Mock Trials and Role Playing: Rethinking Social Justice in the Classroom

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In *Teaching to Transgress: Education as a Practice of Freedom* (1994), bell hooks writes, "The first paradigm that shaped my pedagogy was the idea that the classroom should be an *exciting* place and never boring."[2] Like hooks, my pedagogical philosophy aims to ensure that students enjoy the time they spend in my classroom. A mock trial is an educational exercise resembling a real-life court case, which can be enacted in a classroom of any age range from middle school and high school to college. In this article, I argue that mock trials can be an effective pedagogical tool that encourages students to step out of their comfort zones, helps shape their worldviews, and leads to deeper self-reflection about their convictions as they engage in role-playing as an active learning strategy. It also makes the classroom space more exciting and enjoyable while exploring discomforting topics together as a community.

As an educator addressing sensitive and complex issues such as the Holocaust, the 1947 Partition of India and Pakistan, and the genocides in Cambodia and Rwanda, I bear the responsibility of contextualizing history, sharing the human experience rather than merely discussing statistics, and implementing a student-centered approach to foster a safe and positive learning environment. I teach in a predominantly white Catholic university that emphasizes restorative and social justice and advocates for human dignity and the common good; hence, my students are often familiar with discussions of sensitive subjects because they take a year-long course on the Catholic intellectual tradition. This course typically includes discussions on current events and topics such as reproductive rights.

In 2021, I created this first-year composition and Anglophone world literature course that includes mock trials. The course title was influenced by the Black Lives Matter movement and Judith Butler's concept of biopolitics, with the subtitle being "Whose Life Matters?" Overall, the course raises these questions: How do we mourn for the lives of those who are not "unreal" to us?[3] What does it mean to be a "good human being"? What leads ordinary people to become perpetrators and victimize others? To explore these questions, I introduce students to memoirs and historical fiction, including Olga Lengyel's *Five Chimneys: A Woman Survivor's True Story of Auschwitz* (1995), Bapsi Sidhwa's *Cracking India* (1991), Luong Ung's *First They Killed My Father: A Daughter of Cambodia Remembers* (2001), and concluding the semester with Paul Rusesabagina's *An Ordinary Man: An Autobiography* (2006). These texts prompt students to consider how literature and cinema memorialize historical events and how certain narratives are discussed or overlooked within the diaspora. Through this exploration,

students reflect on their heritages and assess how specific stories are shared within their communities.

As a postcolonial feminist scholar, I research the #MeToo movement's limitations and mainstream media's neglect of women's experiences with gendered violence during the 1947 Partition of India and Pakistan. The Partition created a Hindu-majority India and a Muslim-majority Pakistan, displacing ten to fourteen million people.[4] As sectarian violence engulfed the nation, Hindu and Sikh communities, which had coexisted with Muslims for centuries, participated in what historian William Dalrymple describes as a "mutual genocide," leading to unprecedented carnage, including mass abductions, rape, forced conversions, looting, arson, and riots. It is estimated that between 200,000 and 2 million people perished during this largest migration in the Indian subcontinent. At least seventy-five thousand women suffered gendered violence in the forms of rape and abduction.[5] Like the Holocaust and the Rwandan genocide, there was a persistent silence in the aftermath of the Partition about the sexual and gendered violence during that cataclysmic period. I designed my course about political conflicts and genocides to better understand the human condition and concepts of restorative justice, human and civil rights, and forgiveness.

Mock trials and role-playing are integrated into my classroom for various purposes: to educate students about the 1947 Partition of India and Pakistan, to engage critically with concepts of restorative and social justice, and to encourage critical thinking skills that reinforce their perspectives and help them defend their claims as they develop into better writers. I incorporate the mock trials twice during the semester: The first occurs after we have read Lengyel's memoir, just before students are assigned their first short reflection essay; and the second focuses on the Rwandan genocide to help them understand the truth and reconciliation policy implemented in its aftermath. The second mock trial differs from the first, as it is more dramatic and intense. It requires students to work in six groups to explore forgiveness issues in their respective roles: the United Nations, local and international media, the Rwandan National Government, and organizations representing Rwandan victims.

In the initial mock trial, participants are introduced to the Vancouver Holocaust Education Center's Mock Trial regarding Julius Streicher. A member of the Nazi Party, Streicher founded the antisemitic publication *Der Stürmer* and was convicted of crimes against humanity during the Nuremberg Trials. This mock trial mirrors the Nuremberg Trials, as the documents in the accompanying guide serve as evidence presented during Streicher's trial by both the prosecution and defense counsel.

A week before the mock trial, students submit their preferred volunteer roles, such as jury members, press representatives, defense and prosecution counsel, and the defendant. I assign roles to promote fairness, encouraging thoughtful preference rankings and ensuring not all choose the jury. On the trial's eve, students gather in groups to strategize, typically with the defendant working with the defense counsel. The Vancouver Holocaust Education Center's teaching guide provides handouts on the mock trial

procedure, which I require students to follow to avoid disruptions. I act as the bailiff, swearing in the student playing the defendant, after which both teams present their opening statements. While the handout includes these statements, I urge groups to adapt and enhance them. As the trial unfolds, I direct the judges to prompt teams to argue whether Streicher is guilty.

