8th Grade Japanese American Internment Inquiry

Should Freedom Be Sacrificed in the Name of National Security?


**Supporting Questions**

1. What were the reasons for and against Japanese American exclusion and internment?
2. How did internment interrupt Japanese Americans' lives?
3. How did the 1944 *Korematsu v. United States* case illustrate division in the United States over exclusion policy?
4. What were arguments in favor of and against the 1988 Civil Liberties Act and reparations payments to Japanese Americans?
# Should Freedom Be Sacrificed in the Name of National Security?

**New York State Social Studies Framework Key Idea & Practices**

8.6 WORLD WAR II: The aggression of the Axis powers threatened United States security and led to its entry into World War II. The nature and consequences of warfare during World War II transformed the United States and the global community. The damage from total warfare and atrocities such as the Holocaust led to a call for international efforts to protect human rights and prevent future wars.

- Gathering, Using, and Interpreting Evidence
- Chronological Reasoning and Causation
- Comparison and Contextualization

## Staging the Question

Consider the limits of personal freedom by taking a position on a series of current issues through a Four Corners activity.

### Supporting Question 1

What were the reasons for and against Japanese American exclusion and internment?

### Supporting Question 2

How did internment disrupt Japanese Americans’ lives?

### Supporting Question 3

How did the 1944 case *Korematsu v. United States* illustrate division in the United States over exclusion policy?

### Supporting Question 4

What were the arguments in favor of and against the 1988 Civil Liberties Act and reparations payments to Japanese Americans?

### Formative Performance Task

Create a list of stated or implied reasons for and against the exclusion of people of Japanese ancestry on the West Coast made during the 1942 debate over West Coast security.

### Research Opportunity

Write a paragraph describing how life was disrupted for interned Japanese Americans.

### Complete a graphic organizer comparing arguments from the majority and dissenting opinions in *Korematsu v. United States*.

### Develop a claim supported by evidence in favor of or opposed to the Civil Liberties Act.

### Featured Sources

- **Source A**: Excerpts from Walter Lippmann and Lt. Gen. J. L. DeWitt
- **Source B**: Cartoon and editorial from the *San Francisco News*
- **Source C**: Excerpts from Attorney General Frances Biddle and FBI director J. Edgar Hoover
- **Source D**: Dorothea Lange camp photographs

### Featured Sources

- **Source A**: Toku Machida Shimomura diary entries
- **Source B**: Dorothea Lange photograph, *I Am an American*
- **Source C**: Images from three online collections focused on internment camps

### Featured Sources

- **Source A**: Excerpts from *Korematsu v. United States*
- **Source B**: Excerpts from the United States Constitution

### Featured Sources

- **Source A**: Excerpts from the *Conference Report on H.R. 442*, Civil Liberties Act of 1988
- **Source B**: Civil Liberties Act of 1988
- **Source C**: Presidential apologies for Japanese American internment from George H. W. Bush and Bill Clinton

### Summative Performance Task

**ARGUMENT** Should freedom be sacrificed in the name of national security? Construct an argument (e.g., detailed outline, poster, or essay) using specific claims and relevant evidence from historical sources while acknowledging competing views.

**EXTENSION** Craft a statement that could be used in a court on the question of how to balance freedom and security.

### Taking Informed Action

**UNDERSTAND** Using the Question Formulation Technique (QFT), brainstorm a list of contemporary local, regional, and/or national issues where freedom and security are in tension.

**ASSESS** Determine how to contribute to the debate on the contemporary example of the freedom versus security debate.

**ACT** Create a statement expressing the position of students on the freedom versus security issue and distribute to appropriate outlets.
Inquiry Description

Should freedom be sacrificed in the name of national security? The trade-off between freedom and security is one of the thorniest dilemmas in US history. From the Sedition Act of 1798 to the Patriot Act of 2001, the United States has sought to find the right balance between these two fundamental concerns. This inquiry places students in the middle of that important debate—a debate that goes beyond semantics and hypothetical constructs. The compelling question asks what limits we are willing to place on freedom in the face of real and perceived threats to our security. The internment of Japanese Americans represents one instance when the freedom of some Americans was sacrificed in the name of national security and thus can be seen as a case of the balance between freedom and security. The inquiry includes four related formative performance tasks that collectively enable students to build up their knowledge of the issues and events related to the internment of Japanese Americans during World War II and the resulting lawsuit, *Korematsu v. United States*, which challenged the constitutionality of the internment policy. Students continue the inquiry as they investigate the reconsideration of internment by the US government in the 1980s.

In this inquiry, students consider policies, opinions, and perspectives as they work with sources to investigate multiple sides of the internment issue. Among those perspectives are the views of political and military officials, journalists, and interned Japanese Americans during World War II, as well as those of politicians reconsidering the policies many years later. One defining feature of this inquiry is the unfolding of historical events over four decades from the actions taken toward Japanese Americans in the 1940s to the official US government recognition of that injustice in the 1980s. However, as with all historical inquiry, the story is more complex than that. As they proceed through the inquiry, students examine sources that require them to understand the arguments at the time for internment. Without dismissing students’ desire to pass judgment, teachers should support students as they make an effort to understand those reasons. Students should be asked to draw conclusions as to why different groups and individuals can look at the same event in different ways.

