

Fair Lawn Public Schools
Fair Lawn, NJ

English 12 Senior Topics: The Law in Literature &
Film

Fair Lawn High School English Department

September 2012

I. Course Synopsis

This course explores the representation of the legal system in literature and film. Students will grapple with fundamental issues of the human condition. They'll also consider how popular literature and films manipulate the public's interpretation of the law. According to William J. Brown and Arvind Singhal, "The production of popular films and television programs to address societal problems and influence audience members' beliefs and behaviors raises important ethical considerations" ¹. Students will consider how true they believe this statement to be. By exploring literature and film that focuses on the law, this course aims to introduce students to important aspects of our legal system and encourage them to formulate opinions about essential questions regarding human rights. Units of Study and accompanying readings will focus on the following themes: "The Limits of Jurisprudence," "Investigations and Forensics," "Abuse of Judicial Authority" "The Consent of the Governed," "The Treatment of Marginalized Individuals." Students will be asked to articulate their thoughts and analyze readings regularly. Explanatory writing, cause/effect writing, and reader's response through open-ended questions will afford each student the opportunity to practice persuasive and speculative writing skills while class discussions and oral presentations will hone speaking and listening skills.

II. Philosophy & Rationale

The Law in Literature & Film course will foster in students an attitude toward reading which will help them gain an informed perspective of our legal system and the morals and ideals we espouse in American society. The course will also enable students to develop and refine skills for post high school endeavors. The course's specified focus will allow students the unique opportunity to study a distinct area of literature. By engaging in such a specific area of study, students will find avenues to inform and enhance their future learning in other subjects.

¹ ["Ethical considerations of promoting prosocial messages through the popular media."](#) Brown, William J.; Singhal, Arvind. Journal of Popular **Film** & Television, Fall93, Vol. 21 Issue 3, p92, 8p.

III. English 12 Objectives

Students will be able to:

- Identify the great writers and genres of literature.
- Develop literal, interpretive reading skills, using major works of literature.
- Understand how the works studied reflect the period and the values of the time in which they were written.
- Recognize various literary techniques as used in works of literature.
- Recognize and discuss the major movements of literature.
- Show an understanding of literary devices, such as figurative language.
- Show in their writing an understanding of organization/content, sentence construction, usage and mechanics.
- Develop an understanding of the writing process: thinking, planning, writing a first draft, editing, and rewriting.
- Write for various audiences by composing clear, coherent and unified writings.
- Develop a more precise and varied use of vocabulary in writing.
- Broaden vocabulary through writing.
- Apply writing techniques and assignments in this course to the SAT format for writing.
- Comprehend narrative, informational, persuasive, and workplace text at literal and inferential levels.
- Develop their listening and speaking skills through a variety of activities which include: oral presentation, collaborative groups, debates, class discussions, etc.
- Use technology for generating essays and presentations (i.e. Power Point, Publisher, etc.)
- Read aloud with meaning.
- Gather and use information obtained from the resources of the library.
- Develop listening skills as a strategy for learning.
- Develop a portfolio or collection of writing.
- Use multimedia technology for Problem Based Learning.
- Evaluate media techniques and message.
- Create and use a variety of strategies to improve their reading and writing skills.
- Show the ability to follow the writing process to create clear, coherent and unified writing in a timed format.

IV. Scope and Sequence

Unit 1

Theme: The Limits of Jurisprudence

Related Themes: Civilian-imposed Justice; Wrongful Conviction

Guiding Quote: “If thought corrupts language, language can corrupt thought.” – George Orwell

Selections:

