

TO KILL A MOCKINGBIRD

POSSIBLE LEGAL DISCUSSION TOPICS

The members of each panel will have to discuss among themselves what legal topics they would like to focus on. The outcome of that conversation may depend on current events in a particular town or at a particular time, and ultimately the dialogue that takes place will be guided at least in part by the demographics of the audience and the direction in which the audience wants to go. Below are some possible lines of fruitful discussion:

■ *To Kill a Mockingbird* portrays a world in which a person of color is demonized and scapegoated, falsely accused of a serious crime, tried before an unsympathetic jury in an unsympathetic courthouse, punished without due process of law and, ultimately, killed by vigilantes for a crime he did not commit. How has society changed, and how has it stayed the same?

■ *To Kill a Mockingbird* involves two different story lines: the story involving Tom Robinson, and the story involving Arthur “Boo” Radley. In one story, justice is pursued in the court system (the one place where, according to Atticus, a man ought to get “a square deal”), and not achieved; in fact, a miscarriage of justice occurs. In the other, justice is achieved, but outside the court system. How can we reconcile these two stories and their outcomes? What can we say about our criminal justice system?

■ In *To Kill a Mockingbird*, how does personal opinion affect the legal decisions of the jurors with respect to Tom Robinson, and that of the sheriff and Atticus with respect to Boo Radley? Is it ever acceptable to make a legal decision based on one’s personal beliefs/feelings? What procedures are in place in the criminal justice system to protect against personal morality taking hold of a criminal case?

■ Is justice achieved through the death of Bob Ewell? Arthur “Boo” Radley kills Ewell in defense of Jem and Scout. But what if he had killed Ewell in part to retaliate for the death of Tom Robinson? Do two wrongs ever make a right?

■ Jim Crow laws codified segregation. What are some examples of Jim Crow in *To Kill a Mockingbird*? The Civil Rights Act of 1964 abolished segregation in public places, but do we have a truly integrated society today?

■ Racism is obviously one of the central themes of *To Kill a Mockingbird*. But the movie also explores the difficulties encountered by another minority population,

those suffering or believed to be suffering from mental illness or some form of mental disturbance. Psychiatric care was very limited in the 1930s; seclusion and lobotomies were not uncommon. Do mental illness/disturbance still carry a social stigma? Was Boo mentally ill or just different; and why are people who are “different” frequently viewed as being disturbed and feared? How and why do Jem and Scout’s views of Boo Radley change during the movie and what can we learn from this change?

■ Atticus tells the children several times that they must walk in someone else's shoes before judging that person. For example, he tells Scout, “If you can learn a simple trick, Scout, you'll get along a lot better with all kinds of folks. You never really understand a person until you consider things from his point of view [...] until you climb into his skin and walk around in it.” Is this good advice? What role does compassion play in the criminal justice system?

■ Falsely reporting a crime, perjury, and obstruction of justice are serious crimes. Imagine a world in which Tom Robinson was acquitted, and everyone recognized both that Robert Ewell lied (because he knew that he, and not Tom, had beaten Mayella Violet) and that Mayella Violet is abused by her father and deeply troubled. Should Mayella Violet be prosecuted and, if prosecuted, punished (and, if so, how)? What role, if at all, should the concept of “restorative justice” play in this situation? And what about Robert Ewell: as the head of a family that is the “disgrace of Maycomb for three generations,” he too might be the subject of pity – but perhaps his culpability is too great to warrant escape from prosecution and punishment?

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