

YOUTH LEGAL EDUCATION AND ITS GROWTH IN HAWAII: Its History

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Many reasons have led to the present interest in legal education for youth. Among these was the shocking discovery by researchers that most people, when confronted with a copy of the Bill of Rights and asked to subscribe thereto, refused to sign on the grounds that the document was somehow "subversive" and probably represented a "leftist plot." These and similar reactions to conditions of the early 1960's prompted The Committee On Civic Education of the University of California at Los Angeles to state the need for a program for development of instructional materials for the elementary level.¹

"Stated briefly, the need for such a program is based upon the following facts and assumptions:

1. A study of the Constitution and of principles of democracy is required by the state curriculum.
2. There were no adequate teacher or student materials presently at use in the elementary grades.
3. There were and are no adequate evaluation programs available for measuring student achievement in this subject.
4. The inadequacy of present instruction in this subject is indicated by the following observations:
 - a. The poor quality of public debate on issues such as those raised by recent Supreme Court decisions.
 - b. Recent research indicating the importance of the schools as a major determinant in developing knowledge and attitudes regarding our political system.
 - c. Recent research indicating that the primary effect of our school environments appears to be directed more toward development of attitudes consistent with an authoritarian political system than towards those attitudes consistent with a democratic system."

To a significant degree, the history of legal education for youth in Hawaii has followed somewhat

the history of such education in California. To be sure, individual teachers here and there throughout the state have been conducting their own classes in whole or in part along jurisprudential lines. But it was not until 1965 that a major project effort of The Committee On Civic Education brought forth materials for the upper elementary grades on Due Process of Law. By 1967 these materials were taught experimentally by the author at the University of Hawaii Laboratory School. This was the first example in Hawaii of a course in legal education for youth, the materials for which were designed in the project format, i.e., by a team of scholars in political science, philosophy, psychology, sociology, law and education. First used in a seventh-grade social studies class, the following methods suggested by The Committee On Civic Education were used with the first work published from their efforts.²

Methods

The subject is first presented to the students in situations closely related to the students' experiences such as the school environment, and then, as students gain understanding, in less closely related settings such as Supreme Court cases.

"In all of the materials developed by the committee, the emphasis has been on presenting realities of political and social life for the students to analyze and deal with."³

The committee stressed the acquisition by students of *intellectual skills*.

"In order to develop these skills we have trained teachers in the use of the Socratic method, and the use of such role-playing activities as mock trials, congressional hearings, and varied arbitration panel settings."⁴

History and Development of Programs in Hawaii

During the spring semester of 1970-1971, two simultaneous Institutes for Advanced Study in Civics were offered in Hawaii to 59 social studies teachers who taught a range of classes from kinder-

garten through twelfth grades. These institutes were funded by the Committee On Civic Education and accredited by the University of California at Los Angeles. Faculty for these institutes came from public schools, the university, the legal profession, the community and also from teachers who had been previously trained at a U.C.L.A. summer workshop.

The first example in Hawaii of a high school course in Constitutional Law using project materials of the Chicago Project,⁵ was taught at St. Louis High School and continues as a popular elective to this time. Indeed, the author was hard put to accommodate the large number of students who registered for this course. When fifty-two boys had registered in a single hour during the second semester, a special strategy was implemented. Students first briefed the five or so cases of a concept individually; comparing outcomes where needed with any other student doing the same cases. When all cases of a concept had been briefed, the student joined any four other students who were also done, for a round of small-group discussions on the concept. When the student was ready, he was tested on the concept. The author roamed free about the room interacting with students. This routine was occasionally interrupted for common experiences in media simulation and moot court proceedings. This course was easily the most popular elective in the department.

During his incumbency as chairman of the education committee of the Young Lawyers Section, Hawaii Bar Association, Mr. Gerald Sumida, Esq., attorney with the Honolulu law firm of Carlsmith, Carlsmith, Wichman and Case, became interested in the need for programs of legal education for youth in Hawaii. He corresponded with national project leaders, and together with Mr. Leigh Wai Doo, Esq., Assistant Dean, University of Hawaii School of Law, was instrumental in constituting the Hawaii Committee On Legal Education For Youth. Initial membership consisted of sixteen members from the Hawaii bar, the courts, and education. The early work of this committee

included the holding of an all-day conference at which interested persons would be introduced to extant programs and methods by mainland project personnel. The major actors at this conference were Mr. Richard C. Clarke, Associate Director, Law in a Free Society Project, Santa Monica, California, and Mr. Norman Gross, Assistant Staff Director, American Bar Association Special Committee on Youth Education for Citizenship, Chicago, Illinois. The conference, held at the East/West Center on November 16, 1974, was attended by some eighty interested people representing many segments of the community.

This was followed by a series of meetings of the joint committee to establish working committees. In two subsequent meetings a committee structure was established: Curriculum Committee, Funding Committee, Speaker's Committee, Instructional Implementation Committee, and Dissemination of Written Analysis: Magazine Committee. The Curriculum Sub-Committee recognized at least two major tasks, 1) finding out the extent and quality of extant materials, and 2) determining the need for a Hawaii component to the national curriculum development movement.

Footnotes

¹The Committee on Civic Education of the University of California at Los Angeles. *Past, Present and Future Activities*, p. 14.

²Quigley, Charles N. *Your Rights and Responsibilities As An American Citizen*. A Civics Casebook and A Teaching Guide.

³The Committee on Civic Education of the University of California at Los Angeles. *Past, Present and Future Activities*, p. 1.

⁴*Ibid.*

⁵Ratcliffe, Robert H., ed. *Vital Issues of the Constitution*. History Program, Decisions Supplement and Instructor's Guide.

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