

UNIT PLAN: KNOWLEDGE AND THE KNOWER- A MINI MOCK TRIAL

What?

In this unit, students learn how we reach conclusions based on the evidence presented to us. The lessons place a particular emphasis on concepts such as facts, truth, belief, evidence, bias, coherence, certainty and doubt.

Why?

Students explore what constitutes good judgement, despite the sometimes limited tools and/or evidence available to as a knower. They learn to distinguish between mere opinion, and knowledge that seems true beyond reasonable doubt. Students experience that though our knowledge (map) may be provisional, the conclusions we reach are, hopefully, the best available at a particular point in time.

How?

Students take part in a mini (simplified) mock court trial. Afterwards, they will link the different roles and aspects of the trial to the pursuit and investigation of knowledge. Students examine knowledge questions throughout this process.

KEY TERMS:

Facts, evidence, sense perception, doubt, bias, belief, truth.

ATL:

Collaboration
Communication
Inquiry based.

LEARNER PROFILE/

Thinkers, reflective.

INTERNATIONALISM

Importance of perspective.

CONNECTIONS:

Knowledge and technology (optional theme).
Ethics (element).
Methods and tools (element).

TOK CONCEPTS

Truth, evidence, objectivity, justification, perspective.

ASSESSMENT LINK

Linking objects to knowledge questions (exhibition)

LESSON 1

Mini mock trial: preparation.

MAIN IDEAS

Evidence, roles within pursuit of knowledge, perspective

LINKED RESOURCES

Powerpoint 1

Printable cards and handouts are embedded in the powerpoint

<https://www.youtube.com/watch?v=grnUvCNafGA&t=15s>

<https://www.youtube.com/watch?v=IME3xXa8y-c>

LESSON 2

Judgement day

MAIN IDEAS

Reaching conclusions, credibility of evidence, judgement, bias

LINKED RESOURCES

Powerpoint 2

Printable handouts are embedded within the powerpoint.

Bring to class: Photos or objects of evidence.

Optional: Props such as hammer, cloak, wigs, sketch book and pencils.

LESSON 3

How we know: as simple as a court case?

MAIN IDEAS

Knowers, tools, evidence, Plato's cave allegory, methods and tools

LINKED RESOURCES

Powerpoint 3

<https://www.youtube.com/watch?v=1RWOpQXtItA>

IMPORTANT NOTICE: All printable resources and handouts are embedded within the respective Powerpoints, as printable slides.

Lesson 1: Preparing for a court case (see linked Powerpoint 1, which includes all printable cards, notes and handouts).

1. Warm-up activity: what happens during a trial? Who are the main “players”?

- Collaborative brainstorming activity: which words come to mind when we mention a trial/court case?
- Explore the following questions (think-pair-share):
 - What happens during a trial?
 - Who are the main players?
- Show one of these explanatory videos:

<https://www.youtube.com/watch?v=grnUvCNAfGA&t=15s>

<https://www.youtube.com/watch?v=IME3xXa8y-c>

TIP: Be sensitive to the existence of different kinds of trials, some which might be dominant in your host country (eg Shariah court), but explain that we are looking at the kind of trials used in the US, Europe etc (the ones students see in movies).

2. The roles: key terms and definition matching activity (activity adapted from learning task by citizensinformation.org)

- Print off and cut out the cards of the different roles/players in a trial, as well as their definitions (see printable slides 6 and 7 on powerpoint 1).
- Randomly share these out amongst your students. (Duplicate some of the roles/definitions, depending on your class size).
- Students walk around the classroom and find the student who owns their matching term/definition.
- Briefly recap the main terminology and allow students to make notes about these terms.

Answers: Court clerk: helps with the administration of the court/ Prosecution barrister: Has to prove that the defendant is guilty/ Defense barrister: Tries to put doubt in the jury’s minds of the defendant’s guilt/ Judge: Makes decisions about the law and manages the trial/ Witness: Gives evidence to the court/ Court artist: Produces a drawing of the proceedings/ Usher: Makes sure the case runs smoothly and swears in witnesses./ Jury: Decides the verdict of the case based on the evidence heard./ Court reporter: Writes a report on the case/ Defendant: The person accused of a crime in a court of law.

LESSON PROGRESSION AND SUGGESTED ACTIVITIES

3. Preparing for the trial (keep this part concise, around 15 minutes)

Explain to students that they will take part in a mini trial. There will be different roles. At the end of the trial, the jury will reach a decision. Today's lesson, students prepare for the trial. Explain that the mock trial will be simplified, and less formal than a standard mock trial. Depending on their role in the trial, students will prepare questions to ask, possible answers to give, compose brief opening and closing statements, or help others with this process. Members of the jury will complete their registration form.