Formative Performance Task 1 requires students to determine some of the reasons for exclusion and subsequent internment following the attack on Pearl Harbor. This event, students will discover, set in motion a period of insecurity and reaction as government officials quickly moved to contain threats both real and perceived. Formative Performance Task 2 requires students to examine the many ways in which Japanese Americans were affected by the federal relocation and internment policy. Students examine the perspective of Japanese Americans represented in a firsthand account of internment from Toku Machida Shimomura as well as in photographic evidence from the period of internment. Formative Performance Task 3 hones in on the legal conflict that internment policy created in the United States as seen in the Supreme Court’s decision in the 1944 case *Korematsu v. United States*. Formative Performance Task 4 builds upon the prior formative performance assessments and requires students to make an evidence-based claim for why the US government issued reparations and an apology to the Japanese American community for internment policies during World War II. The formative performance assessments and activities have been written to build upon one another and enable students to draw upon the skills and content necessary to successfully complete the Summative Performance Task. In the Summative Performance Task, students construct an argument that addresses the compelling question using specific claims and relevant evidence from historical sources while acknowledging competing views. Using what they have learned, students may craft a statement that could be used in a court on the question of how to balance freedom and security.

NOTE: This inquiry is expected to take six to eight 40-minute class periods. The inquiry time frame could expand if teachers think their students need additional instructional experiences (i.e., supporting questions, formative performance tasks, and featured sources). Inquiries are not scripts, so teachers are encouraged to modify and
adapt them to meet the needs and interests of their particular students. Resources can also be modified as necessary to meet individualized education programs (IEPs) or Section 504 Plans for students with disabilities.

Content Background

Following the December 7, 1941, attack on Pearl Harbor and America’s entry into World War II, United States government officials expanded efforts to identify groups and individuals who were believed to be a threat to national security. Using the 1798 Alien Enemies Act, the government placed thousands of people under suspicion, but no single group was affected as much as Japanese Americans. Just 10 weeks after Pearl Harbor, on February 19, 1942, President Franklin D. Roosevelt authorized the exclusion of Japanese Americans from prescribed areas on the West Coast of the United States with Executive Order 9066. The order allowed local military commanders to designate “military areas” from which “any or all persons may be excluded.” In practice, this policy led to the roundup of all persons of Japanese ancestry from California and much of Oregon, Washington, and Arizona and their internment in government camps.

Across the western United States, relocation notices were posted for Japanese Americans beginning on April 30, 1942. The internment policy applied to those with Japanese ancestry, defined as persons with at least one-tenth Japanese blood. The notification of internment gave Japanese Americans one week to settle their affairs. Storeowners and farmers desperately looked to neighbors to help take care of their businesses and belongings but, with time so limited, most faced financial ruin. Many families lost everything, as they were forced to sell off homes, shops, furnishings, and even the clothes they could not carry with them.

Ten permanent Internment camps were in operation from 1942 to 1946 in seven states, and these held more than 120,000 Japanese Americans. Tule Lake, California, the largest site, detained almost 19,000 people at its peak. Dozens more temporary camps housed people in transition to the permanent camps. Life in the camps was, at times, cruel and dehumanizing, but it was also shaped by the everyday joys and tragedies of human life. Some of those interned created lives for themselves that were as rich and full as possible given the limited resources, freedoms, and opportunities available.

Almost immediately after Executive Order 9066 was issued, civil liberties advocates brought lawsuits to challenge the constitutionality of Japanese relocation. One of these lawsuits, Korematsu v. United States, was argued before the Supreme Court in 1944. In a 6-3 decision, the court refused to overturn the exclusion orders. By mid-1944, the government began to release some internees whom they certified to be loyal Americans, but most remained interned. Some of Roosevelt’s top advisers argued for an end to the internment in 1944, but they worried that such a move would be politically dangerous during an election year. All internees were ultimately released in January 1945, and many returned to their homes and tried to rebuild their lives. Some found that their homes were now occupied by strangers and needed to evict them in order to move back in. For many others, the years in internment camps resulted in financial calamity, and they faced the daunting task of starting over with nothing.

As soon as they were set free, many outraged Japanese Americans looked to their government for redress of the material loss they had suffered in the internment process. In 1948, President Harry S. Truman responded to the situation by signing into law an evacuation claims bill that allowed Japanese Americans to make claims for “damage to or loss of real and personal property.” The process for reviewing the internees’ cases was severely constrained, however. By 1950, only 210 claims had been cleared. Although the legal process was later expedited, in the end, the victims of internment who filed claims received an average compensation of only $340 per person.

For decades, Japanese American activist groups urged the US government to take further action on behalf of the internees. In 1980, Congress created the Commission of Wartime Relocation and Internment of Civilians to examine possible ways to study the effects of the internment camps on Japanese Americans. The commission recommended substantial monetary compensation and an official presidential apology to those who had suffered under Executive Order 9066, but the legislation died in congressional committees in 1984. The following year, a
new Congress was presented with another redress proposal, H.R. 442, named in honor of the Japanese American 442nd regiment, the most decorated combat unit in World War II.

After lengthy congressional debate, the Civil Liberties Act was passed on August 4, 1988, and sent to President Ronald Reagan for his approval. Eventually, the government paid $1.6 billion in reparations to 82,210 Japanese Americans or their heirs.

**Content, Practices, and Literacies**

A strong curriculum inquiry interweaves the key content students need to learn and the social studies practices they need to use along the way. The formative performance tasks presented in this inquiry build students’ content knowledge about how the fear of a Japanese attack on the West Coast of the United States in the weeks following the bombing of Pearl Harbor led to the relocation and internment of 110,000 persons of Japanese ancestry.

Formative Performance Task 1 focuses students’ attention on Gathering, Using, and Interpreting Evidence as they learn about the debate among politicians, military officials, and journalists over the US internment policy. Additionally, students develop skills associated with the social studies practice of Chronological Reasoning and Causation as they think about how the debate over West Coast security and the exclusion of Japanese Americans unfolded in the weeks after the attack on Pearl Harbor. Formative Performance Task 2 again highlights use of the practices of Gathering, Using, and Interpreting Evidence and Chronological Reasoning and Causation as students examine sources depicting the changes in life for those Japanese Americans who were interned in camps. In Formative Performance Task 3, students continue the practice of Gathering, Using, and Interpreting Evidence, while also practicing the skills of Comparison and Contextualization as they learn more about the divisive nature of internment policy. Through the study of the 1944 case *Korematsu v. United States*, students examine different perspectives on the constitutional issues related to Executive Order 9066 and the balance between freedom and security. Formative Performance Task 4 brings a more contemporary lens to this inquiry, allowing students to continue to practice Gathering, Using, and Interpreting Evidence as they move the historical story forward and examine the 1988 Civil Liberties Act and the reparations payments to Japanese Americans.

