

# Integrating Government and Literature: Mock Civil and Criminal Trials Based on *To Kill A Mockingbird*

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**For many students**, high school coursework consists of discrete subjects, each disconnected from the other, but together adding up to a high school diploma.<sup>1</sup> Nonetheless, at the classroom level one can find many examples of integrated, interdisciplinary, or cross-subject teaching.<sup>2</sup> Some pursue this approach because they consider that high schools students are simply better able to understand connections between concepts and disciplines; others take into consideration research showing that integration can narrow the achievement gap and enhance student learning.<sup>3</sup> We find that those involved generally share a desire to give students a broader perspective and a richer classroom experience than a single teacher in a single subject can provide.

In the case we describe here, our high school embarked on a teaching and learning endeavor to connect our ninth-grade social studies classes with ninth-grade literature classes in a “Humanities Academy.” The specific courses included a government course entitled “National, State, and Local Government” and a ninth-grade English course covering a wide variety of literature. While neither one of us (an experienced high school literature teacher and an experienced high school social studies teacher) had embarked on such a path before, we found that this format led to creative teaching opportunities for us and potent learning for our students. The year included presenting a student historical “Lyceum,” examining politics and the political spectrum using *Watership Down*, reading *Antigone* and then writing a modern-day tragedy based on the presidential elections that year, learning about the justice system through *To Kill a Mockingbird*, undertaking community change projects in connection with *Cry*,

*the Beloved Country*, and wrapping up the year with a critical essay about why Romeo and Juliet should or should not be a part of the secondary curriculum. Most of these coordinated projects occurred at the end of units in each respective class. We felt strongly that students needed a strong grounding in each subject prior to asking them to integrate their knowledge. In this article, we share one example of our integrated projects, which can be adapted and used at a variety of grade levels and circumstances.

A novel served as the centerpiece of all of these projects; each novel contained strong connections to units in each class. While block scheduling and shared students in back-to-back periods increased our ability to coordinate, we feel that these projects can be done even without such infrastructure. Following is a summation of the project including timeframe, materials, activity description, classroom dynamics, student work examples, assessment, and challenges. We used these projects with ninth-grade

honors students, but the example here is suitable for grades 10-12 as well. This assignment can be adapted for larger or smaller numbers of students; for example, we had two student juries for one of the mock trials below since our class sizes ranged from 22 to 32 students.

## Plot Summary

Harper Lee’s *To Kill a Mockingbird* (TKAM) revolves around the childhood of Scout Finch, her brother Jem, and her father Atticus, a well-respected attorney in town. Scout, Jem, and their friend Dill fixate on an odd, reclusive adult in their community, Boo Radley. Fearful yet curious, the children make unsuccessful attempts to see Boo. He appears to leave mysterious gifts for them outside of his house, but they are unable to confirm Boo as the source. Meanwhile, Atticus agrees to take on a rape case in which a local black man, Tom Robinson, is accused of raping a white woman, Mayella Ewell. Jem and Scout are harassed by other children as a result of their father’s role in the case. They also become acquainted with and accepted by members of the black community through the family’s black cook, Calpurnia. Although Atticus brings a strong case showing that the charges against Tom Robinson are false—and suggesting that Mayella was beat up by her own father after he discovered her advances towards Tom—an all-white jury convicts Tom, who is later shot and killed



Gregory Peck is shown as attorney Atticus Finch, the small-town Southern lawyer who defends Tom Robinson, in a scene from the 1962 movie *To Kill a Mockingbird*. (AP Photo)

in an attempt to escape from prison. The two subplots then join: despite the verdict, Mayella's father, Bob Ewell, feels that Atticus has disgraced him, and he attacks Scout and Jem while they walk home from a Halloween party. Boo Radley intervenes, stabbing Ewell fatally during the struggle.

In our collaborative project, our students prepared and enacted trials based on two events that did not go to trial in the novel: a civil offense involving slander of Tom Robinson and his family (by the Ewells) and a criminal offense involving the murder of Bob Ewell. Students were to enact the trials in the context of the present era, rather than the 1930s; this provided a basis for discussions on historical perspective in the following section.

