 12 freemen who knew something of the crime to hear the case and decide guilt or innocence. These men were known to be honest, and got together to discuss the case and make a decision, and swore in front of the sheriff and judge that his decision was the truth.

You twelve jurors have been chosen to try Tom's case. Tom has been charged with arson. He has plead not guilty, sticking to his story about gathering fire wood when the Miller's home burnt down.

<p>Juror # 1 You are Nicholas the Carter. Over the years, you have built up a prosperous business carrying food and animals around Leicestershire. You don't know Tom well. Occasionally, he hires you to cart grain. He always pays you on time, so you have no reason to dislike him. Just before the fire, you delivered a load of wheat to the mill at Great Peatling. On your way home, just at dusk, you saw a man coming down the road toward you. When you waved hello, the man looked up startled and ran into the forest. A few days later, you heard that Tom Ayckbourn burned down Great Peatling Mill. Suddenly, the encounter made sense. This man was about Tom's height. He didn't want you to see him going toward the mill.</p>	<p>Juror # 2 You are John Grim, a freeman. You have lived all your 18 years in Great Peatling. You are married to a woman from Whalley, the next village over, and you have two healthy children. You are the best carpenter in the village. You work hard and the people of Great Peatling respect you. You and Tom grew up together. You are as close as brothers. Tom is levelheaded and fair. In all your years together, he has only lost his temper once. That happened when you brought up the subject of his marrying someone other than Becky. On the day of the fire, you were in Whalley, helping your father-in-law mend a table. When you got back to the village, your wife told you Tom had come by and was very angry. She also told you that the mill had burned and people were saying Tom did it. You talked with Tom after his arrest, and he swore he didn't do it.</p>
<p>Juror # 3 You are Robert of Whalley, undersheriff for a village close to Great Peatling. Because of your important position, you live in Whalley Keep. You own good farmland and can afford serfs to farm it for you. You know Tom Ayckbourn is a poacher, but you haven't been able to catch him. This really bothers you. You want to bring him to justice. On the afternoon of the fire, you were at Peatling Manor on business. You were just leaving as the fire broke out. You rushed to organize the firefighting. At the mill you overheard a woman say that her daughter saw Tom Ayckbourn start the fire.</p>	<p>Juror # 4 You are Hugh Peverill. You live in the village of Wykeham, but spend most of your time in the nearby abbey of Lavern, where you study old manuscripts. You own good farmland, which is managed by serfs. You don't know Tom personally, but the monks at the abbey say he is devout. Last week a monk told you, in the strictest confidence, that Becky Miller had come to him for help. Becky told the monk that Tom did not burn the mill and she knows who did. Becky refused to name the arsonist. You hope she changes her mind.</p>

Juror # 5

You are **William FitzStephen**, 19 years old, son and only heir to the land and wealth of Stephen of Wykeham. When you were 9 years old, your father married you to the daughter of a neighboring landlord. You don't like your wife. She and your two children live with her father and will do so until your father dies and you inherit his lands. You don't know Tom personally. Becky Miller says Tom is a good, honest, and dull man. You have been seeing Becky on the sly for three or four months. Because you are married, she won't take you seriously. She plans to marry Tom. Becky told you about Tom's fight with her father. You realized that if something happened to the mill, everyone would think Tom did it. You set the fire to get Tom out of the way.

Juror # 6

You are **Peter de Neville**, lord of Peatling Manor and overlord of the villages of Whalley and Great Peatling. You are 34 years old and have spent most of your life in France overseeing your lands and fighting wars. You don't like the Anglo-Saxon people. They seem brutish and lazy. You are sure they lead violent, ugly lives. Tom is one of the Anglo-Saxon freemen who lives in your villages. You only see Tom when he pays his rent and does his annual week of service. You don't pay much attention to what goes on in your villages. When you arrived from France a week ago, your servants told you that Tom burned down the mill. You are angry because though Samuel ran the mill, you owned it. Now the harvest won't be milled in time for the winter unless you pay one of the neighboring millers.

Juror # 7

You are **Allen Langland**, blacksmith in the village of Great Peatling. You own the best farmland in the village and have three serfs. You are only 21, but you make a good living for your wife and six children. Tom is a few years younger than you. You are not close friends, but you have always liked him. He is honest and hardworking, though he has not been very successful. On the afternoon before the fire, when you pulled Tom away from Sam Miller, you saw how angry he was. You also saw that he calmed down and left peacefully. Your forge is close to the mill, and you were working late into the evening. If Tom had returned to set the fire, you would have noticed him.

Juror # 8

You are **William Harrison**, warden of the king's forest. You grew up in Great Peatling, but you left when you were 13 to make your way in the world. Last year, you returned with a commission from the king to act as warden and gamekeeper. You knew Tom as a child and didn't like him. Since you have been back, however, you've had some interesting talks with Tom. He seems to be in the forest a lot. Late in the afternoon on the day of the fire, you caught Tom trapping rabbits in the forest. You didn't arrest him, because he seemed upset. You talked to him for a while, and he fixed you a dinner of rabbit stew. It was quite dark by the time Tom left. He was heading deeper into the forest, not back toward Great Peatling.

<p>Juror # 9 You are Duns Evesham, a farmer from Great Peatling. You live in a small cottage with your elderly mother. Though your father was fairly well-off, he died when you were still young. Since then, it has been hard to make ends meet. Your mother took a liking to Tom when he was a little boy. She saw him as the grandson she never had. Tom, in return, has always been kind to your mother. He stops to visit her often and sometimes brings small presents. You spent the afternoon of the fire working in the fields. When you saw the smoke, you came running to help. After it was all over, you heard about the fight Tom had with Sam and Becky. You sympathized. When you were young, a girl promised to marry you and then backed out of it. If you had thought to burn her house down, you would have.</p>	<p>Juror # 10 You are Stephen of Wykeham, an important knight and close friend of the king. You have retired to Fyske Castle and have become involved in the life of the shire. Your wife died several years ago. Though she bore you five children, only one survived. His name is William. You don't trust him much. You know Tom well, though he isn't one of your villagers. He served under you during the last war. He was a loyal and courageous soldier, remarkably calm in battle. Sam Miller is a cheat. Everyone in the shire knows it. Miller gets away with it because his overlord, de Neville, won't do anything. Perhaps Tom set the fire, but it is just as likely one of Miller's victims finally decided to get revenge.</p>
<p>Juror # 11 You are Geoffrey Cordwainer, a farmer of the village of Great Peatling. You are 35 years old. Your wife, Margaret, bore you 10 children. Only six of them lived. Tom is a good friend of your second oldest son. You have always liked Tom and think he has been a good influence on your son. When people started saying that Tom set the fire, you thought they were crazy. But one evening Margaret told you that Sarah Thatcher said Tom had good reason to burn the house because Becky refused to marry him.</p>	<p>Juror # 12 You are Hamon de Mascey, a freeman. Though your father was only a farmer, he was wealthy. You were his youngest son, so you didn't inherit the farm. Your father sent you to the household of the Earl of Leicester to be trained as a page. Through hard work, you are now a squire and will someday be knighted. You and Tom served under Stephen of Wykeham during the last war. Though you were serving a knight and Tom was only a foot soldier, you saw a good deal of him. He was always trying to better himself by playing up to the knights and lords. You think he is a pushy braggart. Robert of Whalley is a good friend of yours. He told you about the fire and that some girl in the village saw Tom set it.</p>