Evident across the four formative performance tasks is an increasing complexity of thinking. The first task functions at the identification level in that students are identifying historical reasons for Japanese American internment. The second task asks students to write a paragraph describing how life was disrupted for interned Japanese Americans. In the third task, students compare opinions in the *Korematsu v. United States* Supreme Court case. Finally, the fourth task builds upon each of the three previous tasks and requires students to develop an evidence-based claim on the necessity for a formal government apology to the Japanese American citizens who were relocated and interned during World War II.

The New York State P–12 Common Core Learning Standards for English Language Arts & Literacy offer social studies teachers numerous opportunities to integrate literacy goals and skills into their social studies instruction. The Common Core supports the inquiry process through reading rich informational texts, writing evidence-based arguments, speaking and listening in public venues, and using academic vocabulary to complement the pedagogical directions advocated in the New York State K–12 Social Studies Framework. At the end of this inquiry is an explication of how teachers might integrate literacy skills throughout the content, instruction, and resource decisions they make.
This inquiry places students in the middle of a complex debate about the limits and expectations of freedom. In the inquiry, students examine the limitations of freedom endured by Japanese Americans in the name of national security. To stage the compelling question, teachers may engage students in an activity in which they examine modern issues around the balance between freedom and security. This question shapes our everyday lives as we live with the protections of and limitations to our freedom. For example, the widespread use of surveillance cameras may make us feel safer but calls into question how much and how often we are being watched. The same is true for using information technologies: We trade off our expectations for personal privacy when we send an email or post something online, knowing that others might use our information later in ways we never intended.

In an effort to frame the compelling question in accessible terms, teachers may open this inquiry by engaging students in an examination of policies enacted in their everyday lives that may limit their personal freedoms in exchange for a greater good.

Teachers may find it helpful to create a Four Corners activity to help students express their existing beliefs and understanding related to freedom and security. A successful Four Corners activity requires four clearly labeled corners of a classroom, with a sign identifying each corner as one of the following:

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Students begin in the center of the classroom (if physically possible) and then will move to one of the four corners based on whether they strongly agree, agree, disagree, or strongly disagree with each statement read by the teacher.

Following are examples of statements that might be used in this activity. These statements address modern issues related to the freedom and security debate and promote evaluative thinking:

- Random book bag/locker searches are appropriate measures to maintain safety in school.
- To limit cyberbullying, students should not bring any digital devices to school.
- Cameras should be allowed on school buses and in school cafeterias.
- The US government should be allowed to monitor the cellular communications of all citizens.
- Companies that make social media tools should be able to keep the content their customers create.
- It is acceptable for individuals who fit a certain profile to undergo extra scrutiny by law enforcement.

Teachers are encouraged to develop statements of their own. It is recommended that they choose at least three or four statements for this opening activity. Teachers are also strongly encouraged to use classroom practices that support student judgment, reasoning, and reflection.

Once students have sorted themselves after each statement, teachers may extend the activity by asking students to explain their stances. Students may be encouraged to move to another corner if they change their minds after hearing others describe their reasoning for a position.

At the conclusion of this activity, teachers should introduce the compelling question: “Should freedom be sacrificed in the name of national security?” Teachers may have students once again move to one of the four corners in response to a statement related to the compelling question (e.g., “Freedom should be not sacrificed in the name of national security”). Through this action, students will be making an initial claim, although not yet supported by evidence. As the inquiry proceeds, students examine the debate over Japanese exclusion and subsequent internment as they further develop their position in response to the compelling question.
Supporting Question

This supporting question focuses on the stated and implied reasons for and against Japanese American relocation and internment during World War II. The question provides students with an opportunity to identify some of the reasons for and against Japanese exclusion policy in the context of determining how far a government should go to protect society. Internment was neither an easy nor an obvious decision. The supporting question recognizes that the decision to issue Executive Order 9066 was not made without careful consideration of multiple views on the issue of internment.

Formative Performance Task

As a starting place for this inquiry, the supporting question asks about an event that took place 10 weeks after the bombing of Pearl Harbor. Over the time from December 7, 1941, to the issuance of Executive Order 9066 on February 19, 1942, an intense debate played out among President Roosevelt’s advisers, military officials, and the press.

This formative performance task asks students to identify the reasons for and against Japanese internment. Most observers now view the internment of Japanese Americans during World War II as a shameful episode that was racially motivated and violated fundamental protections in the United States Constitution. Yet despite our modern conclusions, the internment of Japanese Americans did happen, and for students to make informed judgments about the exclusion policy that led to the eviction of Japanese Americans from their West Coast homes and their internment in camps, they need examine arguments made at the time. Arguments in favor of internment generally fit into three categories:

1. Japanese Americans posed a security risk within the United States and there was precedent for such an action.
2. Japanese Americans needed to be interned to protect them from other Americans.
3. Japanese Americans should be expected to make sacrifices not unlike those who were fighting in the war.
Some of the sources for this task (excerpts from Walter Lippmann's column and Lt. Gen. J. L. DeWitt's final report on the Japanese evacuation from the West Coast as well as the San Francisco News editorial and editorial cartoon All Packed Up and Ready to Go) address these reasons for internment.

