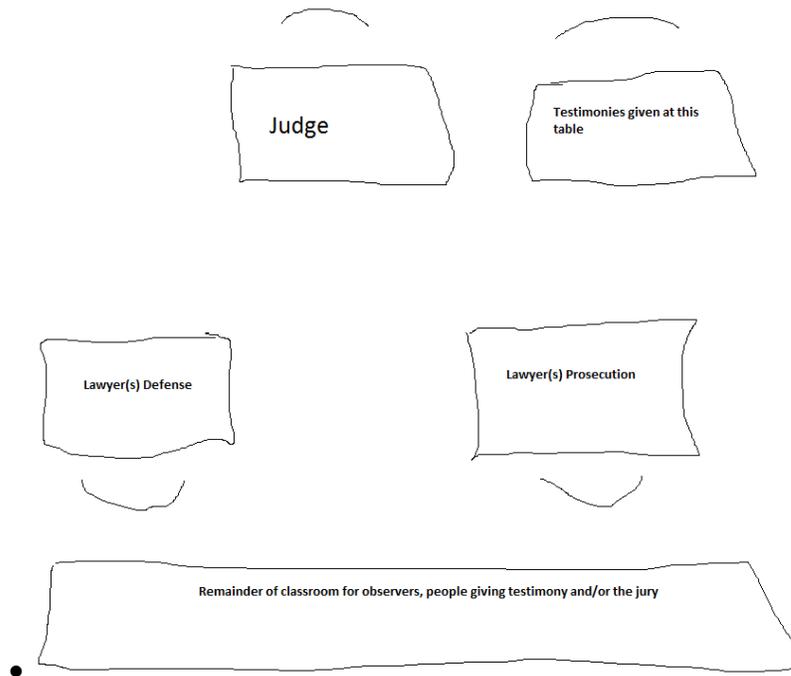


***Alternate Lesson 5: Dealing with conflicting opinions***  
***Suggested Lesson Development for advanced or older students***

Before class:

- Arrange your classroom so it resembles a courtroom with the judge and two tables for the Defense and Prosecution at one end of the room as well as a table for the testimonies to be delivered.



Materials

Information to be handed out to the appropriate characters in the courtroom exercise. Each role should be printed onto one or more separate note cards. They are presented on separate pages for simplification in the printing process

## **The Responsibilities of a Judge (Judge)**

- *A judge needs to be, first of all, impartial. This means he or she is not to EVER express his or her opinion about the case.*
- *It is the judge's job to see to it that both sides are given the opportunity to be heard and that neither side is shown favoritism in any way.*
- *It is also the judge's responsibility to keep order in the court. The judge should see to it that nobody speaks or shouts out unless it is their turn.*
- *The judge should pay close attention to all testimony. It is not permissible to accept **hearsay** as testimony. Hearsay is when someone explains what they heard from someone else, but didn't see or hear it themselves. If a lawyer allows hearsay to be admitted as evidence, the judge himself or herself should refuse to allow it.*

## **Case Notes (Lawyers)**

*[All lawyers should have these facts, regardless of side represented.]*

- *The Facts as known before the trial*
  - *There is a plant growing in a pot in the village of the Plant People*
  - *Two different groups want ownership of the plant.*
- *“Plant People” Argument*
  - *The plant belongs to them because it grows in their village.*
  - *They have owned it for hundreds of years.*
  - *It is believed that when the plant was put in the pot diamonds were placed in the bottom, then dirt, then the plant.*
  - *The people admire the plant and believe it has special powers, partially because there are diamonds in the bottom of the pot. .*
- *“Travelers” Argument*
  - *There are about five times more people in the Travelers group than those that live in the Plant People village.*
  - *All of the Travelers are starving and have no place to live.*
  - *The court should confiscate the plant so the diamonds in the pot can be used to buy them food and clothing.*

### **Instructions to the jury**

(Each member of the jury should have a copy.)