Lesson Plan #3

Sovereignty and the Law: Challenging the Divine Right to Rule

Framing Question (s):	Are there limits on governmental power? How is abuse of power to be redressed?
Materials:	Excerpts from Student Handbook Ayesha’s Hijab Scenario Discussion Points
Opening Activity (5 Minutes):	<ul style="list-style-type: none"> Remind the class that the Magna Carta is the product of an armed revolution by the English barons who felt that the King was oppressing them and disregarding their traditional rights. Ask for modern examples of people fighting for their rights against a government or other authority.
Class Activity (30 Minutes):	<ul style="list-style-type: none"> Ask the class to define “right” and “grievance” and to compare their definitions for each. Ask students to brainstorm a list of their “rights.” Using the list, the Legal Team should help the class differentiate between a right (to vote) and an entitlement (to drive). Also discuss the positive right to do something (I may speak freely within the construct of our laws) versus the right to be free from interference (I can think what I want without interference). Read the “Ayesha’s Hijab” scenario to the class (attached). Ask the students what Ayesha’s rights are. For your convenience, a Discussion Points sheet is attached to help guide the discussion. Next, ask the students what the School’s interests are in regulating what Ayesha wears on her head. Examples are included on the Discussion Points sheet. Finally, ask students to give examples of Ayesha’s avenues of redress. Examples are included on the Discussion Points sheet. How would the arbiter of law decide who wins? What balance must be established?
Closing Activity (5 Minutes):	<p>End by re-connecting the students to the Magna Carta era.</p> <ul style="list-style-type: none"> Emphasize that the sovereign had to give up portions of his power in order to allow individuals to have rights. This was a novel concept at the time of the Magna Carta. As an introduction to later lessons, stress that people seeking to assert their rights have many avenues now due to past conflicts where parties had to negotiate a redistribution of rights and power.
Enrichment Activity (For extended class periods):	Discuss the actual grievances of the barons. Show the ways in which many of their grievances—like the right to judicial review and the right to back out of loyalty oaths when those oaths were abused—are assumed parts of our system today.

AYESHA'S HIJAB

Note: This scenario is entirely fictional. The Philadelphia School District, as a matter of policy, allows Muslim students to wear hijab.

Factual Background: Ayesha Bakir is a junior at Florence Nightingale High School, a school in the Philadelphia School District. Her homeroom teacher is Adam Corrigan and the principal at Florence Nightingale is Eric Jackson. Ayesha is a devout Muslim and she wears a traditional Muslim head covering, the hijab (alternately, the khimar). She does not wear a veil to cover her face.

The Philadelphia School District Code of Student Conduct provides that a student violates the District dress code if he or she “wears stocking caps, doo rags, bandanas or hats.” (Code of Conduct § 3.1, Rule 2(g)). Adam Corrigan believes that Ayesha’s donning of the hijab violates this rule, and he seeks to discipline her for it.

“AYESHA’S HIJAB” DISCUSSION POINTS

Ayesha’s Rights

Some possible examples of rights implicated by Corrigan’s decision are:

- Ayesha’s right “not to be excluded from public schools or from School Privileges . . . because of her . . . gender [and/or] religion.” (Code of Conduct 2.2.2).
- Ayesha’s right not to be disciplined except in accordance with the procedures in the Code of Conduct, Art. 4.
- Ayesha’s right to free exercise of her religion under the First Amendment of the United States Constitution.
- Ayesha’s right to be free from interference with her right to conscience under Art. 1, § 3 of the Pennsylvania State Constitution.

The School’s Interest

Possible justifications include:

- Student safety
- Identification issues
- Uniformity

Administrative, Judicial and Political Redress Process

Possible avenues of Redress include:

- *Administrative Redress*-Procedures available through the School District:
 - A student cannot be suspended without being informed of the violation and being allowed to respond to it (Code of Conduct § 4.1.1)
 - A student cannot be suspended for more than three days without a parent-teacher conference (Code of Conduct § 4.1.2)
 - A high school student being transferred to an “alternative school” must be given a hearing with the right to present evidence and cross-examine witnesses (Code of Conduct § 4.4)
 - A high school student being expelled has additional hearing rights in front of a neutral official of the School Reform Commission (Code of Conduct § 4.5)
 - In addition, the student could ask the principal to overrule the teacher’s interpretation and, failing that, could ask the School District to overrule the principal.
- *Judicial Redress*-remedies available through the Courts:
 - Appeals of School District administrative decisions
 - Addressing the grievance with a civil right complaint against the School District, asserting constitutional violations
- *Political Redress*-are there political ways to draw attention to the situation? If so, who would then decide what’s right?
 - Civil disobedience
 - The effect of the media, public embarrassment, and representation (i.e. writing one’s city Councilperson to express outrage as a means of changing policies, having a “wear-in,” etc.)

BACKGROUND INFORMATION - A.C.E. Lesson #4

Sovereignty and the Law: Challenging the Divine Right to Rule

Looking Forward and Back

This lesson builds upon the jury exercise in a variety of ways, but most significantly in that it provides additional examples of rights in action. The Magna Carta was a novel and significant guarantor of jury rights in the Anglo-American system. Looking forward, this lesson establishes framework for the rest of the civics sequence, as the concepts of rights and redress will recur again and again.

Historical Background

The Magna Carta was the product of an armed revolution by the barons and other nobles against King John I, who had inherited the throne from his popular brother, Richard the Lionhearted. After numerous missteps and a partially failed war in France in John's first five years of rule, the English barons demanded that the King cede to them certain inalienable rights, including the right to a trial by jury. When John rejected these demands, the barons rebelled and seized London on June 10, 1215, and the city residents showed their sympathy by opening the gates. Thus began a month-long civil war that ended in July at Runnymede, when the barons compelled the King to sign the Magna Carta, a charter of rights consisting of 63 articles. Some parts deal with feudal duties that have long since ceased to have meaning, but other parts have modern resonance. Among the most significant of these is Article 39 – "No free man shall be arrested or imprisoned or disseised [i.e. divested of property] or outlawed or in any way victimized . . . except by the lawful judgment of his peers or by the law of the land." Articles 17 and 22 created a fixed law court, and Article 24 established that crown officials could not try a case instead of a judge. Articles 36, 38, 39 and 40 collectively define the right to habeas corpus. Articles 14 and 61 allowed barons to form a council, and members of this council were expressly permitted to renounce the oath of loyalty to the King and to replace it with one to the council in some cases.