### **To Kill a Mockingbird and the Social Studies Context**

*To Kill a Mockingbird* persists today as a classic novel exploring a young girl's coming of age in small town Alabama during the 1930s. The book provides a rich context for exploring numerous historical and social studies themes. In particular, students can explore the

idea of historical perspective by comparing social currents of the South in the 1930s to those in the time of the book's publication—during the heat of the civil rights movement in 1960—and to the students' own era and region. Of particular interest in this project is the connection between social mores and government. For example, in the 1930s South, the lower social status of women and African Americans was reflected by their omission from jury service. Thus, during the author's childhood, and at the time of the book's publication, juries in trials such as those in the assignment below would have omitted many students in class due to race or gender (age excepted). Class discussions can help students to understand the ramifications of this exclusion for citizen representation, social inequality, and justice from local to national scales. Students might also examine how their perspectives are impacted by past or current events. For example, the 1931 Scottsboro Case undoubtedly impacted Harper Lee as a young girl and seems to be reflected in the novel.<sup>4</sup> The criminal trial in the novel provides an opportunity to examine the court system, law, and government. Our project aimed

to enable students to experientially link the novel to these historical, social, and government concepts.

### **Content and Skills Emphasized**

As noted previously, this assignment served as a closing project for, and link between, respective units in each course. In literature, students had been exploring the theme of conflict; in government, students had been studying a unit on justice and the judicial system. In government class, we had covered concepts including civil versus criminal law processes; the steps in a trial; relationships among the executive, legislative, and judicial systems; jurisdiction; distinctions of case law, constitutional law, and statutory law; due process; several federal cases such as *Miranda v. Arizona*, *Illinois v. Wardlow*, and *Gideon v. Wainwright*; and we had done a mini-simulation of a Supreme Court hearing. This project took the unit a step further in that it simulated the local court system and students learned role-specific procedures, including how to serve on a jury, how to act as a prosecuting or defending attorney, and how to depose a witness. The historical setting of the novel and the influence of social mores on the justice system (as previously described) were other important foci.

On the English side, classes emphasized a close reading of the text and character analysis to build an understanding of the context. We also discussed the many conflicts presented in the novel: those within and among characters, within and among communities, and within and among social groups. Classes emphasized understanding character traits and character motivation, important steps in portraying believable witnesses in particular. Students built on reading skills through closely examining the text for evidence, and they worked to use such evidence to build convincing arguments. Furthermore, participants quickly learned that beyond the evidence, argument delivery impacted the jury and the outcome. Both witnesses and attorneys were asked to prepare for anticipated questions, pushing them to think from the opposite perspective.

## ASSIGNMENT / ACTIVITY SUMMARY

In TKAM, Tom Robinson is put on trial for rape. Yet two crimes take place in the town of Maycomb that are not addressed in the novel: a civil offense involving slander of Tom Robinson and his family (by the Ewells) and a criminal offense involving the murder of Bob Ewell. We will hold a trial on each of these offenses and determine the liable and guilty parties, respectively. Although the characters and situation are based on the 1935 setting, this trial will be a present day event. The only facts and evidence permitted will be those that can be found in the novel. (You may not “make up” evidence.) Thus, each witness must refer to the book to understand his or her role in each case. Attorneys and their assistants must look closely for evidence in the novel to support their arguments and to generate appropriate questions to ask the witnesses. The jury will hear the case, deliberate, and announce the verdict. The jury must turn in a one-page typed justification of its decision. The verdict will be read the next day in class. The number of student roles in each group appears in parenthesis.

### Civil Case

This case is brought by Tom Robinson’s widow, who has suffered an impairment of reputation and standing in the community in addition to personal humiliation and mental anguish as a result of the publicity of her husband’s trial. (Remember, he died a convicted felon.) She is asking for compensation for these losses. The numbers in parenthesis indicate numbers of students.

**Plaintiff Team**, representing Tom Robinson’s widow and family (2)

1. Attorney
2. Assistant to Attorney

**Defendant Team**, representing Mayella Ewell and family (2)

1. Attorney
2. Assistant to Attorney

**Witnesses** (8)

1. Scout
2. Mr. Cunningham
3. Jem
4. Mayella Ewell
5. Dill
6. Tom’s wife
7. Atticus
8. Calpurnia

**Jury:** (10)

### Criminal Case

This case is brought against Boo Radley for the alleged murder of Bob Ewell. (Unlike in the book, in the present day, we have decided that this case must be tried.)

**Prosecutor Team**, representing the public (2)

1. District Attorney
2. Assistant to Attorney

**Defendant Team**, representing Arthur Radley (2)

1. Attorney
2. Assistant to Attorney

**Witnesses** (8)

1. Arthur Radley (“Boo”)
2. Sheriff Tate
3. Scout
4. Aunt Alexandra
5. Atticus
6. Calpurnia
7. Jem
8. Nathan Radley

**Jury #1:** (10)

**Jury #2:** (10)

Preparation Day: (provide date) \_\_\_\_\_ Trial Date: (provide date) \_\_\_\_\_

Your assignment for (fill in homework days here) \_\_\_\_\_ is to gather all evidence and facts from the book necessary for your role.

