

# The *Amistad* Case

**Lesson Video: Grades 6-8**

# Overview

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**Teacher:** Gary Fisher  
**Grade:** 8  
**School:** Timilty Elementary School  
**Location:** Roxbury, Massachusetts

**NCSS Standards-Based Themes:** Culture; Time, Continuity, and Change; Power, Authority, and Governance; Civic Ideals and Practices

**Content Standards:** History, Civics, Economics

## Video Summary

In this lesson, Gary Fisher's students re-enact the *Amistad* trial, addressing the issues of slavery, property rights, rebellion, morality, justice, and the law. *Amistad* is one of several cases students in Mr. Fisher's class have studied to understand a larger issue: how the Supreme Court has influenced the lives of African Americans past and present.

Students learn the background of the *Amistad* incident, from the seizure of the Spanish slave ship by its African passengers, to the interception of the commandeered vessel by a U.S. warship off the coast of Long Island, to the subsequent trial of the Africans on charges of mutiny and murder. During the lesson, Mr. Fisher's teaching partner speaks to the class in Spanish. Some students understand, but others experience firsthand the language barrier Africans on the *Amistad* encountered with each other and with their captors. Teams for the plaintiffs, defendants, and judges prepare for the mock trial, conduct the trial, and reach a verdict about the fate of the *Amistad* Africans. From this exercise, students learn how the Supreme Court helps shape American history.

## Standards

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*Expectations of Excellence: Curriculum Standards for Social Studies* defines what students should know and be able to do in social studies at each grade level. This lesson correlates to the following standards for middle school students:

### I. Culture

Predict how data and experiences may be interpreted by people from diverse cultural perspectives and frames of reference.

# Standards, cont'd.

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## II. Time, Continuity, and Change

Systematically employ processes of critical historical inquiry to reconstruct and reinterpret the past, such as using a variety of sources and checking their credibility, validating and weighing evidence for claims, and searching for causality; investigate, interpret, and analyze multiple historical and contemporary viewpoints within and across cultures related to important events, recurring dilemmas, and persistent issues, while employing empathy, skepticism, and critical judgement.

## VI. Power, Authority, and Governance

Examine persistent issues involving the rights, roles, and status of the individual in relation to the general welfare.

## X. Civic Ideals and Practices

Locate, access, analyze, organize, synthesize, evaluate, and apply information about selected public issues—identifying, describing, and evaluating multiple points of view.

## Content Standards: History, Civics, Economics

# About the Class

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## Classroom Profile

“Re-enacting a trial means getting students to play roles. In order to play a role—as a judge or as an attorney—you really have to know your facts. This was a great way to get students to really own the material, and to invest themselves in the lives and laws of the world that preceded them.” —Gary Fisher

Gary Fisher teaches eighth-grade U.S. history at Timilty Elementary School in Roxbury, Massachusetts. The school represents the surrounding community—a largely African American and Hispanic population. Roughly 25 percent of the student body is bilingual. As a magnet school, Timilty also draws students from a diverse range of communities throughout Boston. Comprehensive school reform in the mid-80s resulted in smaller classes, the adoption of student uniforms, and a schoolwide effort to create an intimate school culture in an urban setting.

Mr. Fisher started the year by reviewing early American history, focusing on the agricultural, economic, and political development of the new country. By the time Mr. Fisher began the lesson on the *Amistad* case, he wanted his students to be familiar with the progression of changes that occurred in the economy and government through 1830. Students had studied units on the Constitution, economic systems, the Industrial Revolution, and westward expansion. Special attention was paid to the concepts of slavery, immigration and labor trends, capitalism, civil liberties, and the origins of the Supreme Court.

Year at a Glance
The Revolutionary War
The Constitution
Expansion West to Mississippi
Economic Systems
The Industrial Revolution
Westward Expansion
Mexican War 1830
U.S. Regions
Separation of the Nation
The Civil War
Reconstruction
The New Nationalism

# About the Class, cont'd.

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The *Amistad* case was part of a unit called Separation of the Nation. This lesson introduced students to the trade routes along the Middle Passage, the reasons behind the demand for cheap labor, the growing abolitionist movement, and the role of the Supreme Court in determining the rights of slaves. To prepare for the lesson, the class read about and discussed the *Amistad* rebellion as well as landmark court decisions in African American history. Then they prepared to re-enact the trial in class, with teams of students playing the parts of the judges, plaintiffs, and defendants. The lesson concluded with a class presentation of the mock trial.

