

The Trial of Genghis Khan

Introduction

Genghis Khan founded the Mongol Empire, the largest contiguous land empire in world history. However, to this the Mongols and their legacy continue to inspire controversy.

Were Genghis Khan and the members of the Mongol ruling family civilized promoters of culture and trade, connecting East to West? Or were they bloodthirsty marauders, destroyers of cities, and slayers of the innocent?

Now, **you** will decide this issue as Genghis Khan goes on trial before "The Court of History!"

The Indictment

Genghis Khan and his descendants have been indicted as guilty of crimes against humanity and as uncivilized conquerors and rulers in the 13th and 14th centuries.

Case Summary

Temujin, more commonly known as Genghis Khan was the brutal leader of the Mongol Empire. He led the Mongols to conquer most of the known world, and according to many, he left only destruction in his path. According to Ibn Battuta, the Mongols destroyed everything they came through, whether it was a great monument, a flourishing city, or an entire culture.

After the death of Genghis Khan in 1227, his empire was ruled by his son Ogedei. When Ogedei died, the Mongol empire split into four sections: the Yuan dynasty under Kublai Khan, the Golden Horde under Batu, the Chagatai Khanate under Chagatai, and the Il-Khanate of Persia under Hulegu.

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Applicable Law

Crimes Against Humanity

In order to prove crimes against humanity, a prosecution must establish:

- (1) particularly odious offenses in that they constitute a serious attack on human dignity or grave humiliation or a degradation of human beings.

Excessive Brutality

In order to prove excessive brutality, a prosecution must establish:

- (1) an unnecessary amount of violence and savagery in comparison to previous and future empires.

Barbaric Warfare

In order to prove barbaric warfare, a prosecution must establish:

- (1) setting the bar for inhuman warfare for future dominations.

Roles

Attorneys (6)

Prosecution attorneys (3): P

- "Team captains" of the prosecution. Will try to convince jurors that the evidence supports the indictment. Will study the evidence and organize the case.
- Prepare opening or closing statement for your side.
- Assist team with preparation of three questions for each witness you intend to call.
- Assist team with preparation of three cross-examination questions for each opposition witness.

Defense attorneys (3): D

- "Team captains" of the defense. Will try to convince jurors that the evidence does not support the indictment. Will study the evidence and organize the case.
- Prepare opening or closing statement for your side.
- Assist team with preparation of three questions for each witness you intend to call.
- Assist team with preparation of three cross-examination questions for each opposition witness.

On the day of the trial, both teams must give typed copies of their direct examination questions along with their opening and closing statements to the judge (your teacher). After the trial, both teams must turn in their cross-examination questions and any notes they took during the proceedings.

The next class after the trial, all attorneys will write a Reflection Essay - see below for instructions.

Defendant

Genghis Khan: D

- Will testify at the trial. Will research and complete the Defendant Role Biography (due the day of the trial).
- Will compile a daily trial journal of the proceedings (you will be given a handout the day of the trial) and write a reflection essay (due the day after the trial).

Witnesses (18)

- Will testify at the trial.
- Will prepare Witness Role Biography and find a primary source to act as evidence in the trial, which is due the day of the trial. Copies of your biography need to be given to your attorneys and to the opposition's attorneys. Copies of your primary source need to be given to your attorney. Your biography should clearly identify your character's background, your connection to the Mongols and how you would view the Mongols. This information contains potential testimony you plan to deliver at the trial. ***You must include negative aspects about your biography too!***
- Will compile a daily trial journal of the proceedings and a written reflection (due the day after the trial).

Witness List

Witnesses marked with a "P" will work with the prosecution. Witnesses marked with a "D" will work with the defense.

1. Historian Ibn al-Athir: P
2. Pope Innocent IV: P
3. Qutuz, Mamluk sultan of Egypt: P
4. Mstislav III of Kiev: P
5. Mustasim, caliph of Baghdad: P
6. Chinese Confucian scholar: P
7. Muhammad II, sultan of Khwarezm: P
8. Japanese Daimyo: P
9. Sorghaghtani Beki: D
10. Khutulun: D
11. Kublai Khan: D
12. Ogedei Khan: D
13. Historian Juvaini: D
14. Historian Rashid al-Din: D
15. Marco Polo: D
16. Silk Road merchant: D
17. Nasir al-Din al-Tusi, Persian philosopher/scientist/mathematician: D
18. Ivan I (Kalita), Grand Duke of Moscow: D

Jury (6+)

- Will observe the trial and make the final verdict.
- Will complete the Jury Instructions questions sheet and the Point of View sheet during the trial. Must submit a handwritten reflection the day after the trial. Jury members will take notes to be familiar with all issues and witnesses.

Reflection Essay: Attorneys

Will be written the day after the trial in class (December 6th). Must address and answer the following questions.

1. The first half of the essay will address these questions: **Which one of your witnesses presented the most convincing evidence supporting your side of the case? Discuss specific reasons for your opinion. Which one of the opposing witnesses present the most convincing evidence supporting the other side of the case? Discuss the specific reasons for your opinion.**
2. The second half of the essay will address these questions: **Which aspects of the simulation were the most helpful to you? Discuss specific reasons for your opinion. Which aspects of the simulation could be improved or changed? Discuss specific reasons for your opinion.**

Reflection Essay: Witnesses, Genghis Khan, and Jury

Will be written the day after the trial in class (December 6th). Must address and answer the following questions.