“Some of Us Had Been Threatening Our Friend Colby” by Daniel Barthelme

“The Lottery” by Shirley Jackson

“God Sees the Truth But Waits” by Leo Tolstoy
The Trial by Franz Kafka

Selection	Enduring Understanding	Essential Questions
<p>“Some of Us Had Been Threatening Our Friend Colby” by Daniel Bartheleme</p>	<ol style="list-style-type: none"> 1. Works of literature criticize societal practices and historical incidents. 2. Mob mentality can sway individuals to perform unusual acts. 3. Civilians may feel the need to act if the legal system does not suit its needs. 	<ol style="list-style-type: none"> 1. Do friends and family members have an obligation to punish loved ones for bad behavior if doing so will improve society? 2. What roles do neighborhood and community play in shaping who we become? 3. Is the death penalty and extreme form of discipline or is it a necessary punishment which prevents other criminal behavior? 4. Do societal interests outweigh individual concerns and desires?
<p>“The Lottery” by Shirley Jackson</p> <p>Film Adaptation: “The Lottery” Short Film by StraightAProductions</p> <p>(www.youtube.com/watch?v=RV03h3XWTDU)</p>	<ol style="list-style-type: none"> 1. Mob mentality can overpower and individual. 2. Mindless tradition can have a warping effect on society. 	<ol style="list-style-type: none"> 1. What causes individuals to forego basic principles of altruism and humanitarianism? 2. How do individuals discover (or fail to discover) or successfully ignore an alternate way of perceiving a set of circumstances? 3. How do individuals order their worlds and how do they

		<p>perceive themselves in the world?</p> <p>4. Does the health and vitality of a community outweigh that of an individual?</p>
<p>“God Sees the Truth But Waits” by Leo Tolstoy</p>	<ol style="list-style-type: none"> 1. Jurisprudence has its limits and thus can wrongfully convict an individual. 2. Imprisonment can have an adverse effect on individuals. 	<ol style="list-style-type: none"> 1. Do penitentiaries actually encourage reflection or does the prison system require reform? 2. How can injustice and coincidence ruin an innocent person? 3. How can one achieve spiritual triumph and liberation? 4. To what extent do our actions impact our reputations? Does gossip influence public opinion?
<p><i>The Trial</i> by Franz Kafka Nonfiction Connection: “German Pensioners Guilty of Abducting Financial Adviser”- BBC News, March 23, 2010 (news.bbc.co.uk/2/hi/Europe/8583222.stm) Pair with film, <i>The Trial</i></p>	<ol style="list-style-type: none"> 1. The relationship between the law and justice may be problematic. 2. Modernization of society comes with consequences. 	<ol style="list-style-type: none"> 3. How is the court portrayed? 4. How do we understand Joseph K’s guilt? By extension, how do individuals determine someone’s guilt or innocence? 5. How do we evaluate cases in which the boundary between guilt and innocence is blurred?

Unit 2

Theme: Investigations/Forensics

Guiding Quote: “Fingerprints cannot lie, but liars can make fingerprints.” – Paraphrase of an Old Proverb, “Figures do not lie, but liars can do figures.”

Selections:

“The Adventure of the Speckled Band” by Sir Arthur Conan Doyle

Selection	Enduring Understanding	Essential Questions
<p>“The Adventure of the Speckled Band” by Sir Arthur Conan Doyle</p> <p>Nonfiction Connection: “Improving Trial and Appellate Advocacy” - <i>Law & Literature</i>, 3rd Ed.</p>	<ol style="list-style-type: none"> 1. Individuals have a tendency to jump to conclusions based on insufficient or misleading evidence. 2. Physical evidence can help prove one’s wrongdoing but it can also be misinterpreted. 3. Words themselves are subject to misinterpretation, with potentially deadly results. 4. Sound reasoning and careful, unprejudiced observation — skills that are not simply the purview of detectives—are important. 	<ol style="list-style-type: none"> 1. How does “violence... recoil upon the violent” (Doyle)? 2. Does a wrongdoer always face retribution through legal channels or karma? 3. What methods can detectives use to outsmart and capture a criminal?

