



Lesson Plan: Standing Up Against Injustice

OVERVIEW

In this lesson, students will work in groups to review five legal cases in which attorney William Kunstler played a prominent role and consider the power and limitations of the legal system to bring about positive social change.

The clips used in this lesson are from the film **William Kunstler: Disturbing the Universe**, a documentary on the life and legal cases of attorney William Kunstler. For more information on Kunstler and the cases featured in the film, see POV's [Background](http://www.pbs.org/pov/disturbingtheuniverse/background.php) page (<http://www.pbs.org/pov/disturbingtheuniverse/background.php>).

POV documentaries can be recorded off-the-air and used for educational purposes for up to one year from their initial broadcasts. In addition, POV offers a lending library of DVDs and VHS tapes that you can borrow any time during the school year — FOR FREE! Get started by joining our Community Network: www.amdoc.org/outreach/events/

Please visit our Film Library at http://www.amdoc.org/outreach_filmlibrary.php to find other films suitable for classroom use or to make this film a part of your school's permanent collection.

OBJECTIVES

By the end of this lesson, students will:

- Form a personal opinion about standing up to injustice.
- Research and summarize a legal case related to civil rights.
- Evaluate the power and limitations of the U.S. legal system to bring about social change.

GRADE LEVELS

9-12

SUBJECT AREAS

Civics, U.S. History, Language Arts

MATERIALS

- Internet access and equipment to show the class online resources and conduct research
- Primary Source Materials:
 - Redd Housing Case Handout: [Paul Redd: Experiences With Racism](#) (PDF file)
 - Catonsville Nine Handout: [Father Daniel Berrigan: Catonsville Nine](#) (PDF file)
 - Attica Handout 1: [Michael Smith: Eyewitness to the Attica Prison Uprising](#) (PDF file)
 - Attica Handout 2: [Carlos Roche: Life in Attica](#) (PDF file)
 - Chicago Eight Handout 1: [Jean Fritz: Chicago Eight Juror](#) (PDF file)
 - Chicago Eight Handout 2: [Tom Hayden: Chicago Eight](#) (PDF file)

- Wounded Knee Handout: [Madonna Thunderhawk](#) (PDF file)

ESTIMATED TIME NEEDED

One to two 50-minute class periods

FILM CLIPS

Clip 1: “The Aura of Legality” (length 2:03)

The clip begins at 1:17:53 with Kunstler saying, “And that’s the terrible myth...” It ends at 1:19:56 with the phrase “...without that pretense.”

Clip 2: “Attica” (length 7:49)

The clip begins at 37:25 when the narrator says, “The national mood of political unrest...” and ends with the image of a newspaper headline as the narrator says “...was killed by state gunfire.”

ACTIVITY

1. Ask students to write a reaction to this Kunstler quote: “Every person’s life has a moment when you are thinking of doing something that will jeopardize yourself, and if you don’t do it, no one will be the wiser that you even thought of it.” When Kunstler said these words, he was speaking about the decision to stand up against injustice.
2. Invite a few students to share what they’ve written. Ask if other students agree or disagree with the views of those speaking and why they feel that way. Encourage students to share stories about times when they have stood up to injustice or when they have chosen not to, or discuss whether or not they feel this is actually a choice that everyone has to make.
3. Show the class video footage from the “Freedom Riders” section of the [interactive timeline](#) on the POV website. Tell the class about William Kunstler and explain that he was an attorney who represented black civil rights activists known as “Freedom Riders” because they would ride buses into segregated areas to challenge local laws and customs that enforced segregation. Play the clip from the beginning until 1:36. Tell the class that black travelers risked arrest and mob violence by using bus station waiting rooms, lunch counters, restrooms and other areas reserved for white customers. Kunstler was inspired by the courage of his clients and said that they taught him that all the talking in the world meant nothing – it was a person’s actions that had meaning.
4. Explain that as an attorney, Kunstler was often drawn to clients who were trying to stand up to injustice. Kunstler believed that using the legal system was an important way to try to bring about social change, though he recognized that the system had limitations. Show [Clip 1: “The Aura of Legality,”](#) which is an excerpt of a speech given by Kunstler. Then ask students to restate his main point in their own words.
5. Ask the students if they agree or disagree with the statement about the difference between law and justice and how sometimes things are lawful (or done under the guise or justification of lawfulness) yet are actually wrong.
6. Divide the class into five groups and assign each group to one of the following Kunstler cases:
 - Redd housing case
 - Catonsville Nine

- Attica
- Chicago Eight
- Wounded Knee

7. Ask each group to read the lesson handout(s) that relate to its assigned case, research the case's historical background and write a brief summary of:

- a) what each client was trying to accomplish;
- b) what happened.

8. Invite a representative of each group to share that group's summary with the class. Use follow-up questions like the ones below to prompt further analysis by group members:

- How did the U.S. legal system support or undermine the constitutional rights of the people involved?
- Do students think the outcome of their case would be handled differently today? Why or why not?
- Does the case illustrate the power or the limitations of the U.S. legal system to bring about positive social change?
- How might life be different today if the groups involved in each case had not challenged the law and status quo?