The Magna Carta was subsequently repudiated by King John (and by the Pope), but John died a year later, and his son, Henry III, reissued the Magna Carta. Because Henry III ruled for 56 years, by the time he died, the Magna Carta had become a part of English law. Each English king for over 200 years confirmed the Magna Carta in one form or another. Although the Magna Carta's actual power as a legal declaration of rights against the crown varied over time, it grew in the minds of the English people to stand as a boundary against absolute monarchical power.

Modern Connections

The Magna Carta laid the foundations for numerous rights in the American system, including most significantly the rights to a jury trial and to habeas corpus, but it also stands as one of if not the first document in the Anglo-American legal tradition to purport to limit the authority of the sovereign. This concept of limited government is the foundation of the American system and the idea that rights would be captured in a single, written, "Great Charter" translated over time into

the American Constitution. Echoes of the Magna Carta are particularly strong in the Suspension Clause and the Fifth and Sixth Amendments.

Lesson Plan #4

Worlds Meet: International Law and the Relationship between Law and Authority

Framing Question:	Who decides between authorities? What is the relationship between “authority” and “law”?
Materials:	Role playing cards (attached) Amistad Supporting Materials (attached)
Opening Activity (5 Minutes):	Ask the students to define “international,” “authority,” and “law.” <ul style="list-style-type: none"> • Ask students how countries solve conflicts that may arise between them. Introduce the idea of a treaty and give the students a modern example.
Class Activity (30 Minutes):	<ul style="list-style-type: none"> • Review both the Historical Abstract and the Case History of <i>Amistad</i> (attached as “Amistad Supporting Materials”) with the students. • Set up <i>Amistad</i>—the case first went to a district (trial) court, and then to the circuit court (appellate) because one of the parties didn’t like the ruling. The case was appealed again to the Supreme Court, whose ruling is final. • Mock trial activity: Hand out role playing cards to volunteers and have the students read the cards silently. Each card contains a role and the information needed to play that role. Roles include the Africans, Mr. Adams and Mr. Baldwin, representatives of the Africans, Mr. Ruiz and Mr. Montez, the Spanish Subjects, Mr. Gilpin, the Attorney General and representative for the Spanish Subjects, and members of the Supreme Court. For the Supreme Court, choose 3 students and ask one of them to be Justice Story and announce the Court’s decision after the trial. • Walk the students through a short mock trial. Ask the attorneys to present their client’s case to the Supreme Court. Mr. Adams and Mr. Baldwin should speak; then Mr. Gilpin may speak. Allow the Court to ask the Attorneys questions. • Ask the Supreme Court for a ruling. • Discuss the actual outcome with the students and compare their ruling with the Supreme Court’s Ruling.
Closing Activity (5 Minutes):	<ul style="list-style-type: none"> • Ask the students what the connection is: Who had authority to decide what happened and why (the United States because the Africans were in their geographical space)? Which law governed (first they had to determine the treaty did not apply, then apply U.S. law)? Why is international law important (if there was no treaty, then what?)? • Ask the students if there is a present day international situation which demonstrates the relationship between “law” and “authority” (example: terrorism. Once a suspect is caught, which country’s legal system gets to conduct the trial?)
Enrichment Activity (For extended class periods):	Bring a large map of the world and draw the actual routes the ships traveled to demonstrate to students the distances involved and the value of the humans traded that actually survived the trips.

AMISTAD SUPPORTING MATERIALS

Historical Abstract

As imperialism grew, the human trade became more acceptable as a source of skills and labor in newly “settled” lands and industrializing nations. Many Africans were traded to the Western Hemisphere to work on plantations as free labor, thus boosting the economic viability of these newly “settled” lands and providing wealth to European plantation owners. In order to regulate the human trade, industrialized nations established trading laws to govern their own citizens and entered into trade treaties with other countries. Conflicts over the ownership of humans in the human trading system helped establish the framework of international law in which we operate today.

Case History—*Amistad*:

Source: <http://www.archives.gov/education/lessons/amistad>

In February of 1839, Portuguese slave hunters abducted a large group of Africans from Sierra Leone and shipped them to Havana, Cuba, a center for the slave trade. This abduction violated all of the treaties then in existence. Fifty-three Africans were purchased by two Spanish planters and put aboard the Cuban schooner *Amistad* for shipment to a Caribbean plantation. On July 1, 1839, the Africans seized the ship, killed the captain and the cook, and ordered the planters to sail to Africa. On August 24, 1839, the *Amistad* was seized off Long Island, NY, by the U.S. brig *Washington*. The planters were freed and the Africans were imprisoned in New Haven, Connecticut, on charges of murder. Although the murder charges were dismissed, the Africans continued to be held in confinement as the focus of the case turned to salvage claims and property rights. President Van Buren was in favor of extraditing the Africans to Cuba. However, abolitionists in the North opposed extradition and raised money to defend the Africans. Claims to the Africans by the planters, the government of Spain, and the captain of the brig led the case to trial in the Federal District Court in Connecticut. The court ruled that the case fell within Federal jurisdiction and that the claims to the Africans as property were not legitimate because they were illegally held as slaves. The case went to the Supreme Court in January 1841, and former President John Quincy Adams argued the defendants' case. Adams defended the right of the accused to fight to regain their freedom. The Supreme Court decided in favor of the Africans, and 35 of them were returned to their homeland. The others died at sea or in prison while awaiting trial.

Mr. Joseph Cinque and the Africans

Your representatives, Mr. Adams and Mr. Baldwin, will argue the case on your behalf.

You believe you were wrongfully kidnapped and are still free. You wish to be returned to Africa.

Spanish Subjects, Mr. Jose Ruiz and Mr. Pedro Montez

Your representative, Mr. Gilpin, will argue the case on your behalf.

You believe that the Africans and cargo on the ship belong to you.