Students' understandings of the debate over exclusion policy also require knowledge of the historical arguments in the opposition to internment, which were also multifaceted. Those opposing internment in the 1940s made three general arguments:

1. There was no major threat from Japanese Americans, and whatever threats did exist could be contained without exclusion and internment.
2. The internment policy was racially motivated as evidenced by the unequal treatment of enemy aliens from Italy, Germany, and Japan.
3. Internment was a violation of protections in the United States Constitution.

Some of the sources for this task (a press release and a letter from Attorney General Frances Biddle, a memo from J. Edgar Hoover, and photographs from Dorothea Lange) address these reasons against exclusion and internment.

The successful completion of this task contributes to the Summative Performance Task by providing students with an opportunity to examine the debate over the exclusion policy as well as some of the cautions that were being raised. In Formative Performance Task 1, students use the Debate Analysis Organizer provided in this section to summarize the content of each source and to list multiple reasons for and against internment suggested or inferred in the sources.

This task provides students with an opportunity to practice Gathering, Using, and Interpreting Evidence as they examine sources to determine reasons for and against the internment policy. Additionally, students develop skills associated with the social studies practice of Chronological Reasoning and Causation as they think about how the debate over Executive Order 9066 unfolded in the weeks after the attack on Pearl Harbor. As a scaffold for students who might have difficulty with the density of text, teachers might consider providing the following material from the History Channel website:

- Japanese Internment in America (three-minute video clip):
- Japanese-American Relocation article:
## Debate Analysis Organizer

<table>
<thead>
<tr>
<th>Source</th>
<th>Summary of the Source</th>
<th>Stated or Implied Reasons for or against Japanese American Exclusion, Eviction, and Internment</th>
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<tbody>
<tr>
<td>Excerpt from Walter Lippmann’s column</td>
<td></td>
<td></td>
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<tr>
<td>Excerpt from Lt. Gen. DeWitt’s report</td>
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<tr>
<td>Editorial cartoon <em>All Packed Up and Ready to Go</em></td>
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<tr>
<td>Excerpt from a <em>San Francisco News</em> editorial</td>
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<td>Excerpt from FBI director J. Edgar Hoover’s memo</td>
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<tr>
<td>Dorothea Lange photographs</td>
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### Featured Sources

**FEATURED SOURCE A** includes excerpts from two sources in support of Japanese internment. The first excerpt is from a piece by syndicated newspaper columnist Walter Lippmann. As a well-respected and popular journalist, Lippmann’s views carried much weight. In a February 10, 1942, column published in newspapers across the country, Lippmann picked up on the growing concern about sabotage or a possible attack on the West Coast by the Japanese. He argued that Japanese Americans comprised a “fifth column” of sympathizers who, without removal and internment, would pose a great threat to the United States. The second excerpt is from Lt. Gen. John L. DeWitt’s final report on the evacuation of Japanese Americans, which lays out the reasons Japanese Americans were removed from the West Coast of the United States. DeWitt was in charge of the US Army’s Western Defense Command, which coordinated domestic military activities in western states. As one of the strongest advocates for an internment policy, DeWitt played a critical role in establishing and implementing the policy. Through his command, DeWitt was responsible for implementing Executive Order 9066 for the western region. This excerpt describes the threat Dewitt thought Japanese Americans posed.

**FEATURED SOURCE B** The editorial cartoon *All Packed Up and Ready to Go* introduces a lesser-known rationale for Japanese internment—the safety and security of Japanese Americans from revenge-seeking Americans. This cartoon uses symbolism (American flag) and overt expressions of Japanese American patriotism juxtaposed with a truck taking Japanese Americans from their homes for their own safety. The *San Francisco News* editorial also recommends moving Japanese Americans “out of harm’s way” and expresses concern that “The least act of sabotage might provoke angry reprisals that easily could balloon into bloody race riots.” Featured Source B provides a strong counterargument to those quick to cite racism and xenophobia as forces behind Japanese internment.
FEATURED SOURCE C includes three excerpts from sources in opposition to Japanese American internment. The first two excerpts are from United States Attorney General Francis Biddle. One of these excerpts is from a December 10, 1941, press release, issued just three days after Pearl Harbor, in which Biddle says that "enemy aliens," including Japanese Americans living in the United States, had no reason to fear government action against them as long as they remained loyal to the United States. The second excerpt is from a letter Biddle wrote to Congressman Leland Ford, where Biddle states his opposition to any internment policy. The third excerpt is from a February 7, 1942, memorandum by FBI director J. Edgar Hoover to the attorney general. Hoover was responsible for assessing the threats posed by enemy aliens, including Japanese Americans living on the West Coast of the United States. The memo serves to challenge much of DeWitt’s argument in support of Japanese American relocation and internment and argues that the threat to national security posed by Japanese Americans on the West Coast is minimal.

FEATURED SOURCE D consists of two Dorothea Lange photographs. Lange was commissioned by the War Relocation Authority to document the internment process. The photographs included for this formative performance task were taken in the months after Executive Order 9066 was issued and provide a counterbalance to the argument that Japanese Americans represented a threat to US security. One photograph shows Japanese American children pledging alliance to the flag. The other photograph depicts a Japanese American soldier who has come home to help his mother who is about to be sent to an internment camp.

Additional Resources

The sources described earlier are featured because they are illustrative of the kinds of sources teachers may use to teach this inquiry. They are not meant to be a final or exhaustive list. Additional or alternative sources include the following:

## Supporting Question 1


Walter Lippmann, article from his syndicated column Today and Tomorrow, “The Fifth Column on the Coast” (excerpts), *New York Tribune*, February 12, 1942

*NOTE: The term “fifth column” refers to people who engage in espionage or sabotage within their own country.*

SAN FRANCISCO—The enemy alien problem on the Pacific Coast, or much more accurately the Fifth Column problem, is very serious and it is very special. What makes it so serious and so special is that the Pacific Coast is in imminent danger of a combined attack from within and from without. The danger is not, as it would be in the inland centers or perhaps even for the present on the Atlantic Coast, from sabotage alone. The peculiar danger of the Pacific Coast is in a Japanese raid accompanied by enemy action inside American territory.