ASSESSMENT SUGGESTIONS

Students can be assessed on:

- Contributions to group work.
- The organization and content of their case summaries.
- Analysis given during follow-up questioning.

EXTENSIONS AND ADAPTATIONS

- Use the Attica prison uprising as a case study for examining the government's tactics to suppress dissent or enforce its authority. Watch [Clip 2: "Attica"](#) and discuss why prisoners took over Attica. Should prisoners have the same rights as people who aren't incarcerated? What were the risks of allowing the uprising to continue? In the armed assault to regain control of Attica, law enforcement killed 42 people — 32 inmates and 10 prison guards. Was this killing by the state justified? What are some alternatives to armed assault that the state could have used to diffuse the situation? Who is responsible for the killings that took place at Attica? Then, ask students to research other moments when governments have employed similar tactics and analyze whether government violence in those situations served the public interest or was an abuse of power.
- Explore discrimination in your community. Begin by reading [Paul Redd: Experiences With Racism](#), the story of an African American client of Kunstler's who fought back when he was denied housing in an all-white neighborhood. What reactions do students have to Redd's account? How do his experiences compare with their own? Ask students to keep journals for a week that record their observations and experiences, comments overheard and general thoughts on discrimination in your community. Are people treated differently based on race, income or another factor? What evidence supports students' views? Ask student groups to compare and discuss their journals.

Then, develop action plans for reducing and/or preventing discrimination locally.

- Examine some artifacts from Kunstler's FBI file (http://www.pbs.org/pov/disturbingtheuniverse/fbi_files.php) available at the POV website. Based on these items, what parts of his life seems to have been of greatest interest to the FBI? Ask the class to research the role of the FBI and determine why the organization would keep files on people. What do students think of this practice? Then, ask students to create "FBI files" on themselves and write about what those files include and reveal about their beliefs and behavior.
- Learn more about the purpose of closing arguments by studying the one made by Kunstler in a trial following the standoff at Wounded Knee. Begin by studying the purpose of closing arguments (<http://www.abanet.org/publiced/courts/closingarguments.html>) and developing a rubric to rate a closing argument's effectiveness. Then, read a summary of the standoff at Wounded Knee (<http://www.pbs.org/pov/disturbingtheuniverse/background.php>) and the transcript of Kunstler's closing argument at the Wounded Knee trial (<http://www.pbs.org/pov/disturbingtheuniverse/woundedknee.php>). Tell students to outline his main points and the specific evidence he presented about government misconduct. Then, ask students to rate his closing argument based on the rubric they developed.
- Watch and discuss other POV films relating to civil rights, protests, the court system and social change, including The Camden 28 (<http://www.pbs.org/pov/camden28/>), Revolution '67 (<http://www.pbs.org/pov/revolution67/>), and The Reckoning: The Battle for the International Criminal Court (<http://www.pbs.org/pov/reckoning/>). A lesson plan is available for each film.

RESOURCES

Biography of William Kunstler

<http://www.pbs.org/pov/disturbingtheuniverse/background.php#bio>

POV provides information about Kunstler's family and his professional career.

Word for Word/William M. Kunstler; May It Displease the Court: Quotations of a Radical Lawyer

<http://www.nytimes.com/1995/09/10/weekinreview/word-for-word-william-m-kunstler-may-it-displease-court-quotations-radical.html?pagewanted=1>

This September 1995 article from *The New York Times* includes quotes from Kunstler that illustrate the distinctive style and views that have made him a legendary legal figure.

STANDARDS

These standards are drawn from "Content Knowledge," a compilation of content standards and benchmarks for K-12 curriculum by McRel (Mid-continent Research for Education and Learning) at <http://www.mcrel.org/standards-benchmarks/>.

Behavioral Studies

Standard 4: Understands conflict, cooperation and interdependence among individuals, groups and institutions.

Civics

Standard 13: Understands the character of American political and social conflict and factors that tend to prevent or lower its intensity.

Standard 26: Understands issues regarding the proper scope and limit of rights, and the relationships among personal, political and economic rights.

Language Arts

Standard 1: Uses the general skills and strategies of the writing process.

Standard 7: Uses reading skills and strategies to understand and interpret a variety of informational texts.

Standard 9: Uses viewing skills and strategies to understand and interpret visual media.

United States History

Standard 29: Understands the struggle for racial and gender equality and for the extension of civil liberties.

Standard 31: Understands economic, social and cultural developments in the contemporary United States.

ABOUT THE AUTHOR

Cari Ladd, M.Ed., is an educational writer with a background in secondary education and media development. Previously, she served as PBS Interactive's director of education, overseeing the development of curricular resources tied to PBS programs, the PBS TeacherSource website (now PBS Teachers) and online teacher professional development services. She has also taught in Maryland and northern Virginia.