Unit 3

Theme: Abuse of Judicial Authority

Related Theme: The Consent of the Governed

Guiding Quote: “The problem of power is how to achieve its responsible use rather than its irresponsible and indulgent use - of how to get men of power to live for the public rather than off the public. “

Robert F. Kennedy (1925 - 1968), 'I Remember, I Believe,' The Pursuit of Justice, 1964

Selections:

Measure for Measure by William Shakespeare

“Harrison Bergeron” by Kurt Vonnegut

Selection	Enduring Understanding	Essential Questions
<p><i>Measure for Measure</i> by William Shakespeare</p> <p>Nonfiction Pairing: Selections from Richard Posner’s <i>Law & Literature</i>, 3rd Ed.</p>	<ol style="list-style-type: none"> 1. Law must be sensitive to public opinion. 2. Law and politics should not come together if legal justice is to be secured. 	<ol style="list-style-type: none"> 1. To what extent are legal and social norms imposed upon us rather than consented to by us in any meaningful sense? 2. How does abuse of judicial authority impact society? 3. Is the willingness to condemn a member of one’s family the acid test of devotion to justice? 4. Do citizens have greater rights than aliens? 5. How can authorities effectively enforce laws?
<p>“Harrison Bergeron” by Kurt Vonnegut</p> <p>Nonfiction Pairing: “The Politics of Kurt Vonnegut’s “Harrison Bergeron” by Darryl Hattenhauer from <i>Studies in Short Fiction</i> Fall98, Vol. 35 Issue 4, p387, 6p (http://search.ebscohost.com/login.aspx?direct=true&db=lfh&AN=7239232)</p>	<ol style="list-style-type: none"> 1. Equality of all persons can be problematic when the idea of equality is made an instrument of social control. 2. Passive acquiescence on the part of citizens can result in the abuse of judicial authority. 3. A society that exalts 	<ol style="list-style-type: none"> 1. What happens when governmental domination of private life is nearly total? 2. Laws must naturally protect the innocent but should it also protect the lazy, the incompetent, and the mediocre?

&site=lrc-live)	the lowest common denominator (the homely, the stupid, the mediocre) by handicapping all those with talent, intellect, and beauty, can never help those with natural disabilities.	
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Conclude unit with film, ...*And Justice for All* (1979)

Unit 3

Theme: Finding Goodness in Criminality

Guiding Quote: “Society prepares the crime, the criminal commits it.” – Henry Thomas Buckle

Selections:

In Cold Blood by Truman Capote

“A Good Man is Hard to Find” by Flannery O’Connor

Selection	Enduring Understanding	Essential Questions
<p><i>In Cold Blood</i> by Truman Capote</p> <p>(Pair with film, <i>Capote</i>)</p>	<ol style="list-style-type: none"> 1. Viewing the murderer as the product of the murderer’s upbringing, suggesting that bad circumstances can produce bad people, can alter one’s perspective of criminal motivations. 2. One’s associations with others causes one to behave a particular way. 3. The nonfiction novel explores real events in a unique way because it allows for speculation on the part of the author and readers. 4. Revenge and justice are not synonymous. 5. Emotions can alter one’s 	<ol style="list-style-type: none"> 1. What is the relationship between real-life events and the literary techniques used to convey them? 2. Why does Capote contrast the world of Dick and Perry with that of the Clutters? What is his message about the world of civilians and criminals? 3. Critics argue that Perry is portrayed as a “Christ figure.” How does Capote complicate the issue of guilt and innocence, goodness and evil? How do we determine the good from the evil? 4. How do connections in

	<p>view of justice and definition of justice.</p>	<p>prison cause more criminal behavior? In light of this, should there be prison reform? 5. Is it nature or nurturing that determines the reactions of humans to the world? 6. What are the problems with our parole system? 7. What role to psychologists and psychiatrists have in the justice system?</p>
<p>“A Good Man is Hard to Find” by Flannery O’Connor</p>	<ol style="list-style-type: none"> 1. Abusive rejection by others and struggle within can result in criminal behavior. 2. Equality clearly serves to rectify certain injustices perpetuated by aristocratic societies; however, at the same time, it opens the door to new pathologies, for when aristocratic social structures are eliminated, the world loses many of the very things that tutor the mind to look beyond itself. 3. Materialism and skepticism tend to undermine an individual’s ability to see beyond the immediate and the physical. 	<ol style="list-style-type: none"> 4. How do we determine the good from the evil? 5. Are good and evil a part of every human? 6. How does one come to recognize injustice in society? 7. What reactions do people have to injustice and what does that reveal about their character and the society in which they live?