This handout outlines essential pre-trial details about Julius Streicher for students preparing for a mock trial. It includes the defendant's statement and packets for the defense and prosecution, featuring potential questions, 4-5 pages of evidence from Streicher's Nuremberg trials, and resources for jurors. The packets specify roles, with members introducing themselves as Defense Counsel A, B, C, and D. Counsel B, C, and D present evidentiary slides while Counsel A and B question the student portraying Streicher. Finally, Counsel C and D deliver closing statements after questioning.

During cross-examination, counsel must assess evidence to support claims regarding Julius Streicher. Students debate freedom of speech, noting Streicher didn't directly engage in concentration camp atrocities. In 2018 and 2021, three students eagerly wanted to play the defendant's role. Some questions posed by the prosecution include, "Although you claim never to have personally harmed Jews, isn't it true that you organized the anti-Jewish boycott and Kristallnacht, during which countless Jews were harmed and their institutions destroyed?" The student portraying the defendant often smiles, indicating discomfort. Later, with the defense counsel's assistance, they develop arguments for freedom of speech. I don't compel students to take on roles they find immoral; they choose voluntarily to avoid psychological distress. In 2021, I took on the defendant's role because no student volunteered. However, these uncomfortable moments provide valuable intellectual and moral growth for the students involved.

Role-playing exercises allow students to enact a situation or assume a person's role. Joyce G. Davison discusses, in her article "Real Tears: Using Role Plays and Simulation," how these exercises allow students to confront "stressful, unfamiliar, complex, or controversial situations"[6] and create conditions that encourage them to learn coping strategies. Rooted in experimental studies of early childhood development, scholars have investigated "play" in educational settings for children,[7] resulting in broader methodological and theoretical frameworks, including contemporary feminist, post-structural, and socio-cultural theories. According to Marjatta Kalliala, the concept of "play" has its origins in the scholarship of Dutch cultural historian Johan Huizinga and French philosopher Roger Caillois.[8] Through their work, we discover that "play" is an ambiguous concept with multiple meanings—spanning from drama to a fun activity to a chance for players to form a conviction to "fight for something" in a make-believe world. This ambiguity allows "play" to exist in a liminal space, representing both joy and happiness while also accommodating discomfort and teachable moments. Therefore, role-playing invites students to navigate complex, incomprehensible, and challenging situations they may not otherwise encounter, as they are encouraged to step outside their comfort zones.[9]

David Sterling Brown notes that the term "safe space" is frequently used in college classrooms. While "safe spaces" are essential for students' mental health, Brown contends that "such protected educational experiences often fail to instill the most crucial attributes of a liberal education: critical thinking, persuasive argumentation, close reading, and cultural understanding."[10] He believes education should "disrupt the status quo and promote critical thinking."[11] Here, Megan Boler's concept of "pedagogy of discomfort" is vital for understanding how role-playing games in mock trials can create a sense of discomfort among students, who are encouraged to take active roles, whether as prosecutors or defendants in a Holocaust mock trial or when addressing restorative justice in a country following the truth and reconciliation policy in Rwanda. Boler observes that "a pedagogy of discomfort" can be defined as "both an invitation to inquiry as well as a call to action. As inquiry, a pedagogy of discomfort emphasizes 'collective witnessing' as opposed to individualized self-reflection."[12] She adds, "An ethical aim of a pedagogy of discomfort is to willingly inhabit a more *ambiguous and flexible sense of self*."[13]

Students in mock trials are encouraged to engage with the past—sensitively—to understand the complexities and nuances of the human condition and social justice, and to examine how and why ordinary citizens may develop tendencies toward evilness and disregard for human life. Furthermore, a fundamental principle of the Catholic intellectual tradition is that all human beings possess inherent dignity. In other words, everyone has the right to a defense and a fair trial, as well as to be heard—including those we might consider immoral.[14] At one point, the jury declared a mistrial due to the defendants' passionate debates, highlighting the importance of freedom of speech in their lives. In this semester's trials, students agreed that while freedom of speech is crucial, hate speech is unacceptable. After the mock trial, we begin the Partition unit, where we explore the transformation of Ice Candy Man/Dil Nawaz in *Earth*, Deepa Mehta's 1998 film adaptation of Bapsi Sidhwa's 1991 novel *Cracking India*. In the film, this character shifts from a carefree individual into an abductor and rioter after his sisters are dishonored and killed during the Partition.[15] However, in the novel, he is portrayed as someone who is naturally inclined to feel "exhilarated" by the riots even before losing his relatives.[16] The students then write an essay to explore whether the Ice Candy Man is a product of his unfortunate circumstances or inherently an "evil" person.