This combination can be very formidable indeed. For while the striking power of Japan from the sea and air might not in itself be overwhelming at any one point just now, Japan could strike a blow which might do irreparable damage if it were accompanied by the kind of organized sabotage to which this part of the country is specially vulnerable.

This is a sober statement of the situation, in fact a report, based not on speculation but on what is known to have taken place and to be taking place in this area of the war. It is a fact that the Japanese navy has been reconnoitering the Pacific Coast more or less continually and for a considerable length of time, testing and feeling out the American defenses. It is a fact that communication takes place between the enemy at sea and enemy agents on land.

These are facts which we shall ignore or minimize at our peril. It is also a fact that since the outbreak of the Japanese war there has been no important sabotage on the Pacific Coast. From what we know about Hawaii and about the Fifth Column in Europe this is not, as some have liked to think, a sign that there is nothing to be feared. It is a sign that the blow is well-organized and that it is held back until it can be struck with maximum effect....

In preparing to repel the attack the Army and Navy have all the responsibility but they are facing it with one hand tied down in Washington. I am sure I understand fully the unwillingness of Washington to adopt a policy of mass evacuation and mass internment of all those who are technically enemy aliens....There is the assumption that if the rights of a citizen are abridged anywhere, they have been abridged everywhere.

Forget for a moment all about enemy aliens, dual citizenship, naturalized citizens, native citizens of enemy alien parentage, and consider a warship in San Francisco harbor, an airplane plant in Los Angeles, a general’s headquarters at Oshkosh, and an admiral’s at Podunk. Then think of the lineal descendant, if there happened to be such a person, of George Washington, the father of his country, and consider what happens to Mr. Washington if he would like to visit the warship, or take a walk in the airplane plant, or to drop in and photograph the general and the admiral in their quarters.

He is stopped by the sentry. He has to prove who he is. He has to prove that he has a good reason for doing what he wishes to do. He has to register, sign papers, and wear an identification button. Then perhaps, if he proves his case, he is escorted by an armed guard while he does his errand, and until he has been checked out of his place and his papers and his button have been returned. Have Mr. Washington’s constitutional rights been abridged? Has he been denied the dignity of the human person? Has his loyalty been impugned?


In the war in which we are now engaged racial affinities are not severed by migration. The Japanese race is an enemy race and while many second and third generation Japanese born on United States soil, possessed of United States citizenship, have become “Americanized”, the racial strains are undiluted. To conclude otherwise is to expect that children born of white parents on Japanese soil sever all racial affinity and become loyal Japanese subjects, ready to fight and, if necessary, to die for Japan in a war against the nation of their parents. That Japan is allied with Germany and Italy in this struggle is no ground for assuming that any Japanese, barred from assimilation by convention as he is, though born and raised in the United States, will not turn against this nation when the final test of loyalty comes. It, therefore, follows that along the vital Pacific Coast over 112,000 potential enemies, of Japanese extraction, are at large today. There are indications that these are organized and ready for concerted action at a favorable opportunity. The very fact that no sabotage has taken place to date is a disturbing and confirming indication that such action will be taken.

Public domain. Reprinted from the Internet Archive website.  
[http://archive.org/stream/japaneseevacuati00dewi/japaneseevacuati00dewi_djvu.txt](http://archive.org/stream/japaneseevacuati00dewi/japaneseevacuati00dewi_djvu.txt)
Supporting Question 1

**Featured Source**

**Source B:** Cartoon and editorial from the *San Francisco News*

Rodger, editorial cartoon about relocating Japanese Americans, “All Packed Up and Ready to Go,” *San Francisco News*, March 6, 1941

![Cartoon Image](http://www.sfmuseum.org/hist8/editorial4.html)
Editorial, “Their Best Way to Show Loyalty” (excerpts), *San Francisco News*, March 6, 1941

Japanese leaders in California who are counseling their people, both aliens and native-born, to co-operate with the Army in carrying out the evacuation plans are, in effect, offering the best possible way for all Japanese to demonstrate their loyalty to the United States.

Many aliens and practically all the native-born have been protesting their allegiance to this Government. Although their removal to inland districts outside the military zones may inconvenience them somewhat, even work serious hardships upon some, they must certainly recognize the necessity of clearing the coastal combat areas of all possible fifth columnists and saboteurs. Inasmuch as the presence of enemy agents cannot be detected readily when these areas are thronged by Japanese the only course left is to remove all persons of that race for the duration of the war . . .

Real danger would exist for all Japanese if they remained in the combat area. The least act of sabotage might provoke angry reprisals that easily could balloon into bloody race riots.

We must avoid any chance of that sort of thing. The most sensible, the most humane way to insure against it is to move the Japanese out of harm’s way and to make it as easy as possible for them to go and to remain away until the war is over.

Used by permission of the Virtual Museum of the City of San Francisco. Editorial, ““Their Best Way to Show Loyalty,” originally published in the *San Francisco News*, March 6, 1942.

Supporting Question 1

**Featured Source** | **Source C**: Excerpts from Attorney General Frances Biddle and FBI director J. Edgar Hoover

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Attorney General Francis Biddle, press release from the Justice Department (excerpt), December 10, 1941

So long as the aliens in this country conduct themselves in accordance with law, they need fear no interference by the Department of Justice or by any other agency of the Federal government. They may be assured indeed, that every effort will be made to protect them from any discrimination or abuse. ... Inevitably, there are some among our alien population who are disloyal. The Federal government is fully aware of the dangers presented not only by such persons but also by disloyal citizens. The government has control of the activities of these elements. *At no time, however; will the government engage in wholesale condemnation of any alien group.* [italics in the original]

Public domain. Reprinted from the Untold Story: Internment of Japanese Americans in Hawai'i website, Japanese Cultural Center of Hawaii.