- Present the facts of the case (slide 11) to explain the background situation of the trial.
- Give students their different roles in the trial and ask them to prepare for these roles, possibly in small groups.
- Allocate roughly the following roles. Feel free to adapt numbers, according to your class size:

6 Members of the jury, 1 defendant, 2 witnesses for prosecution, 1 witness for defense, 1 sketch artist, several reporters, 1 (or more) defense barrister (lawyer), 1 (or more) prosecution barrister (lawyer), 1 usher, 1 judge (possibly played by the teacher).

- The media representatives will create a write-up and/or sketch what is happening.
 - The jury listens to all the evidence and arguments and makes notes regarding the reliability of the witness statements.
 - The lawyers make opening and closing statements and ask questions during the trial.
 - The witnesses answer the questions.
 - At the end of the trial, the jury will have to reach their verdict
- Display that facts of the case to the whole class (see slide 11) and hand the witness statements to the lawyers and the respective witnesses.
 - Print several copies of slides 14-18 for the latter purpose (see instructions in footnotes).
 - Let students consider how they will deal with the evidence available, how they will ask and/or answer questions and what their role within the trial will be. They might research briefly how this happens during a real trial.
 - The lawyers/barristers should prepare short opening/closing statements. They have access to the case, evidence and witness statements (slides 11-18). The lawyer for defense prepares statements that prove Bart is not guilty. The lawyer for prosecution does the opposite.
 - The witnesses should prepare how they will answer the questions during the trial. They have access to their witness statements and the case.
 - The jury members complete their registration and work on their new "identity". They have access to the case.
 - The sketch artist and press start writing up the case. This team researches how the press reports trials in the real world.
 - Students who have finished their preparation, can help the barristers/lawyers with their preparation.

TIP: You can adapt the script, if desired, but take the context of your host country/school into account.

4. Linking to the role of the jury and decision making to TOK: plenary discussion.

- *Whole class:*

Explain to students that the jury will have to make a decision next lesson, based on the evidence that will be presented to them during the court case.

Ask students what might affect a member of the jury's decision-making process.

Ask students why we might aim for a diverse team of jurors.

Ask students why a trial requires the absence of "conflict of interest".

- *Think-pair-write-share:*

Move the discussion towards a wider analysis of knowers (including outside of the context of the trial).

Students read the knowledge questions individually first, then unpack these in pairs.

As a next step, they note some (bullet point) answers to one of the knowledge questions in their TOK journals.

Finally, they explain their response to smaller groups or the class as a whole.

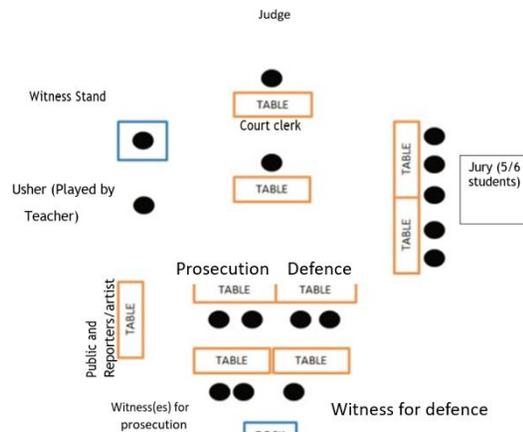
Use the following knowledge questions on the 4 elements (knowledge framework) to guide the discussion process (these knowledge questions are taken from the TOK guide):

- a. What tools are available to us as knowers to help us evaluate claims?
- b. Do knowers have a moral duty to examine their own filters?
- c. What personal traits (such as taking seriously the knowledge of others) do we need to be ethical knowers?
- d. Is it inevitable that our personal perspectives will play a part in the judgements we make?
- e. What shapes my perspective as a knower?

Lesson 2: Judgement day (see linked Powerpoint 2, which includes all printable notes and handouts).

1. Preparation/start of lesson:

- Bring photos and/or objects that can be presented as evidence during the trial (eg a piece of glass, a stone, fingerprint/footprint ...). Alternatively, print off/show the slides that contain photos of “evidence” (see linked Powerpoint 2, slide 1).
- Bring props and fancy-dress items, suitable for a court trial situation (optional).
- Explain to students that you are going to hold the mock trial today. Explain that you will organize the running order and that they don’t have to worry about the formalities. However, they do have to think critically and evaluate facts, evidence, the coherence of statements etc.
- At the start of the lesson, organise the classroom, so the seating plan represents a courtroom. Although this is optional, it will help students get into the role-play task. Your classroom could look a bit like this (see slide 3 on linked Powerpoint 2):



(adapted from a free teaching resource by citizensfoundation.org)