- *Listen carefully to the witnesses.*
- *Do not talk among yourselves.*
- *If you are told not to remember something because it is “hearsay” you should try to erase it from your memory.*
- *Take notes so you will remember important points.*
- *At the end of the testimony, you will take a vote to decide who gets to have the plant.*
- *Be prepared to explain why you voted the way you did.*

### **Background information for PLANT PEOPLE witnesses.**

*It would be helpful if each witness could make up a convincing personal story derived from the following general information for the courtroom exercise*

*A beautiful pot containing a special plant is owned by your people who have had it for hundreds of years and is precious to every member of your group. A story about the plant was been passed down to you from your ancestors many hundreds of years ago.*

*The story says that when the plant was originally planted, diamonds were placed carefully in the bottom of the pot, then dirt and then a seed was planted. The plant was then placed in a special room in the village and carefully cared for. The plant took a very, very long time to grow.*

*After about a hundred years it was discovered that just sitting in the same room with the plant made people who were sick become well again. People who were arguing could enter the room where the plant grew and quickly figure out solutions to their most perplexing problems. Occasionally water dripped from the leaves, which when looked into by a very good person could help them see the future.*

### **Background information for TRAVELER witnesses.**

*It would be helpful if each witness could make up a convincing personal story derived from the following general information for the courtroom exercise*

*Your People have about five times as many people as the Plant People. You are very poor. You have been driven from your village because of a horrible war.*

*When you first came to the Plant People's village, they fed you dinner and offered to help in any way they could.*

*While you were eating, one of the Plant People told you about the special plant. He said if you sat in a room with it you would be able to figure out the answers to your problems. He told you about the diamonds planted in the roots of the plant.*

*Your leader heard the story and thought about how many people he could feed with the diamonds and how many shoes he could buy. The people were cold and the children were hungry. They had no money to buy the plant. They were told it couldn't be bought or sold.*

#### **❖ Courtroom Exercise**

- ❖ Inform the class they will be participating in a courtroom exercise.
  
- ❖ Divide the class into
  - One "Judge"
  - Two to six "lawyers," evenly divided into two "sides."
  - A jury consisting of up to ten students
  - The remaining class members should be divided into two groups of "witnesses," one group representing the Plant People the other group representing the Travelers.
  - A court "reporter" (optional) who will record the testimony using the tape recorder or other recording device.
  - The courtroom exercise could be videotaped for future use or for assessment purposes by one of the students.
  
- ❖ Hand out the appropriate materials to each group.
  
- ❖ Have students discuss and prepare questions to ask the opposing side within their groups. Guide them to include questions related to point of view, bias, interpretation, first-person testimony, hearsay testimony, such as:
  - *Bias: Does the person have anything to gain by telling a lie or stretching the truth?*
  - *Point of view: Does the person have a strong opinion or value system that keeps him/her from listening to any arguments contributed by the other side?*

- *Interpretation: Does the person have previous information that might cause him/her to hear the information given in a way that does not reflect the intentions of the speaker? Does he/she speak a different language or come from another culture?*
  - *First-person testimony: Has the speaker actually experienced the event?*
  - *Hearsay testimony: Has the speaker heard or read the information from someone else?*
- ❖ Conduct the exercise with the judge presiding, the lawyers taking turns asking their questions, the witnesses presenting their arguments, and the jury deciding the verdict. The teacher should remain impartial. There are no right or wrong verdicts.

### ***Vocabulary***

Bias, point of view, interpretation, first-person, eye-witness, hearsay, impartial, favoritism, confiscated, secondary source, paraphrase

### ***Suggested Assessment***

Because the vocabulary words are so fundamental to the understanding of this lesson, the students could show understanding by various means including:

- Writing a story using all vocabulary words
- Acting each word out in a group setting
- Identifying the words as they are used in a dramatized courtroom video
- Creating an “oral history” about a court case of their own making on audio tape
- Writing definitions of the words