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Attorney General Francis Biddle, letter to Congressman Leland Ford (excerpt), January 27, 1942

Because of the legal difficulties involved in attempting to intern or evacuate the thousands of American-born persons of Japanese race who are, of course, American citizens, the department has not deemed it advisable to remove all persons of the Japanese race into the interior of the country.


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FBI Director John Edgar Hoover, memo to Attorney General Biddle (excerpt), February 2, 1942

The necessity for mass evacuation is based primarily upon public and political pressure rather than on factual data. Public hysteria and in some instances, the comments of the press and radio announcers, have resulted in a tremendous amount of pressure being brought to bear on Governor Olson and Earl Warren, Attorney General of the State, and on the military authorities. It is interesting to observe that little mention has been made of the mass evacuation of enemy aliens.

It is believed by many that the mass evacuation will be a cure-all and will eliminate the danger of Japanese espionage and sabotage. It would, of course, eliminate the possibility of the Japanese physically committing sabotage on the coast. However, experience has taught that the Japanese often rely on Occidentals to obtain physically their information for them. Bureau cases substantiate this.

If only the Japanese aliens are excluded from restricted areas, the problem of enforcement becomes extremely difficult. The necessity for challenging every Japanese observed within these areas is obvious. Then there must follow a close interrogation to establish citizenship. There also remains the fact that a large portion of the aliens have immediate or close relatives who are citizens and who would have access to the restricted areas. It is recognized that the second generation Japanese are, as a whole, more inclined to be loyal to this country than their alien elders. Irrespective of this, aliens and citizens being in the same families would tend to nullify effectiveness of the exclusion of aliens and not citizens from restricted areas. The advisability of excluding aliens and not citizens is therefore highly controversial.

Supporting Question 1

| Featured Source | Source D: Dorothea Lange, photographs of California internment camps, 1942 |

April 20, 1942. San Francisco, California. Flag of allegiance pledge at Raphael Weill Public School, Geary and Buchanan Streets. Children in families of Japanese ancestry were evacuated with their parents and will be housed for the duration in War Relocation Authority centers where facilities will be provided for them to continue their education.

May 11, 1942, Florin, Sacramento County, California. A soldier and his mother in a strawberry field. The soldier, age 23, volunteered July 10, 1941, and is stationed at Camp Leonard Wood, Missouri. He was furloughed to help his mother and family prepare for their evacuation. He is the youngest of six years children, two of them volunteers in United States Army. The mother, age 53, came from Japan 37 years ago. Her husband died 21 years ago, leaving her to raise six children. She worked in a strawberry basket factory until last year when her children leased three acres of strawberries “so she wouldn’t have to work for somebody else.” The family is Buddhist. This is her youngest son. Her second son is in the army stationed at Fort Bliss. 453 families are to be evacuated from this area.

Supporting Question 2

<table>
<thead>
<tr>
<th>Supporting Question</th>
<th>How did internment disrupt Japanese Americans’ lives?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Formative Performance Task</td>
<td>Write a paragraph describing how life was disrupted for interned Japanese Americans.</td>
</tr>
<tr>
<td>Research Opportunity</td>
<td></td>
</tr>
<tr>
<td>Featured Sources</td>
<td>Source A: Toku Machida Shimomura diary entries</td>
</tr>
<tr>
<td></td>
<td>Source B: Dorothea Lange photograph, I Am an American</td>
</tr>
<tr>
<td></td>
<td>Source C: Images from three online collections focused on internment camps</td>
</tr>
<tr>
<td>Conceptual Understanding</td>
<td>(8.6b) From 1939 to 1941, the United States government tried to maintain neutrality while providing aid to Britain but was drawn into the war by the Japanese attack on Pearl Harbor. The United States fought a war on multiple fronts. At home, the economy was converted to war production, and essential resources were rationed to ensure adequate supplies for military use.</td>
</tr>
<tr>
<td>Content Specifications</td>
<td>Students will examine the decision in the 1944 case Korematsu v. United States to intern Japanese Americans in light of perceived national security concerns versus constitutional rights.</td>
</tr>
<tr>
<td>Social Studies Practices</td>
<td>✔ Gathering, Using, and Interpreting Evidence</td>
</tr>
<tr>
<td></td>
<td>✔ Chronological Reasoning and Causation</td>
</tr>
</tbody>
</table>

**Supporting Question**

This supporting question shifts from the reasons for Japanese American internment as established in Formative Performance Task 1 to an examination of how internment affected Japanese American citizens living in the western United States. This question serves to highlight the personal toll of relocation and internment, including the political, social, economic, and psychological impact of internment policy. With knowledge of the harm done to Japanese Americans through internment, students should be better prepared to consider the costs of limiting freedom for national security reasons.

**Formative Performance Task**

Building on their understandings of the political and military debate over internment, in this task students examine how the internment policy affected Japanese Americans. To understand that impact, students read and analyze the diary of a Japanese American woman named Toku Machida Shimomura and evaluate a Dorothea Lange photograph, I Am an American, as illustrative of the Japanese American experience during World War II. After reading and analyzing Shimomura’s diary and the photograph, students should write a paragraph that describes four ways in which relocation and internment in a camp affected the life of Shimomura and other Japanese Americans. Through this task, students begin to gather evidence that will be used in the Summative Performance Task as they develop an argument with evidence from multiple sources that addresses the compelling question. To extend students’ work on this task, a research activity is included that provides students with an opportunity to examine photographic collections depicting life for Japanese Americans in internment camps.

