**Term 6 Week 5 Lesson 1: A white man’s word always beats a black man’s**

**Do now:**

1. **What evidence was provided to the jury against Tom Robinson?**
2. **What reason is suggested for Tom Robinson’s incarceration?**
3. **Who was the ‘sinful man’ with ‘mixed children’**

**The full text of *To Kill a Mockingbird* can be found on the following link.** <https://docs.google.com/viewer?a=v&pid=sites&srcid=YW5udXJpc2xhbWljc2Nob29sLm9yZ3xzaXN0ZXIta2F0ZWx5bnxneDo2NjVmZmE1NzNjNjc4NWM>

**The audio book is also available on:**

<https://tokybook.com/to-kill-a-mockingbird/>**.**

**You can read to the end of Chapter 24 if you want to, however, the content of the lesson will be based on the following extract from Chapter 23**

**Chapter 23 sees Bob Ewell try to take revenge on Atticus for making Bob look a fool in court. Jem, Scout and aunt Alexandra are worried, yet Atticus remains calm. Tom Robinson is moved to another jail while he awaits the verdict of his appeal. Atticus remains hopeful that he will be pardoned.**

**Extract**

“If he loses his appeal,” I asked one evening, “what’ll happen to him?”

“He’ll go to the chair,” said Atticus, “unless the Governor commutes his sentence.

Not time to worry yet, Scout. We’ve got a good chance.”

Jem was sprawled on the sofa reading Popular Mechanics. He looked up. “It ain’t right. He didn’t kill anybody even if he was guilty. He didn’t take anybody’s life.”

“You know rape’s a capital offense in Alabama,” said Atticus.

“Yessir, but the jury didn’t have to give him death—if they wanted to they

could’ve gave him twenty years.”

“Given,” said Atticus. “Tom Robinson’s a colored man, Jem. No jury in this part

of the world’s going to say, ‘We think you’re guilty, but not very,’ on a charge

like that. It was either a straight acquittal or nothing.”

Jem was shaking his head. “I know it’s not right, but I can’t figure out what’s

wrong—maybe rape shouldn’t be a capital offense...”

Atticus dropped his newspaper beside his chair. He said he didn’t have any

quarrel with the rape statute, none what ever, but he did have deep misgivings

when the state asked for and the jury gave a death penalty on purely

circumstantial evidence. He glanced at me, saw I was listening, and made it

easier. “—I mean, before a man is sentenced to death for murder, say, there

should be one or two eye-witnesses. Some one should be able to say, ‘Yes, I was there and saw him pull the trigger.’”

“But lots of folks have been hung—hanged—on circumstantial evidence,” said

Jem.

“I know, and lots of ‘em probably deserved it, too—but in the absence of eye-

witnesses there’s always a doubt, some times only the shadow of a doubt. The law says ’reasonable doubt,‘ but I think a defendant’s entitled to the shadow of a doubt. There’s always the possibility, no matter how improbable, that he’s

innocent.”

“Then it all goes back to the jury, then. We oughta do away with juries.” Jem was

adamant.

Atticus tried hard not to smile but couldn’t help it. “You’re rather hard on us, son. I think maybe there might be a better way. Change the law. Change it so that only judges have the power of fixing the penalty in capital cases.”

“Then go up to Montgomery and change the law.”

“You’d be surprised how hard that’d be. I won’t live to see the law changed, and if you live to see it you’ll be an old man.”

This was not good enough for Jem. “No sir, they oughta do away with juries. He

wasn’t guilty in the first place and they said he was.”

“If you had been on that jury, son, and eleven other boys like you, Tom would be a free man,” said Atticus. “So far nothing in your life has interfered with your reasoning process. Those are twelve reasonable men in everyday life, Tom’s jury, but you saw something come between them and reason. You saw the same thing that night in front of the jail. When that crew went away, they didn’t go as reasonable men, they went because we were there. There’s something in our world that makes men lose their heads—they couldn’t be fair if they tried. In our courts, when it’s a white man’s word against a black man’s, the white man always wins. They’re ugly, but those are the facts of life.”

1. What is a capital offence in Alabama?

2. What does Atticus say is essential before a death sentence is passed?  
3. Why should the law be changed?

4. Why does Jem feel Tom Robinson should now be a free man?

5. What are the ‘facts of life’ Atticus is talking to Jem about?

**Read this extract which continues from the first one. Atticus is talking to Jem about justice and how the court works. Jem comes to the realisation that rarely do people receive a fair trial, particularly if you are black. Jem is considering the different types of people there are in Maycomb and ponders over why men can’t simply treat others fairly.**

“You just can’t convict a man on evidence like that—you can’t.”