<p>Former President John Quincy Adams and Mr. Baldwin, Attorneys for the Africans</p> <p>You deny that they are slaves or the property of Ruiz and Montez under the Constitution or laws of the United States or any treaty.</p> <p>You claim that they were native Africans, born free and still free and that they were kidnapped around April 15, 1839. You also claim that the Africans were forced onto the ship, which was an illegal slave ship and traded as slaves illegally.</p> <p>You claim that Ruiz and Montez knew that the Africans were kidnapped and not really slaves, but bought them anyway.</p> <p>After Ruiz and Montez purchased them, they forced the Africans onto the <i>Amistad</i> to take them as slaves. The Africans rose up, took the ship and intended to go home or to a free state. But the U.S. brig <i>Washington</i> intercepted their ship and they were arrested.</p> <p>Because the Africans were kidnapped, which is illegal, you claim the treaty does not apply and that the Africans should be returned home under the laws of the United States, which state that kidnapping for slave trade is illegal. You may take turns presenting your case to the Court. Decide who will say what and in what order.</p>	<p>Mr. Gilpin, Attorney General of the United States, on behalf of the Spanish Subjects</p> <p>You represent the Spanish Subjects at the request of the Spanish Minister, who claims that the vessel, cargo and Africans were property of the Spanish Subjects, even though the property was found in the United States.</p> <p>Because of these circumstances, it is the duty of the United States to restore the property to the Spanish Subjects under the treaty of October 27, 1795 between the United States and Spain.</p> <p>You believe the Spanish Minister's claim under the treaty is correct, and ask the Supreme Court to return the property to the Spanish Subjects.</p> <p>However, if the Africans were kidnapped and transported to the United States illegally, you ask the Supreme Court to return them to Africa. Kidnapping for slave trade is illegal in the United States, and the laws of the United States should apply if the activity was illegal.</p>
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Supreme Court, Justice Story reporting for the Court

Your ruling will be final and all must abide by it.

A treaty is a formal agreement between two or more states or countries, usually regarding terms of peace after conflict or trade, such as the case is here. Spain and the United States have a trade treaty that governs this case.

The ninth article of the treaty of October 27, 1795, which was continued in 1819 and ratified (made law) in 1821, reads:

“that all ships and merchandise, of what nature so ever, which shall be rescued out of the hands of any pirates or robbers, on the high seas, shall be brought into some port of either state, and shall be delivered to the custody of the officers of that port, in order to be taken care of a restored entire to the true proprietor, as soon as due and sufficient proof shall be made concerning the property thereof.”

You must decide:

1. Are the Africans merchandise?
2. Have they been rescued out of the hands of pirates or robbers on the high seas? If so, who were the pirates or robbers?
3. Are Ruiz and Montez the true proprietors (owners) of the Africans?

You may ask the Attorneys, Mr. Adams, Mr. Baldwin and Mr. Gilpin, questions as they present their cases.

BACKGROUND INFORMATION - A.C.E. Lesson 5

Worlds Meet: International Law and the Relationship between Law and Authority

Looking Forward and Back

This lesson allows students to actively engage in the adjudicative process by portraying a mock trial based on *Amistad* case. During this historical period, the trading of human beings is central to expansion and imperialism, and the court in *Amistad* examined slavery as a resource for labor and skills, as well as the economic impact of the slavery system within the construct of international law. This lesson teaches students the basic moving parts of a trial while asking them to examine the conflicts surrounding labor, civil rights and imperialism.

Modern Connections

In different countries around the world, disputes are handled in different ways. Some countries have no court system at all; others have systems where the judges (rather than lawyers or advocates) ask all the questions and obtain evidence. To engage students ask them to examine current examples of the interplay between law and authority by examining military courts, terrorism, or other current headlines.

Lesson Plan #5

Imperialism and Industrialism: Legal Protection of Human and Other Resources

Framing Question:	What happens to the structure of power when resources are perceived to be scarce? How can legal systems promote balance?
Materials:	Optional resource materials are discussed in the Background Information
Opening Activity (5 Minutes):	<p>Ask the class:</p> <ul style="list-style-type: none"> • Describe indentured servitude and slavery as the way that many Americans’ ancestors came to this country. • How are indentured servitude and slavery comparable? How are they different? What happened when an indentured servant or slave was injured? Who replace them? Did they receive compensation while injured? Does care count as compensation?
Class Activity (30 Minutes):	<ul style="list-style-type: none"> • Ask whether and why cheap labor is needed, and whether it is ever justified. Transition into the modern era—do we still have or need cheap labor? For what kinds of jobs? What happens when the laborers get hurt? • Briefly reenact/explain the workers’ compensation process. Set up the situation as follows: <ul style="list-style-type: none"> ○ A fast food worker was horsing around during work hours. He climbed the awning of the restaurant and fell, breaking his arm. • Ask the students what the worker’s interests are (he still needs a paycheck to cover his rent and other bills but is unable to work and must now navigate a difficult system to get worker’s compensation benefits, i.e. pay for not an injury from working). • Ask the students what the restaurant’s interests are (the restaurant wants the injured worker to sign a contract saying he won’t sue for personal injuries, the employer is frustrated that compensation would be awarded to an irresponsible worker, the employer may have to pay increased insurance rates). • Have a mock worker’s compensation hearing. Chose one student to be the worker and another to be the employer/restaurant. Ask each to present his side based on the class discussion. Ask the class, as the “Administrative Judge,” to decide whether the worker should be compensated and how much he should receive. Should he receive full pay for the entire time he is injured? A portion of his pay for the part of the time he is injured? No pay at all? • Discuss the idea of “compromise”: all are protected to some degree, but not everyone achieves the desired result. • Ask the students if a lawyer or administrative representation would be helpful to each party during the hearing. Why or why not?
Closing Activity (5 Minutes):	<p>Encourage critical thinking by asking the class:</p> <ul style="list-style-type: none"> • Would the outcome be different if the worker was more educated or the parties better understood how to navigate the system? • How might the system be improved?

***Note: No Enrichment Activity is included due to the depth of this lesson.**

BACKGROUND INFORMATION - A.C.E. Lesson 6

Imperialism and Industrialism: Legal Protection of Human and Other Resources

Looking forward and back

A central theme of this historical period involves the trading of human beings and use of human time and skills as a resource, as seen in the examples of indentured servitude, slavery, and child labor. By examining modern challenges facing young workers in the United States and abroad, this enrichment session will show how these themes continue to the present day. We will consider how workers' rights are partially protected in our legal system, yet balanced against the rights of the employer. This topic also will introduce students to utilitarian elements of law in preparation for their later examination of how exercising individual rights may affect the rights of other people and groups.

Historical Abstract

As imperialist nations expanded their influence around the globe, and work became available in industrial centers with the advent of new technology, human beings were viewed as sources of labor to drive economic growth and to foster the accumulation of land and resources. Industrialized nations such as England attempted to protect some workers such as children from exploitation by passing and enforcing laws. These historical trends, many of which can be seen in the world today in the context of low wage earners and forced labor, raise questions regarding the role of legal systems in protecting workers' rights while at the same time serving the interests of those who desire human labor to carry out their enterprises.