2. The mock trial: running order.

- To link this lesson to the previous lesson, ask students what they remember about the nature of trials. What happens? Who takes part?
- Give students a couple of minutes to prepare/review their notes, props etc. so they can take part in the role play activity.
- The teacher could play the role of the usher/judge and talk the class through the running order.
- Do not worry about the formalities and use of language too much. Instead, focus on the essence of the trial (it is a TOK lesson after all).
- Follow roughly this order (see slide 5, linked powerpoint 2):
 - The judge addresses the courtroom and explains “why we are here today”. Then s/he asks the jury if anyone knows a person involved in the case, feels they cannot be fair, stands to benefit from a decision in the case, or has already formed an opinion about the case.
 - Throughout the entire process, the sketch artist draws what s/he sees, and the reporters do a write-up.
 - The lawyer for prosecution makes a short statement explaining why Bart is guilty.
 - The lawyer for defence makes a short statement explaining why Bart is not guilty.
 - The witnesses for prosecution are called to the front and answers questions from both lawyers.
 - The witnesses for defence are called to the front and answer questions from both lawyers.
 - Any evidence can be presented to the court. Questions based on evidence can be asked.
 - The judge tells the jury to discuss the evidence, the reliability of the witnesses, the coherence of their statements and the case as such.
 - The jury deliberates and reaches a conclusion.

3. Discussion of the trial (slide 12, linked powerpoint 2):

- What went well?
- What was challenging?
- Was it easy reaching a decision based on witness statements?
- Was the available evidence sufficient?
- Was there something that made you doubt the evidence? The statements? The decision you reached?
- Explain to students that we will now bring the discussion back to TOK, and the theme of knowledge and the knower in particular and that we will draw a comparison between reaching a decision in a court case and our quest for knowledge as a whole.

4. Plenary reflection: students choose one KQ and write a 150-200 words response in their TOK journals.

Do all claims require evidential support?

What constitutes a “good reason” for us to accept a claim?

How much of our knowledge depends on our interactions with other knowers?

Are intuition, evidence, reasoning, consensus and authority all equally convincing justifications for a claim?

Lesson 3: How we know: as simple as a court case? (see linked Powerpoint 3).

1) Warm-up activity: Your role in the court case:

Ask students the following questions:

- How did your role in the trial affect the final decision?
- Did you have access to all the necessary facts?
- How much power did you have in the court case?
- Were you “a puppet” or could you steer the decision making?
- Why was the jury not allowed to have vested interest?
- Why is “Justicia” depicted as blind (see image slide 5)?

2) Linking the court case to how we know

Explain the link between the mini mock trial and our role as a knower to the students. Use the images on linked powerpoint 3 to drive the discussion/maintain student focus. Discuss the following aspects and use these guiding questions:

- The role of the sketch artist and reporter links to Plato’s cave allegory; the limits to what we can know through sense perception and the gap between “what is really out there” and how we represent (report) this. Show the following TED talk to draw out these similarities and unpack the allegory: <https://www.youtube.com/watch?v=1RWOpQXTItA>
- The roles of the judge and the jury links to the notion of experts: under what circumstances should we (not) trust them? Can they be wrong?
- The use of evidence in the trial links with the TOK concept of evidence: what is sufficient evidence? Does this depend on the context?
- The fact that new evidence may come to light or that new technology might uncover new evidence (eg DNA use now compared to the past) links to the notion that our knowledge is provisional. Can we ever be sure? Does this mean we should stop searching for knowledge (and the truth)?
- The notion of the belief “beyond reasonable doubt” that someone is innocent/guilty, links to the role of belief in knowledge.
- The fact that the trial is made up by different pieces of a larger puzzle, links to the idea that several perspectives may bring us closer to the truth, but also that conflicting perspectives can make this “quest” more complicated.
- The role of the jury within a trial links to what shapes you as a knower. How does our background affect the conclusions we reach?
- The tools at our disposal to judge in a trial links to the them methods and tools. What tools do we have as knowers to get knowledge about the world around us?

3) Summative exhibition practice

Based on the previous lessons, students choose **one** exhibition practice task:

- a. **Knowers and members of the jury** (All members of the jury have a different background. This might affect the conclusions they reach. For that reason, ideally, a jury is made up by a wide range of people, with different backgrounds, offering different perspectives, and free from bias.
TASK: Find 3 objects or images of objects that represent what shapes you as a knower.)
- b. **Evidence** (In court cases, evidence is presented to the jury. But what counts as evidence? What not? What is sufficient evidence?
TASK: Find 3 objects or images of objects that demonstrate the concept of evidence within our pursuit of knowledge.
- c. **Belief, certainty and truth** (Although we may never be 100% certain that our conclusions are correct, we must believe that our conclusion is beyond reasonable doubt.
TASK: Find 3 objects that illustrate the complex relationship between belief, certainty and truth.
- d. **Knowledge and technology.** (With the advent of new technology, new evidence can come to light, which might alter our previous conclusions. For example, new DNA evidence can overturn previous legal decisions.)
TASK: Find 3 objects that represent how technology can shape how we know.)
- e. **Sketch artists, sense perception and knowledge.** (The sketch artist, just like the prisoners in Plato's cave, only shows shadows, impressions of what is out there. However, these impressions are still important to those who are not in contact with the bare/raw truth.)
TASK: Find 3 objects that illustrate both the challenges and possibilities offered by sense perceptions within our pursuit of knowledge (and truth).