Students will likely find Shimomura’s diary both accessible and powerful. With a deep understanding of the challenges presented to Shimomura and thousands like her, students have an opportunity to evaluate internment policy through the experiences of someone who was interned. Teachers may wish to provide students with additional entries from Shimomura’s diary. To support students in their analysis of the diary entries, teachers may give them the Diary Analysis Chart. The chart should help students organize information for their paragraphs.
This task is designed to strengthen the skills of Gathering, Using, and Interpreting Evidence. Through the analysis of Shimomura’s diary entries, students use and interpret evidence in an effort to better understand the human cost of the Japanese American internment policy. Additionally, students should be able to expand their understandings beyond the debate about the internment policy to the impact of internment on Japanese Americans. Students evaluate the extent to which an individual can be denied his or her right civil liberties in light of perceived threats to the security of the nation. Struggling readers should be provided with opportunities to read the passages aloud or to read with peers or with guidance from the teacher.
Diary Analysis Chart

Complete this chart by locating information about the date and topic of each diary entry, summarizing the content of the entry, and making an inference about the quality of life for Japanese Americans. To make an inference, use clues from the diary entry to determine something that the author does not tell you.

<table>
<thead>
<tr>
<th>Date</th>
<th>Topic</th>
<th>Summary</th>
<th>Inference</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 7, 1941</td>
<td>Bombing of Pearl Harbor</td>
<td>Toku Machida Shimomura describes her reaction to the news that Pearl Harbor has been bombed.</td>
<td>Japanese Americans were shocked by news of the bombing. They were scared of what might come next for them.</td>
</tr>
</tbody>
</table>

Research Opportunity

As a research opportunity, teachers may have students analyze photographs depicting life for interned Japanese Americans. There are several online collections of photographs from the era, some of which are listed as Featured Source C. The photographs in these collections highlight the conditions Japanese Americans were forced to endure and provide a powerful lens through which students can learn more about what life was like for Japanese Americans in internment camps. Teachers may have students use the Research Guide for Analyzing Japanese Internment Photographs to support their work with these collections. This guide is structured around the New York State social studies practice of Gathering, Using, and Interpreting Evidence.
## Research Guide for Analyzing Japanese Internment Photographs

<table>
<thead>
<tr>
<th>Phases of Analysis</th>
<th>Description of the Process</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Gathering</strong></td>
<td>The first phase in this research process is to gather or locate photographs for analysis. You can search or browse the collections to find photographs, but first you need to make some decisions about what you are looking for. Use what you have learned from Toku Machida Shimomura's diary and any other sources on Japanese Americans experiences in internment camps to make a list of topics that can guide your search. For example, you might search for images of children or people working in the camps.</td>
</tr>
<tr>
<td><strong>Using</strong></td>
<td>In this phase of the research process, you will conduct an analysis of the photographs you have gathered. Your analysis should include the following: 1. Describe everything you see in the photograph. 2. Explain how this photograph helps you know more about life for Japanese Americans in internment camps. 3. Explain why you think the photograph was taken. 4. Compare what you are learning across the photographs you have selected.</td>
</tr>
<tr>
<td><strong>Interpreting</strong></td>
<td>Now that you have started analyzing the photographs, you can begin the process of making an interpretation about life in the internment camps. Doing so will involve making some claims about what life was like for Japanese Americans and then connecting evidence from the photographs to support your claims.</td>
</tr>
</tbody>
</table>
Featured Sources

FEATURED SOURCE A includes excerpts from Toku Machida Shimomura’s diary. The diary provides a personal look at the plight of Japanese American citizens inside internment camps. Shimomura’s entries reveal the shock she felt after hearing of Japan’s attack on Pearl Harbor, her despondence over her incarceration at Camp Harmony, and the daily boredom she endured while under supervision at Camp Minidoka. Shimomura’s entries are heartfelt and relatable; she is a mother, a wife, and an American citizen.

FEATURES SOURCE B, I Am An American is Dorothea Lange’s photograph highlighting the social and economic impact of Japanese American internment. Despite his plea, the grocer whose store is shown in the photograph lost his business. In quick fashion, thousands of Japanese American–owned businesses were closed, and more than 120,000 persons of Japanese ancestry were uprooted and sent to remote locations in the American West.

FEATURED SOURCE C includes three online collections for research that feature photographs of Japanese American internment camps. These sources provide students with an opportunity to extend their understandings of life in the camps.

Additional Resources

The sources described earlier are featured because they are illustrative of the kinds of sources teachers may use to teach the inquiry and how to use them. They are not meant to be a final or exhaustive list. Additional or alternative sources include the following:

- Roger Shimomura Interview, Denshō Digital Archives. http://archive.densho.org/main.aspx. (Note: The link will bring you to the main page of the archives where you may log in as a guest to access the many segments of the Shimomura interview.)
Supporting Question 2

**Featured Source**

**Source A:** Toku Machida Shimomura, entries from her diary dating from the attack on Pearl Harbor to her internment at the Minidoka Relocation Center in Idaho (excerpts), 1941–1943

**NOTE:** Toku Machida Shimomura, a midwife and nurse living in Seattle, Washington, was interned in Camp Minidoka, Idaho, from 1942 to 1945. Born in Japan, Toku Machida moved to the United States in 1912 as part of an arranged marriage to Yoshitomi Shimomura. Toku maintained a diary for the 56 years she lived in the United States.

Diary Entries of Toku Machida Shimomura

**December 7, 1941 (Seattle, Wash.)**

When I came back from church today, I heard the dreamlike news that Japanese airplanes had bombed Hawaii. I was shocked beyond belief. I sat in front of the radio and listened to the news all day. They said that at 6 a.m. Japan declared war on the United States. Our future has become gloomy. I pray that God will stay with us.

**December 12, 1941 (Seattle)**

It was fair and clear weather today. I spent all day at home. Starting today we were permitted to withdraw up to $100 from the bank. This was for our sustenance of life, we who are enemy to them. I deeply appreciated Americans’ large heartedness in dealing with us.