1. The first half of the essay will address this question: **Which two witnesses on the opposing side of the case presented the most convincing evidence? Discuss specific reasons for your opinion.**
2. The second half of the essay will address this question: **In your own opinion (as a twenty-first century student), were Genghis Khan and his descendants uncivilized conquerors and rulers in the 13th and 14th centuries? Discuss the specific reasons for your opinion.**

All materials are due at the start of class on their due dates. If you are absent, you are expected to turn in your materials the day you return to class.

Trial Day Procedures

The trial will last no more than 80 minutes.

- The judge reads the indictment
- Defendant enters plea
- Prosecution and Defense make opening statements (2 minutes each side)
- Prosecution calls witnesses including Genghis Khan (35 minutes MAX)
 - Prosecution can ask at most 3 questions per witness
 - Defense can ask at most 2 questions for cross-examination
 - Prosecution can ask follow-up questions, if time permits
- Defense calls witnesses including Genghis Khan (35 minutes MAX)
 - Defense can ask at most 3 questions per witness
 - Prosecution can ask at most 2 questions for cross-examination
 - Defense can ask follow-up questions, if time permits
- Closing statements for Prosecution and Defense (2 minutes each side)
- Jury Deliberation and Verdict

Some Advice for "The Court of History"

Attorneys

- Work closely with your partners and divide the workload fairly.
- Remember that you are "team captains." Work with all witnesses on your team to make sure that communication is clear and that the testimony is coordinated.
- Work with witnesses in preparing questions. Remember that there are limits on how many questions may be asked during direct examination and cross-examination. These limits will be enforced by the judge.
- Opening/closing statements should be clear and concise.
- One the day of the trial, give the judge one copy of your direct examination questions.

Witnesses

- Work closely with your attorneys and their assistants. Be available for necessary conferences with teammates prior to the trial.
- When on the witness stand, make sure you are audible. Answer questions accurately and directly. ***Maintain eye contact with the attorneys and jury.***

Witness Role Biography

ROLE: _____

As a witness, you must research your role and be able to answer any questions that the attorneys ask you. Before the trial, complete your role biography below. This will be turned in on the day of the trial (you will be able to use these notes during your testimony). In addition, anticipate two questions that each side may ask you, and prepare your responses.

Briefly describe the significance of your role. (In other words, why were you invited to testify?)

What was your life like during the time of the Mongol Empire?

Where are you from? What social class are you a part of? What things are important to you?

How did you interact with the Mongols? If you did not directly encounter the Mongols, how could you have heard of them?

How did your role's life change because of the Mongols? Was it positive or negative, and why?

Do you feel the Mongols were civilized or uncivilized?

Prosecution Questions

Predict two questions the prosecution may ask you, and prepare your responses.

Defense Questions

Predict two questions the defense may ask you, and prepare your responses.

Point of View Sheet

Record the testimony of each witness, highlighting their point of view. This sheet will be submitted at the end of the trial.

WITNESS	POINT OF VIEW/TESTIMONY GIVEN

Did any witnesses contradict each other? If so, which ones? How could that happen?

Which witnesses did you think had the most convincing testimony? Why?

Jury Member Instructions

As a jury member, you will need to complete the point of view sheet during the trial, where you will take very detailed notes on each witness' testimony. You will also complete reflection questions at the end of class. After the trial is over, you will need to complete the verdict sheet and write up your decision. This, along with your notes, will be due the next block.

VERDICT SHEET

Answer the following questions after the trial. Answer these questions in complete sentences.

1. Before beginning the trial, do you believe that the Mongols and Genghis Khan are civilized or uncivilized? Defend your answer.
2. After listening to both opening statements, which one was more convincing? Why?
3. Which defense witness had the most convincing or compelling testimony? Why?
4. Which defense witness had the least convincing or uninformative testimony? Why?

5. Which prosecution witness had the most convincing or compelling testimony? Why?

6. Which prosecution witness had the least convincing or uninformative testimony? Why?

7. After listening to both closing statements, which one was more convincing? Why?

8. Based on the testimony of both the defense and the prosecution, do you find the Mongols and Genghis Khan civilized or uncivilized?

Now, you need to write a brief essay defending your verdict with 3 main reasons why the Mongols are civilized or uncivilized. You should highlight the evidence that was given to you during the trial.

Write this like a traditional expository essay, not an AP World Comparative essay. Have an introduction, a paragraph for each of the three main reasons for your verdict, and a conclusion.

This sheet, your notes, and your essay are due next class. I prefer your essay to be typed, but it is not required.

Attorney Responsibilities

As an attorney you are working as a team, you must take rotate speaking order. You are responsible for creating both an opening statement and a closing statement, you must also generate a list of questions to ask your witnesses and a list of possible questions to ask your opponent’s witnesses. See the attached witness list and use the graph below to plan your questions. You will also be responsible for completing the POV worksheet.

WITNESS	QUESTIONS TO ASK