Unit 4

Theme: The Treatment of Marginalized Individuals

Guiding Quote: “Individual rights are not subject to a public vote; a majority has no right to vote away the rights of a minority; the political function of rights is precisely to protect minorities from oppression by majorities (and the smallest minority on earth is the individual).” –Ayn Rand

Selections:

Twelve Angry Men by Reginald Rose

“The Lynching of Jube Benson” by Paul Laurence Dunbar

“A Jury of Her Peers” by Susan Glaspell

Film: *A Few Good Men*

Selection	Enduring Understanding	Essential Questions
<p><i>Twelve Angry Men</i> by Reginald Rose</p> <p>Pair with film, <i>Twelve Angry Men</i></p>	<p>1. People can change their attitudes and opinions based on the personalities contained within a group.</p> <p>2. People may have to recognize their own vices in order to treat others fairly.</p>	<p>1. How easy is it to persuade someone?</p> <p>2. How does it feel to stand alone with your beliefs?</p> <p>3. What does it mean to stereotype or discriminate against?</p> <p>4. How do we oppress, suppress, and repress?</p> <p>5. How do we disenfranchise people—esp., young adults?</p>
<p>“The Lynching of Jube Benson” by Paul Laurence Dunbar</p> <p>Nonfiction: Carson, Warren J. “The Lynching of Jube Benson.” Magill’s Survey of American Literature, Revised Edition, September 2006, p1-1. Retrieved from EBSCOhost. http://web.ebscohost.com/lrc/detail?vid=20&hid=7&sid=16f5b4c6-4c3c-4fa3-b9f9-e66a726889dd%40sessionmgr110&bdata=JnNpdGU9bHJj</p>	<p>1. Literary works can enable readers to analyze historical events and consider why our ancestors upheld values that we deem inhumane today.</p>	<p>1. How does how criminal justice system treat “the other”?</p> <p>2. Why did racist Americans use lynching as a scare tactic?</p> <p>3. How do race and class affect the sentencing process?</p>

<p>LWxpdmU%3d#db=lfh&AN=103331MSA16979830000696.</p>		
<p>“A Jury of Her Peers” by Susan Glaspell</p> <p>Pair with: State v. Hossack, 89 N.W. 1077 (Iowa 1902).</p> <p>See also: Marina Angel, “Criminal Law and Women: Giving the Abused Woman Who Kills <i>A Jury of Her Peers</i> Who Appreciate <i>Trifles</i>,” 33 <i>American Criminal Law Review</i> 229, 241-244 (1996).</p> <p>See also: Bendel-Simso, Mary M. “<u>Twelve Good Men or Two Good Women: Concepts of Law and Justice in Susan Glaspell's 'A Jury of Her Peers.'</u>” <i>Studies in Short Fiction</i>, Summer99, Vol. 36 Issue 3, p291, 7p. Retrieved from EBSCOhost. http://web.ebscohost.com/lrc/detail?vid=14&hid=106&sid=16f5b4c6-4c3c-4fa3-b9f9-e66a726889dd%40sessionmgr110&bdata=JnNpdGU9bHJjLWxpdmU%3d#db=lfh&AN=9220656.</p> <p>Pair with film, <i>A Few Good Men</i></p>	<ol style="list-style-type: none"> 1. Point of view affects a reader’s understanding of a story. 2. Moral values can be analyzed from a variety of perspectives. 3. The different attitudes of boys and girls toward the enforcement of rules in games may influence their attitudes towards jurisprudence. 	<ol style="list-style-type: none"> 1. Are there differences in the way men and women assess/evaluate a situation? 2. Is criminal behavior ever justifiable? 3. Is there lack of empathy for the victim in this work? Could/should this work be told from the perspective of the victim? 4. How does Glaspell treat the true story on which hers is based?