Last year, students urged me to include perpetrators in the second mock trial to explore forgiveness within a truth and reconciliation framework, which I aim to implement in future classes. This inclusion allows students to grasp why Hutus harbored prejudice against Tutsis and how they betrayed neighbors after years of coexistence. Unlike the Nuremberg trials, envisioning a Truth and Reconciliation mock trial for Rwanda poses challenges. Most ordinary citizen trials occurred in *Gacaca* courts, held in communities and typically mediated by priests. Thus, it's crucial to ethically represent these mock trials, especially when discussing genocides. In the latest mock trial, I asked students to imagine their version of a Truth and

Reconciliation trial for Rwanda. Many struggled with this, likely due to the complexity of Rwanda's history, demanding they think beyond conventional frameworks.

Role-playing encourages students to reflect on complex questions. One student notes in her final essay that "Rusesabagina's story highlights the survivors' mental and physical distress and the delicate relationship between forgiveness and justice. He illustrates how survivors struggle, yet he does not show how the nation may recover from the slaughter. For many victims, loss and justice are intertwined, making forgiveness a challenging and ongoing process." We can observe the effectiveness of role-playing as an active learning strategy in this context. The student is uncertain whether forgiveness can truly be a meaningful way to heal from the trauma caused by the Rwandan genocide. Often, students feel bewildered by the questions they face in their roles, especially regarding the media and the role—or absence—of the United Nations.

In this course, we delve into trauma and testimony, child narratives, the power of storytelling, dehumanization, and the metaphor of the "animal/beast" in genocide literature through literary and film texts. We also examine the roles of female perpetrators and victims, along with themes of restorative justice and forgiveness. Students are urged to engage with challenging topics, reflecting on their moral and ethical beliefs to develop strong convictions. The mock trials further enrich their learning experience, pushing them to step outside their comfort zones and consider more profound questions regarding the treatment of genocidal and war victims—individuals who often go unnoticed in mainstream media. They grapple with issues of restorative and social justice and ultimately reflect on what it truly means to be human.

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[2] bell hooks, *Teaching to Transgress: Education as the Practice of Freedom* (New York, NY: Routledge, 1994), 7; emphasis added.

[3] I discuss Judith Butler's essay, "Violence, Mourning, and Politics," from their book *Precarious Life: The Power of Mourning and Violence* (New York, NY: Verso, 2004). In this chapter, Butler argues that mainstream media and news outlets selectively highlight the narratives of soldiers who died during the Iraq War while ignoring the accounts of the 20,000 Iraqi children who lost their lives in the conflict, as noted on page 34. Consequently, these children's lives are perceived as "unreal" to us, as if they never existed. During the first week of classes, students read and annotate this chapter. We then participate in a class discussion about Butler's work and watch the documentary *PTSD: The War Within*. After viewing it, we differentiate between the "real" (stories of soldiers' PTSD stemming from the war) and the

"unreal" (accounts of innocent children's deaths, witnessed by the soldiers and haunting them); however, the documentary does not present either the boy's image or his story.

[4] Guneeta Singh Bhalla, "The Story of 1947 Partition as Told by the People Who Were There," *National Endowment for the Humanities* 43, no. 3 (Summer 2022), https://www.neh.gov/article/story-1947-partition-told-people-who-were-there.

[5] William Dalrymple, "The Great Divide," *The New Yorker*, June 22, 2015, https://www.newyorker.com/magazine/2015/06/29/the-great-divide-books-dalrymple.

[6] Joyce G. Davison, "Real Tears: Using Role Plays and Simulation," *Curriculum Review* 23 (1984): 91.

[7] David Whitebread, Marisol Basilio, Martina Kuvalja, and Mohini Verma, *The Importance of Play: A Report on the Value of Children's Play with a Series of Policy Recommendations* (Belgium: Toy Industries of Europe), 2012; James E. Johnson, Serap Sevinli-Celik, and Monirah Al-Mansour, "Play in Early Childhood Education," *Handbook of Research on the Education of Young Children* (New York, NY: Routledge), 2012.

[8] Marjatta Kalliala, *Play Culture in a Changing World* (New York, NY: Open University Press), 2006.

[9] Sanja Kutnjak Ivkovic and Yang Vincent Liu, "Learning while Doing: Mock Trials as an Active Learning Strategies in Comparative Criminal Justice Courses," *Journal of Criminal Justice Education*, February 6, 2025; Dean J. Spader, "Two Models and Three Uses for Mock Trials in Justice Education," *Journal of Criminal Justice Education* 13, no.1 (2001): 57–86, doi:10.1080/10511250200085331.

[10] David Sterling Brown, "Discomfort is the Point: Why 'Safe Spaces' Do a Disservice to Students," *AAC&U*, Winter 2024, https://www.aacu.org/liberaleducation/articles/discomfort-is-the-point.

[11] Sterling, "Discomfort is the Point."

[12] Megan Boler, *Feeling Power: Emotions and Education* (New York: Routledge 1999), 176.

[13] Boler, *Feeling Power*, 176, emphasis added.

[14] United States Conference of Catholic Bishops, "Morality," https://www.usccb.org/beliefs-and-teachings/what-we-believe/morality.

[15] *Earth*, directed by Deepa Mehta (1998; India and Canada, Hamilton-Mehta Productions, 2003), DVD.

[16] Bapsi Sidhwa, *Cracking India* (Minnesota, MN: Milkweeds Press, 1991), 145.