Historical and Modern Background Information (Extended)

Brief history of forced labor: The transatlantic slave trade, which began in about 1619, marketed human beings as forced laborers in colonial America. Approximately 12 million Africans were shipped to the Americas from the 16th to the 19th centuries, of which about 645,000 were brought to what is now the United States.

It is estimated that one half to two thirds of all immigrants to Colonial America came to this country as indentured servants. From 1600 to 1700, for example, "spirits" in London would round up hungry and thirsty individuals, ply them with food and alcohol, and then entice them into signing away their freedom in a binding contract called an "indenture." Frequently, indentured servants did not survive the harsh passage by ship; most were given only two weeks of very poor rations. In theory, the indentured servant was only selling labor in exchange for certain benefits (usually, a tract of land at the end of the contract period.) In practice, they had few rights, and often became so indebted to their employer that they had to renew their indenture at the end of the appointed term. Many were subjected to corporal punishment, long hours, and inhumane treatment.

During the industrial revolution, a high demand for labor encouraged families to migrate from rural areas to cities to find work. The first textile mills arose in 1769 in the country, but after Watt's steam engine was invented, factory towns and villages began to develop. Poverty required most families to send every able family member to work, leading to a rapid increase in child labor. Children in England, the first country to industrialize, worked 12, 14, and even up to 19 hours a day, with minimal breaks and under harsh conditions. The first laws against child labor were passed in 1833 and 1844 in England, yet child labor remained in England until the 20th century.

Modern-day slavery and forced labor: Human trafficking and myriad forms of slavery still exist today. Forced labor remains a global problem, and child labor is far from obsolete. The International Labour Organization estimates that at least 12.3 million are forced laborers around the world, with 40-50 percent of those laborers being children. Many youth are subjected to the “worst forms of child labor,” as defined by the United Nations as “all forms of slavery or similar practices, such as debt bondage, trafficking and forced or compulsory recruitment of children for use in armed conflict; (b) the use of children for prostitution and pornography; (c) the use of children for illicit activities, such as the production and trafficking of drugs; and (d) all work which is likely to endanger the health, safety or morals of children.”

The American Anti-Slavery group reports that 600,000 to 800,000 people are trafficked internationally every year, with 80% of them being women and children. In many countries, humans are bought and sold for as little as the price of medicine, or simply on the promise (whether ultimately fulfilled or not) of food and shelter. A young adult male laborer costs as little as \$40 in Mali. The transport and sale of people is highly profitable to some. Experts estimate that trafficking in women nets \$6 billion per year worldwide. (American Anti-Slavery Group).

The U.S. State Department has released figures showing that at least 700,000, and potentially as many as 4,000,000 million men, women and children were bought, sold, transported and held against their will in slave-like conditions in 2001 around the world. We may believe that slavery or slave-like conditions ended in the United States in 1865, but the American Anti-slavery group reports that trafficking in the US yields \$9 billion each year. On a more local level, many immigrants to Pennsylvania come here furtively in the hope of a better life, but undergo terrible conditions in order to arrive and work for a pittance (less than minimum wage) as undocumented workers, often in agricultural settings or dangerous factories that would compare in some ways to the industrial period.

Resources (primary sources/teaching tools):

Color maps reflecting child labor and forced labor in the modern era are available at: <http://www.antislavery.org/homepage/resources/maps.htm>. A map showing “hotspots” of modern-day slavery can be found at: http://www.iabolish.org/slavery_today/primer/map.html.

A sample “indenture” involving a servant who was transported to Philadelphia and bound to David Rittenhouse appears at Wikipedia: <http://en.wikipedia.org/wiki/Indentured>.

Copies of posters and forms that are mandatory for Pennsylvania workplaces (covering essential rights with respect to minimum wage, child labor, and on-the-job injuries) are available at: <http://www.dli.state.pa.us/landi/cwp/view.asp?a=125&Q=63528&landiPNavCtr=|1065|#1309&dsftns=3432>.

Lesson Plan #6

Conflict and Equality: Voting Rights and Changing Views of Citizenship

Framing Question:	How does conflict affect the rights of citizens? Do rights expand and contract?																																				
Materials:	19 th Amendment (attached) The Constitutional Amendment Process (also attached)																																				
Opening Activity (5 Minutes):	<ul style="list-style-type: none"> • Tell students that the Constitution is the supreme law of the United States. Briefly describe the Constitutional Amendment process and describe why we amend the Constitution. An outline of the Constitutional Amendment process is attached. (If possible, provide students with their own copies of the Constitution.) • Ask students to create a definition of citizen. What rights do citizens have? • Ask the students to define suffrage. Why is voting important? • Present students with the demographics of the City of Philadelphia (below)—how many people could vote if women couldn't? What if minority people couldn't vote? Why is this important? Whose issues would be addressed? <table style="width: 100%; border-collapse: collapse;"> <tr> <td>Total population</td> <td style="text-align: right;">1,448,394</td> <td style="text-align: right;">Percent</td> </tr> <tr> <td>Male</td> <td style="text-align: right;">677,594</td> <td style="text-align: right;">46.8</td> </tr> <tr> <td>Female</td> <td style="text-align: right;">770,800</td> <td style="text-align: right;">53.2</td> </tr> <tr> <td>White</td> <td style="text-align: right;">605,796</td> <td style="text-align: right;">41.8</td> </tr> <tr> <td>Black or African American</td> <td style="text-align: right;">642,013</td> <td style="text-align: right;">44.3</td> </tr> <tr> <td>American Indian and Alaska Native</td> <td style="text-align: right;">3,698</td> <td style="text-align: right;">0.3</td> </tr> <tr> <td>Asian</td> <td style="text-align: right;">77,265</td> <td style="text-align: right;">5.3</td> </tr> <tr> <td>Native Hawaiian and Other Pacific Islander</td> <td style="text-align: right;">488</td> <td style="text-align: right;">0.0</td> </tr> <tr> <td>Some other race</td> <td style="text-align: right;">95,958</td> <td style="text-align: right;">6.6</td> </tr> <tr> <td>Two or more races</td> <td style="text-align: right;">23,176</td> <td style="text-align: right;">1.6</td> </tr> <tr> <td colspan="3"> </td> </tr> <tr> <td>Hispanic or Latino (of any race)</td> <td style="text-align: right;">151,571</td> <td style="text-align: right;">10.5</td> </tr> </table> <p>From: www.factfinder.census.gov, current as of 2006</p>	Total population	1,448,394	Percent	Male	677,594	46.8	Female	770,800	53.2	White	605,796	41.8	Black or African American	642,013	44.3	American Indian and Alaska Native	3,698	0.3	Asian	77,265	5.3	Native Hawaiian and Other Pacific Islander	488	0.0	Some other race	95,958	6.6	Two or more races	23,176	1.6				Hispanic or Latino (of any race)	151,571	10.5
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Class Activity (30 Minutes):	<ul style="list-style-type: none"> • Ask student to read and interpret the 19th Amendment (attached). • Explain that this was an Amendment to the Constitution. • Ask the class for 3 ideas for a new Amendment (it could be anything—allow them to be creative!). Determine which one they will work on by class vote. • Assign students various roles (6 Senators, 6 Representatives, 1 President, and 15 States). Walk through the Amendment process with students and see if they can get their Amendment ratified (point out that the President has nothing to do with it!). <ul style="list-style-type: none"> ○ First, introduce the Amendment to the Senators. You need 4 out of 6 votes for the Amendment to get it through. Same for the House. ○ If the Amendment gets passed in the Senate and the House, ask the States to vote. You need 12 out of 15 States to vote for the Amendment to ratify it. ○ If the Amendment can't be passed, ask the students why they didn't like it and ask the class to change the Amendment. Then vote again. 																																				
Closing Activity (5 Minutes):	<ul style="list-style-type: none"> • Does having voting rights mean that you are a full-fledged citizen? Why or why not? • What is our current definition of citizen? Is it just political or moral too? Who controls who is a citizen? How can we change that? Do we want to? • How is the changing definition of citizenship reflected in the 2008 elections? 																																				