**Attorneys** should use class prep time to identify witnesses, to depose witnesses, and to determine the order in which they will be called to testify (prosecution/plaintiff).

**Witnesses** will use class prep time to talk to lawyers and to understand their role in the case(s).

**Jury** will use class prep time to complete readings and questions to answer in order to follow the correct procedure on the day of the trial.



## Using *To Kill a Mockingbird* (TKAM) to Teach about the Justice System

Grade level: 9-12

Teacher coordination time needed to prepare: approximately 1-2 hours

Pre-activity coverage: A thorough reading and discussion of the novel; and students must have had a unit on the court system (understand the difference between a criminal and civil case, due process, etc.)

Time needed (not including completion of novel in literature class prior to project): one week

- 15-20 minutes to explain the project
- approximately four nights for students to gather evidence and facts individually
- one class period of student prep time
- one to two class periods to conduct the trial

Materials: a copy of the novel for each student and teacher; resources on trial proceedings; a general government textbook

### In the Classroom

Attorneys and witnesses were expected to enter the class prep day with a written summary of evidence and facts pertaining to their roles. Although jury members had less homework on these days, jurors had a larger assignment following the trial day after attorneys and witnesses had completed their roles. On the prep day, jurors were given juror instructions with questions to answer (e.g., Why can't jurors read about or discuss a case? What is a deposition? What two types of damages might be awarded in a civil case? What leeway do jurors have in determining what "qualifies" as evidence?).

We turned the task of assigning roles into an opportunity to differentiate instruction based on students' strengths.

We tried to create attorney teams of relatively equal strength to ensure a balanced trial. Students who excelled in acting and verbal communication had an opportunity to use such skills in the activity. Those students who preferred to observe and analyze the proceedings served as jurors. Because students had only one in-class prep day, they used this time efficiently to complete the assigned tasks. The trial itself ran smoothly, with different outcomes in different classes.

We assessed students on their contributions during the prep class, their accurate use of facts and evidence from the novel, correct demonstration of their role in the trial, and on their understanding of criminal versus civil proceedings. They were evaluated jointly (grades that counted for both classes) on their role in this particular project and separately in each class on their understanding of concepts particular to each subject. The latter assessments included unit tests and the semester exam.

Following the trials, we spent a class debriefing the experience. Students agreed that the activity strengthened their abilities to retain information, think analytically, explore author intent, understand character motivation, examine in depth the issues presented in the novel, and recognize the power of societal norms

### Difficulties and Challenges

In both assignments, planning is essential for things to run smoothly. In the case of the trial, adequate space and time are crucial. It is important to monitor the time during the trial proceedings and to create a system so that everyone has a chance on the stand. We discussed with students that this was less authentic than allowing attorneys to call some witnesses and ignore others, but in our classroom setting, all students needed an opportunity to participate. Also, student absences can throw things off; this is why we had team attorneys. We also instructed students to share notes with their group members in case of absences. The various roles were not equal in terms of "stage time" or types of preparation required due to the nature of the activity and the number of students

involved (only a handful of students got to be attorneys, for example).

Repeating the project in future years, we modified the jury role to address some of these issues. First, each jury member wrote up a decision and justification of his or her verdict for the deliberation. Second, jury members had a public deliberation in front of the class that both provided a public speaking opportunity and allowed trial characters to hear others reflect on the enactment.

### Summary Comments

On written evaluations from our 100 students, students most commonly cited the TKAM trial and the community action projects to be the most interesting and intriguing during the school year. Although such integrated activities took more time and energy than parallel assignments covering a single subject in one course, we—and the students—found that our efforts were worth it. Students honed their academic skills (reading, writing, public speaking, and analyzing) in addition to cultivating abilities to apply such skills in relevant contexts. 🌐

### Notes

1. Arthur G. Powell, Eleanor Farrar, and David K. Cohen, *The Shopping Mall High School: Winners and Losers in the Educational Marketplace* (Boston: Houghton Mifflin, 1985).
2. These terms are often used interchangeably. Here we will use the term "integrated" to connote the integration of content and skills from at least two different subject areas into one course.
3. Howard Gardner and Veronica Boix-Mansilla, "Teaching for Understanding in the Disciplines and Beyond," *Teachers College Record* 96, no. 2 (1994): 198-218; Gerald A. Lieberman and Linda L. Hoody, *Closing the Achievement Gap: Using the Environment as an Integrating Context for Learning* (California: Science Wizards, 1998).
4. In the 1930s Alabama case, nine black youth (ages 12 to 19) were falsely accused of raping two white women.

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