Mr. Fisher invited attorneys as guest speakers to talk about the law as an important element in history, as well as the Constitution, the powers of the president, and civil rights. He used the *Amistad* case to underscore the increasing tension between the North and the South, leading into the next unit on the Civil War.

## Lesson Background

Read this information to better understand the lesson shown in the video.

### Content: Supreme Court Cases

Prior to this lesson, students discussed three Supreme Court cases that defined the rights of African Americans over time. The *Dred Scott v. Sanford* (1857) ruling declared that African Americans were not considered citizens under the U.S. Constitution and therefore could not sue for their freedom in federal court. *Plessy v. Ferguson* (1896) established the doctrine of “separate but equal” and upheld the constitutionality of public school segregation. *Brown v. Board of Education of Topeka* (1954) declared that “separate” is inherently “unequal,” thereby ending the segregation of public schools. Each of these cases provided students with background about the influence of the Court on the lives of citizens—preparing them for the re-enactment of the *Amistad* case.

### The *Amistad*

The *Amistad* story begins in Sierra Leone, where slave hunters capture 53 Africans. The Africans are taken to Cuba and sold as slaves to Spanish planters in violation of international law. Put aboard the *Amistad* for transport from Cuba to a Caribbean plantation, Cinque and other Africans take control of the ship on July 1, 1839, and kill the ship’s captain and cook. The rest of the Spanish crew are spared and ordered to sail the ship back to Africa. As the ship meanders and supplies run low, it is seized on August 24, 1839, off the coast of Long Island by the U.S. brig *Washington*. Spain demands the extradition of the Africans to Cuba to stand trial for piracy and murder, but the incident catches the attention of abolitionists like Roger S. Ballwin, who becomes the defense lawyer for the Africans. The Spanish planters are freed, but the Africans are held in a Connecticut jail as “property” and charged with murder. A lower court clears the Africans on the grounds that the crimes occurred in Spanish territory, where slavery was illegal, but the question remains what to do with the *Amistad* and the Africans.

The matter is referred to U.S. District Court, where the judge rules that the Africans are not slaves and should be released. However, the judge decides that the captain of the *Washington* should receive one-third of the value of the *Amistad* and its cargo under the salvage law. President Martin Van Buren’s attorneys appeal the district court decision. The case is sent to the U.S. Supreme Court, where the Africans continue to be defended by abolitionists and now by former president John Quincy Adams. The Supreme Court decides that the Africans’ actions on the *Amistad* were based on the “ultimate right of all human beings in extreme cases to resist oppression, and to apply force against ruinous injustice,” and releases them as free people. After their release, some of the Africans remain in the United States while others return to their homeland.

### Teaching Strategy: Mock Trial

In the course of preparing and conducting a mock trial, students study the facts of the case, prepare opening statements, present evidence, cite relevant laws and information, examine and cross-examine witnesses, conduct redirect examination, present closing arguments, arrive at a verdict, and state the reasoning behind the decision. Students are asked to summarize the facts, reflect on their roles, relate the experience to other course content and broader issues, and compare the re-enactment to the real trial.

# Watching the Video

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As you reflect on these questions, write down your responses or discuss them as a group.

## Before You Watch

Respond to the following questions:

- What are some strategies you use to make history come alive for your students?
- What are the benefits and challenges of using role playing or re-enactments to teach history?
- How do you approach controversial issues with your students?

## Watch the Video

As you watch “The *Amistad* Case,” take notes on Mr. Fisher’s instructional strategies, particularly how he deals with the content of the case. Write down what you find interesting, surprising, or especially important about the teaching and learning in this lesson.

## Reflecting on the Video

Review your notes, then respond to the following questions:

- What struck you about the classroom climate, background information, lesson preparation, teaching strategies, and materials used in this lesson?
- How does the *Amistad* case contribute to the high level of student interest and engagement in this lesson?

## Looking Closer

Here’s an opportunity to take a closer look at interesting aspects of Mr. Fisher’s lesson.



### Using a Mini-Lecture: Video Segment

Go to this segment in the video by matching the image (to the left) on your TV screen. You’ll find this segment approximately three minutes into the video. Watch for about five minutes.

At the beginning of the lesson, Mr. Fisher sets the stage by giving a brief lecture about the Middle Passage and the slaves’ journey to Cuba.