***Note: No Enrichment Activity is included due to the depth of this lesson.**

The 19th Amendment

AMENDMENT XIX

Passed by Congress June 4, 1919. Ratified August 18, 1920.

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have power to enforce this article by appropriate legislation.

* * *

HOW AN AMENDMENT IS RATIFIED: *Article V. of the U.S. Constitution*

Article. V. - Amendment

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

Summary: There are four methods set forth in the Constitution for ratification of an amendment:

1. Amendment proposed as a joint resolution by Congress with two-thirds majority vote in both the House and the Senate, ratification by three-fourths (38 out of 50) state legislatures (used all but one of the times that an amendment was ratified)
2. Amendment proposed by Congress as described in #1 above, ratification by three-fourths of state conventions (used once)
3. Amendment proposed at constitutional convention called by two-thirds of state legislatures, ratification by three-fourths of state legislatures (never used)
4. Amendment proposed at convention of states as described in #3 above, ratification by three-fourths of state conventions (never used)

BACKGROUND INFORMATION - A.C.E. Lesson 7

Conflict and Equality: Voting Rights and Changing Views of Citizenship

Looking forward and back

This lesson allows students to actively engage in the legislative process by examining the ratification of the 19th Amendment to the Constitution. During this historical period, the definition of “citizen” was in flux and the actual rights of citizens underwent change. This enrichment session teaches students the Constitutional Amendment process while asking them to examine the differences between explosive and deliberate conflict.

Historical Abstract

Source: <http://www.law.umkc.edu/faculty/projects/ftrials/conlaw/nineteenth.htm>

The beginning of the fight for women suffrage is usually traced to the “Declaration of Sentiments” produced at the first woman's rights convention in Seneca Falls, N. Y. in 1848. Four years later, at the Woman's Rights Convention in Syracuse in 1852, Susan B. Anthony joined the fight, arguing that “the right women needed above every other...was the right of suffrage.”

During debates on the Reconstruction Amendments which [extended suffrage to African-American men] (through the 15th Amendment), suffragists [such as Frederick Douglass and Francis Ellen Harper] pushed hard for “universal suffrage,” but they never had a chance.

In 1872, suffragists brought a series of court challenges designed to test whether voting was a “privilege” of “U. S. citizenship” now belonging to women by virtue of the recently adopted 14th Amendment. One such challenge grew out of a criminal prosecution of Susan B. Anthony for illegally voting in the 1872 election. The first case to make its way to the Supreme Court, however, was *Minor vs Happersett* (1875). In *Minor*, a unanimous Court rejected the argument that either the privileges and immunities clause or the equal protection clause of the 14th Amendment extended the vote to women. Following *Minor*, suffragists turned their attention from the courts to the states and to Congress.

In 1878, a constitutional amendment was proposed that provided “The right of citizens to vote shall not be abridged by the United States or by any State on account of sex.” This same amendment would be introduced in every session of Congress for the next 41 years.

In July 1890, the Territory of Wyoming, which allowed women to vote, was admitted as a state. Wyoming became the first state with women suffrage. By 1900, Utah, Colorado, and Idaho joined Wyoming in allowing women to vote.

In 1912, Theodore Roosevelt's Progressive (Bull Moose) Party became the first national political party to have a plank supporting women suffrage. The tide was beginning to turn.

In May, 1919, the necessary two-thirds vote in favor of the women suffrage amendment was finally mustered in Congress, and the proposed amendment was sent to the states for ratification. By July 1920, with a number of primarily southern states adamantly opposed to the amendment, it all came down to Tennessee. It appeared that the amendment might fail by one vote in the Tennessee house, but twenty-four-year-old Harry Burn surprised observers by casting the deciding vote for ratification. At the time of his vote, Burns had in his pocket a letter he had received from his mother urging him, "Don't forget to be a good boy" and "vote for suffrage." Women had finally won the vote.