“You couldn’t, but they could and did. The older you grow the more of it you’ll

see. The one place where a man ought to get a square deal is in a courtroom, be he any color of the rainbow, but people have a way of carrying their resentments right into a jury box. As you grow older, you’ll see white men cheat black men every day of your life, but let me tell you something and don’t you forget it—whenever a white man does that to a black man, no matter who he is, how rich he is, or how fine a family he comes from, that white man is trash.”

metaphor shows how white men who purposely set out to destroy black men are worth nothing, in fact they are not men at all

contrast of white and black is repeated to show the real message in the trial- white Vs black

Atticus was speaking so quietly his last word crashed on our ears. I looked up, and his face was vehement. “There’s nothing more sickening to me than a low-grade white man who’ll take advantage of a Negro’s ignorance. Don’t fool yourselves—it’s all adding up and one of these days we’re going to pay the bill for it. I hope it’s not in you children’s time.”

Jem was scratching his head. Suddenly his eyes widened. “Atticus,” he said, “why don’t people like us and Miss Maudie ever sit on juries? You never see anybody from Maycomb on a jury—they all come from out in the woods.”

reference to the different types of people from Maycomb and how people like Jem are classed as fairer thinkers than families like the Ewells

Atticus leaned back in his rocking-chair. For some reason he looked pleased with Jem. “I was wondering when that’d occur to you,” he said. “There are lots of

reasons. For one thing, Miss Maudie can’t serve on a jury because she’s a woman

—”

“You mean women in Alabama can’t—?” I was indignant.

Scout has the realisation that women are also treated unfairly-as a woman in 1930s America you don’t have a voice

“I do. I guess it’s to protect our frail ladies from sordid cases like Tom’s.

Besides,” Atticus grinned, “I doubt if we’d ever get a complete case tried—the

ladies’d be interrupting to ask questions.”

Jem and I laughed. Miss Maudie on a jury would be impressive. I thought of old

Mrs. Dubose in her wheelchair—“Stop that rapping, John Taylor, I want to ask

this man something.” Perhaps our forefathers were wise.

Atticus was saying, “With people like us—that’s our share of the bill. We

generally get the juries we deserve. Our stout Maycomb citizens aren’t interested, in the first place. In the second place, they’re afraid. Then, they’re—”

“Afraid, why?” asked Jem.

Atticus uses an anecdote to help Jem and Scout understand why people refuse to sit on a jury

“Well, what if—say, Mr. Link Deas had to decide the amount of damages to

award, say, Miss Maudie, when Miss Rachel ran over her with a car. Link

wouldn’t like the thought of losing either lady’s business at his store, would he?

So he tells Judge Taylor that he can’t serve on the jury because he doesn’t have

anybody to keep store for him while he’s gone. So Judge Taylor excuses him.

Sometimes he excuses him wrathfully.”

“What’d make him think either one of ‘em’d stop trading with him?” I asked.

Jem said, “Miss Rachel would, Miss Maudie wouldn’t. But a jury’s vote’s secret, Atticus.”

Our father chuckled. “You’ve many more miles to go, son. A jury’s vote’s

supposed to be secret. Serving on a jury forces a man to make up his mind and

alliteration draws attention to how a jury might not be completely trustworthy and hints that people can be bought

declare himself about something. Men don’t like to do that. Sometimes it’s unpleasant.”

“Tom’s jury sho‘ made up its mind in a hurry,” Jem muttered.

Atticus’s fingers went to his watchpocket. “No it didn’t,” he said, more to himself than to us. “That was the one thing that made me think, well, this may be the shadow of a beginning.

metaphor suggests that Tom Robinson’s trial could be the very small start of more equality for black men in Alabama

**Writing to argue:**

**Jem is concerned with the fairness of jury’s and Scout is alarmed at the idea that women aren’t allowed to sit on a jury in Alabama.**

***Write an argument which argues the case for women to be allowed to sit on a jury. You should make sure you include a metaphor, alliteration and an anecdote.***

**Model paragraph**

**Firstly, women are people as men are. Women are not inferior. Women should be treated equally.**

**In other words…women in some sense are treated like black men are. This, to me, is an injustice!**

**More specifically…women can provide a different perspective to cases such as Tom Robinsons, a woman may understand how Mayella felt after she attempts to kiss Tom Robinson. A woman is in touch with how it feels to be loved and in love. Men are obsessed, it seems, with black and white, for example…**

**Finally…**

**Your turn (at least two paragraphs)…**