- What does the mini-lecture reveal about how students have prepared for the mock trial?
- How do Mr. Fisher’s comments and questions contribute to successful group work by the students?
- How do his descriptions of what to expect in the trial help students prepare for the re-enactment?
- How does Mr. Fisher engage students’ attention during the mini-lecture?

# Watching the Video, cont'd.

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## Successful Group Work: Video Segment

Go to this segment in the video by matching the image (to the left) on your TV screen. You'll find this segment approximately 11 minutes into the video. Watch for about four minutes.

As students prepare for the trial, they are assigned to teams representing the judges, plaintiffs, and defendants and are sent to their own areas to work.

- Why do you think the students take this work so seriously?
- How does Mr. Fisher gauge the effectiveness of group work?

# Connecting to Your Teaching

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## Reflecting on Your Practice

As you reflect on these questions, write down your responses or discuss them as a group.

- What topics or issues in your own teaching curriculum might lend themselves to role playing or re-enactment?
- What are some ways you and your students might analyze a complex issue or case?
- Consider how your class differs from Mr. Fisher's. How would you introduce role playing and re-enactment to your own students?

## Taking It Back to Your Classroom

- Have students trace the rights African Americans have gained since the *Amistad* case. Ask students to collect articles or cite examples of the progress (or lack thereof) African Americans or other groups have made as a result of court decisions (for example, the recent request of African Americans for reparations).
- Ask students to read the transcript or ruling of a trial in African American history. Have students identify the major questions, issues, evidence, arguments, outcomes, and consequences.
- View the movie *Amistad* in your class and compare its depiction of the case with the actual trial transcript.
- Choose a Supreme Court decision that is relevant to your curriculum, and have the class research and re-enact the trial. Invite a member of your local state bar association to watch and critique a mock trial presented by your class.

# Connecting to Your Teaching, cont'd.

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- Ask students to think about how they would present a court case in a movie, as was done with the *Amistad* case. What scenes are important to show? How should they be arranged and staged? How would students balance the importance of maintaining historical accuracy with the desire for a good story line?
- Ask students, "Who owns history?" Invite them to explore the court case surrounding the DreamWorks production of the *Amistad* movie and an author's claim of copyright infringement.

## Resources

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### Print Resources for Students

Chambers, Veronica. *Amistad Rising*. Orlando, Fla.: Harcourt, 1998.

Freedman, Suzanne. *United States V. Amistad: Rebellion on a Slave Ship*. Berkeley Heights, N.J.: Enslow Publishers, Inc., 2000.

Myers, Walter Dean. *Amistad: A Long Road to Freedom*. New York: Puffin, 2001.

### Print Resources for Teachers

Jones, Howard. *Mutiny on the Amistad*. New York: Oxford University Press, 1987.

Miller, Barbara. *Preparing Citizens: Linking Authentic Assessment and Instruction in Civic/Law-Related Education*. Boulder, Colo.: Social Science Education Consortium, 1997.

### Web Resources for Students

*Amistad* Links: [http://www.law.umkc.edu/faculty/projects/ftrials/amistad/ami\\_i\\_ink.htm](http://www.law.umkc.edu/faculty/projects/ftrials/amistad/ami_i_ink.htm)

This site is a collection of links to historical information and resources concerning the *Amistad*.

Mystic Seaport: <http://amistad.mysticseaport.org/>

This site contains primary sources, popular media accounts, and a gallery of images pertaining to American maritime history and antebellum attitudes.

# Resources, cont'd.

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## Web Resources for Teachers

*Amistad* Research Center: <http://www.tulane.edu/~amistad/incident.html>

Tulane University's national repository of African American history features a collection of primary sources and articles relating to the *Amistad* case.

Minnesota Center for Community Legal Education: <http://www.ccle.fourh.umn.edu/>

The MCCLE offers a variety of law-related educational activities, including mock trials for grades 5–12.

Mock Trial Online: <http://www.abc.net.au/mocktrial/default.htm>

Geared towards elementary through high school students, this site offers mock cases for classroom use and conducts mock trials over the Internet.

U.S. National Archives and Records Administration: [http://www.archives.gov/digital\\_classroom/lessons/amistad\\_case/amistad\\_case.html](http://www.archives.gov/digital_classroom/lessons/amistad_case/amistad_case.html)

The NARA Digital Classroom provides lesson plans and primary source documents for teaching about the *Amistad* incident.