Lesson Plan #7

International Movements for Civil and Human Rights

Framing Question:	How can power structures be changed?
Materials:	<ul style="list-style-type: none"> • “We Can Change the World” Lyric sheets—one per student • “Revolution of the Spirit” CD—(track 4: “We Can Change the World”) • CD player (if song is played)
Opening Activity (5 Minutes):	Explain that the class is going to be listening to and/or reading a song about Mahatma Gandhi. The song will help students learn (or review, if students have already studied Gandhi) about some of the things he believed and some of the things he did. The song contains all of the biography the students will need to participate.
Class Activity (30 Minutes):	<ul style="list-style-type: none"> • Distribute lyric sheets and direct students to read along as they listen either to the playing or reading of the song. Cover the entire song while students read along. • Ask students if there are any words or phrases they don’t understand and answer any questions. (E.g. ahimsa is a Sanskrit term that means, literally, “non-injury,” or “non-killing.” The term implies far more than a passive way of life; it is a dynamic expression of compassion. Beyond just refraining from violence, it means doing the least possible harm, but it also means actively helping others.) • Ask how Gandhi would behave if he were a student at their school today. How would he look at instances of injustice such as bullying? What would Gandhi do if he saw students being bullied? • Gandhi believed that injustice had to be challenged but he felt challenging injustice with violence of any kind only added to the injustice. Dr. Martin Luther King, Jr. credited Gandhi with inspiring his non-violent civil disobedience that helped overturn unjust laws in our nation. Civil disobedience means that you refuse to follow laws that you believe are unjust and that you suffer the punishment for breaking those laws, forcing the people who punish you to see the injustice both of their acts and the underlying law. • Ask students to discuss the questions listed on the bottom of their lyric sheets in small groups. Come together for a larger group discussion, asking a spokesperson for each group to explain the group’s answer or example.
Closing Activity (5 Minutes):	Ask the students how power structures can be changed. They should come up with civil disobedience, war, rebellion and democracy (voting). Ask them how these answers each affects them individually—who does war hurt? What happens if you are civilly disobedient? How are war and rebellion alike? What about democracy?
Enrichment Activity (For extended class periods):	Ask the students to compare the avenues of redress discussed in Lesson 4, “Ayesha’s Hijab,” to the avenues of redress discussed in this lesson. How can each be used to change power structures? How are the methods different? How are they similar?

“We Can Change The World”

by

Sharon Silver, Daniel Sembello, Michael Sembello

Ahimsa Satyagraha	Makes the whole world blind
Ahimsa Satyagraha	Nonviolence is truly
If you wanna start a revolution	A weapon of the strong
Know what you're fighting for	Gandhi's message was carried
Cause it's never gonna come	Over turbulent seas
From the force of a gun	To the heart of
Violence only breeds violence	Martin Luther King
Oh our history tells it all	If we all stand together
He walked 240 miles	It won't just be a dream
To the Arabian Sea	The life of Gandhi
With a handful of salt	Taught the whole world to see
He set India free	He was a pilgrim of peace
In the midst of the darkness	An ordinary man
Oh the light it still prevails	Fearless and humble
The life of Gandhi	Resisted all evil
Taught the whole world to see	With faith, hope and justice
He was a pilgrim of peace	Protests that won
An ordinary man	With the soul force of love
Fearless and humble	We can change the world
Resisted all evil	Ahimsa Satyagraha
With faith, hope and justice	Ahimsa Satyagraha
Protests that won	We can all make a difference
With the soul force of love	If we all do our part
We can change the world	If you stand up and fight for
Ahimsa Satyagraha	The cause that you love
Ahimsa Satyagraha	You gotta be the change
Return goodness for evil	You wanna see in this world
With no hatred behind	So give with your heart
Cause an eye for an eye	Unconditional love for all

Discussion Questions:

1. What does “violence only breeds violence” mean? Give an example.
2. What does “an eye for an eye makes the whole world blind” mean? According to Gandhi, revenge — or an “eye for an eye,” has what result?
3. What does “in the midst of the darkness, the light still prevails” mean? What does prevail mean?
4. What does “you gotta be the change you want to see in this world” mean?
5. “Gandhi’s message was carried over turbulent seas — to the heart of Martin Luther King” — why are the seas described as turbulent? What was going on in America when Martin Luther King was alive?
6. What does “non-violence is truly a weapon of the strong” mean?
7. What are some other words for fearless?
8. What does humble mean?
9. What kind of protests did Gandhi use?

BACKGROUND INFORMATION - Lesson #8

International Movements for Civil and Human Rights

Lesson Background

This lesson can be used as an introduction to or a culminating activity for studying civil disobedience, creative nonviolence, Mahatma Gandhi's philosophy, significant events in his life, the influences on Gandhi's life, and the people Gandhi has influenced and continues to influence today. Its application here is focused as an introductory lesson in bullying prevention.

Sharon Silver (a middle school conflict resolution teacher at Ridley Middle School, Ridley Park, Pa.) and her cousin, Daniel Sembello (a Grammy award winning songwriter and producer), teamed up to research, write and produce the CD, *Revolution of the Spirit*. Silver created the materials reflected in the lesson below that shows how one song from the CD, the Gandhi track "We Can Change the World," can be used in a classroom. Silver recognized the role the media plays in educating our youth, and she wanted to provide an inspiring experience for students by exposing them to history and philosophy through music. There are 10 songs on the CD, each dedicated to individuals who have played a critical role in the struggle for justice. Track 4, "We Can Change the World," is about Gandhi. "Revolution of the Spirit," the title song of the CD, is dedicated to Aung San Suu Kyi, who is currently under house arrest in Burma. Archbishop Desmond Tutu lent his voice to "Walk Through the Fire," which is dedicated to those who fought the injustice of the apartheid system in South Africa. Others celebrated in song on the CD include Sojourner Truth, Henry David Thoreau, Jane Addams, Cesar Chavez and Dolores Huerta. Each of the songs could be easily used in a lesson similar to this lesson. For more information please visit www.RevolutionOfTheSpirit.com.

The CD's are available online at www.cdbaby.com/cd/sharonsilver, or you can purchase the *Revolution of the Spirit* CD from one of the following organizations and support that organization's work for peace and justice at the same time.

Resources

The M.K.Gandhi Institute for Nonviolence; www.gandhiinstitute.org; Ph: (901) 452-2824

The Liberty Museum; 321 Chestnut Street; Philadelphia, Pa.; Ph: (215) 925-2800, Ext. 5; www.libertymuseum.org.

Lesson Plan #8

Protection of Individual Rights in the Modern World

Framing Question:	What limits individual rights?
Materials:	<ul style="list-style-type: none">• U.S. Constitution – Bill of Rights (selected amendments—see Individual Rights Scenarios Answer Sheet)• Individual Rights Scenarios Sheets, 1 per student• The Bill of Rights is included in the Background Information for your reference
Opening Activity (5 Minutes):	Ask students to identify several stated or implied rights from our founding documents (e.g., speech, arms, pursuit of happiness, religion, assembly, possession of property, etc.) and close by dividing students into small groups (of 4 to 6) for the exercise.
Class Activity (30 Minutes):	<ul style="list-style-type: none">• Once divided into small groups, assign each small group a scenario for them to examine and discuss. Each scenario has an “actor” that wishes to exercise an individual right, plans to do something and/or engage in an activity that may or may not infringe upon the individual rights of others. Many scenarios present more than one problem.• Within each small group, one or more students will argue for the right of the actor to act and one or more other students will argue against the actor’s right to act while the remaining student(s) will seek to identify a compromise.• Bring the class back together and facilitate a discussion based on each group’s short presentation of its issue, debate and results (each group should designate one student to present). Note: Students may come up with rights that are not enumerated in the Bill of Rights, such as the right to privacy. Allow them to explore those avenues as well.• Encourage students to think critically about: (a) how their actions may impact others; and (b) how they might participate in the legal process of balancing individual rights.
Closing Activity (5 Minutes):	Close the discussion by revealing to each group the corresponding Amendments that pertain to their situation, using the Individual Rights Scenario Answer Sheet. If you’d like, you can photocopy the Background Information and pass it out to the students so that they have the Bill of Rights for reference.
Enrichment Activity (For extended class periods):	Tie this lesson back to what the student have learned over the course of the year. Remind them of the various lessons and see if they can trace the development of law from ancient times to the law as we know it here in the United States.

INDIVIDUAL RIGHTS SCENARIOS

- (1) Joe buys a row home in a nearby neighborhood. He wants to live in total privacy with his eight adorable puppies, rooster, and two chickens. Joe plans to grow food in his back yard, drink rainwater, use solar power for energy, worship his cult leader, and never leave his home. There is a law that prohibits homeowners from keeping chickens and roosters in a residential area. Acceptable or not? What are Joe's rights? What are his neighbors' rights?
- (2) Michael plans to publish an annual yearbook about famous people and their most embarrassing adventures throughout the year. All of the embarrassing adventures sound believable but are all total lies. Michael knows that his stories are untrue and hurtful but doesn't care because he wants to get rich and become a famous person too. One celebrity catches wind of Michael's plans and hires a private investigator, who doubles as a police officer, to search Michael's house for fake pictures and the manuscript so it can be destroyed. The private investigator was on duty when he searched Michael's home. Acceptable or not? What are Michael's rights? What are the celebrities' rights?
- (3) Susan likes guns and shoes. Every week for the next year, she plans to buy one pair of shoes and one gun that she will paint to match the shoes. Susan is 30 years old and lives in a small apartment with her husband and 12-year-old son. Because the apartment is getting crowded with so many previously purchased guns and shoes, Susan's husband asked her to store the new guns and shoes in the large truck of her pink Cadillac. Acceptable or not? What are Susan's rights? What rights does the general public have?
- (4) Rick likes to write music and sing songs. He is a former American Idol finalist and Grammy nominee. In an interview, he once said that the secret to his success is to always let his creativity flow no matter where he is. Tonight Rick plans to see the premier showing of the most popular movie starring your favorite actors, and you happen to have tickets too. If Rick gets a new hit song inspiration during the movie, he will stand up and sing to let his creativity flow. You plan on protesting with your friends if he starts to sing. Acceptable or not? What are Rick's rights? What are your rights as an audience member?
- (5) Tina recently inherited a nice restaurant from her uncle who suffered a fatal injury after he tripped over a blind person's guide dog just as he was pouring a very hot cup of coffee last year. To honor her uncle and prevent similar accidents, Tina posted a sign outside her restaurant that forbids anyone from bringing guide dogs into the restaurant. The local Association for the Blind protests Tina's sign. Acceptable or not? What are Tina's rights? What rights do people owning guide dogs have (be careful—the sign is very specific!)?

INDIVIDUAL RIGHTS SCENARIOS ANSWER SHEET

- (1) Joe buys a row home in a nearby neighborhood. He wants to live in total privacy with his eight adorable puppies, rooster, and two chickens. Joe plans to grow food in his back yard, drink rainwater, use solar power for energy, worship his cult leader, and never leave his home. There is a law that prohibits homeowners from keeping chickens and roosters in a residential area. Acceptable or not? What are Joe's rights? What are his neighbors' rights?

Amendments: Amendment I (no prohibition on free exercise of religion)
Amendment I (petition for redress of grievances)

- (2) Michael plans to publish an annual yearbook about famous people and their most embarrassing adventures throughout the year. All of the embarrassing adventures sound believable but are all total lies. Michael knows that his stories are untrue and hurtful but doesn't care because he wants to get rich and become a famous person too. One celebrity catches wind of Michael's plans and hires a private investigator, who doubles as a police officer, to search Michael's house for fake pictures and the manuscript so it can be destroyed. The private investigator was on duty when he searched Michael's home. Acceptable or not? What are Michael's rights? What are the celebrities' rights?

Amendments: Amendment I (freedom of speech and press)
Amendment IV (unreasonable search and seizures)
Right to Privacy

- (3) Susan likes guns and shoes. Every week for the next year, she plans to buy one pair of shoes and one gun that she will paint to match the shoes. Susan is 30 years old and lives in a small apartment with her husband and 12-year-old son. Because the apartment is getting crowded with so many previously purchased guns and shoes, Susan's husband asked her to store the new guns and shoes in the large truck of her pink Cadillac. Acceptable or not? What are Susan's rights? What rights does the general public have?

Amendments: Amendment II (right to bear arms)

- (4) Rick likes to write music and sing songs. He is a former American Idol finalist and Grammy nominee. In an interview, he once said that the secret to his success is to always let his creativity flow no matter where he is. Tonight Rick plans to see the premier showing of the most popular movie starring your favorite actors, and you happen to have tickets too. If Rick gets a new hit song inspiration during the movie, he will stand up and sing to let his creativity flow. You plan on protesting with your friends if he starts to sing. Acceptable or not? What are Rick's rights? What are your rights as an audience member?

Amendments: Amendment I (freedom of speech)
Amendment I (right to peaceably assemble)

- (5) Tina recently inherited a nice restaurant from her uncle who suffered a fatal injury after he tripped over a blind person's guide dog just as he was pouring a very hot cup of coffee last year. To honor her uncle and prevent similar accidents, Tina posted a sign outside her restaurant that forbids anyone from bringing guide dogs into the restaurant. The local Association for the Blind protests Tina's sign. Acceptable or not? What are Tina's rights? What rights do people owning guide dogs have (be careful—the sign is very specific!)?

Amendments: Equal rights for those with disabilities
Amendment I (right to peaceably assemble)

BACKGROUND INFORMATION - Lesson #9

Protection of Individual Rights in the Modern World

Looking forward and back

This lesson comes after many lessons that explore the attainment and exercise of "rights" by individuals. At this point, the issue of how we balance individual rights should be discussed in the context of maintaining our collective health, safety, and welfare. Students should have some perspective upon the development of legal systems, and be able to defend their choices to elevate certain rights over others or to place the individual before society (and vice versa).

Historical Background

Students will have arrived in the post world-war "modern" era at this juncture. Core tenets of the U.S. Constitution serve as the only background necessary for the Legal Team to conduct this lesson.

Bill of Rights

Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

Amendment II

A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

Amendment III

No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Amendment V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property,

without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Amendment VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

III. A.C.E. COMMITTEE CONTACT INFORMATION

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