**December 25, 1941 (Seattle)**

Christmas in the time of war. We spent time at home quietly as all of the family joyfully got together. For this we were all thankful. We had a pleasant Christmas, with Roger as the center of attention.

**December 31, 1941 (Seattle)**

At last, today will end this year which has been full of changes. This has been the first time in my life that I had to encounter such horrible events. All of the family got together and spent time in the warmth of the house. There is nothing as precious as family gatherings. We did a lot of house cleaning preparing for the New Year.

**February 3, 1942 (Seattle)**

I finally decided to register my fingerprints today after putting this off for a long time. Mrs. Sasaki and I went to the post office at the appointed time of 9 a.m. We finished the strict registration two hours later. I felt that a heavy load had been taken off of my mind.

**April 18, 1942 (Seattle)**

Today most of the stores in the Japanese section of town closed down. In this manner, our community of 40 years has come to a profound end. Reminiscing over the past, my eyes filled with tears. I had high blood pressure again so I received a second injection. I stayed in bed and rested, but my heart was filled with deep emotions thinking about the future.

**April 21, 1942 (Seattle)**

At last the order for evacuation was given formally by General DeWitt. There were some limitations to the first move. Kazuo (son) along with some others will leave here on the 28th as an advance party. In haste, we prepared for the leave.
April 28, 1942 (Camp Harmony Assembly Center, Puyallup, Wash.)

At last the day had arrived. It was time to leave Seattle, the city where we have lived for such a long time. Even though I tried not to cry, the tears flowed. Our group of 370 working people departed at 9:30 a.m. in a long string of cars and buses. We arrived at Puyallup at 11:30 a.m. We settled into our assigned place, A-2, number 27. We were all very dissatisfied with our army cots and cotton mattresses. Until late at night we heard a mixture of hammering and the crying voices of children. With much difficulty, I was eventually able to fall asleep.

May 21, 1942 (Camp Harmony)

It was partly clear today. In the evening there was a shower. All in all, it was fine weather. Early in the morning the laundry room looked just like a battlefield. As usual, I spent most of the time cleaning and doing laundry. For lunch they served wiener. For dinner, once again, it was bologna. I had a poor appetite.

June 16, 1942 (Camp Harmony)

First it rained, then it cleared up in the evening. Kazuo (son) got passes for papa and I to go to the isolation ward to visit Roger who has the chickenpox. The building was miserable and looked just like a jail. It is truly pathetic, but I guess it is for the protection of the public health. I prayed for his earliest possible recovery.

July 1, 1942 (Camp Harmony)

The heat is severe and there is no breeze. I heard that some rooms never got below 110 degrees yesterday and that the temperature in the sick room went up to 120 degrees. It was unbearable. During the afternoon I stood under the grandstand to avoid the sun. I stayed there until evening pleasantly conversing with Mrs. Kato and Mrs. Kaneko. I had no appetite today and went to bed exhausted.

August 17, 1942 (Camp Minidoka, Hunt, Idaho)

We arrived at Arlington, Idaho, unnoticed, at 5:30 a.m. Everybody looked terribly depressed. After lunch, the heat increased. Barely alive, we continued on. We made it to Rock Mountain at 2:30 p.m. We changed to buses, and after a 2 1/2-mile ride we arrived at the newly built camp at 4 p.m. Though the camp was still unfinished we could see the grand scale of this city near the mountains. We stared in amazement. I was assigned to Block 5-B-6, apt. A. After cleaning the dust from the room, I went to bed.

August 14, 1943 (Minidoka)

As usual I idled away the time without doing anything special. Papa sympathized with me over the fact that I am not involved with anything special. I wondered how anyone in this camp could live here without a deep sense of boredom.

Supporting Question 2

**Featured Source** | **Source B:** Dorothea Lange, photograph of a Japanese American–owned business, *I Am an American*, 1942

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*Oakland, Calif., Mar. 1942.* A large sign reading “I am an American” placed in the window of a store, at 13th and Franklin streets in Oakland California, on December 8, the day after Pearl Harbor. The store was closed following orders for persons of Japanese descent to evacuate from certain West Coast areas. The owner, a University of California graduate, will be housed with hundreds of evacuees in War Relocation Authority centers for the duration of the war.

Supporting Question 2

| Featured Source | Source C: Images from three online collections featuring photographs of Japanese American internment camps |

**Japanese American Relocation Digital Archives**

This collection, found at [http://www.calisphere.universityofcalifornia.edu/jarda/](http://www.calisphere.universityofcalifornia.edu/jarda/), contains thousands of primary sources on Japanese American internment, including photographs commissioned by the US War Relocation Authority. Among these photographs are those taken by Dorothea Lange. Most of her photographs were never published and, in fact, were suppressed by authorities who feared her honest and stark portrayal of Japanese Americans.

**Ansel Adams’s Photographs of Japanese American Internment at Manzanar**

These photographs may be found at the Library of Congress at [http://www.loc.gov/pictures/collection/manz/](http://www.loc.gov/pictures/collection/manz/). Adams photographed the Manzanar War Relocation Center in California in 1944 with permission from his friend, Manzanar camp director Ralph Merritt. A selection of these photos was published in 1944 in the book *Born Free and Equal*.

**Images of Japanese American Internment at Tule Lake Camp in Oregon**

This small online collection at the J. Willard Marriott Library at the University of Utah ([http://www.lib.utah.edu/collections/photo-exhibits/tule-lake.php](http://www.lib.utah.edu/collections/photo-exhibits/tule-lake.php)) features photographs from what was the largest and most controversial internment camp. Tule Lake was the site of frequent protests. The camp housed Japanese Americans who refused to take a required loyalty oath.
Supporting Question 3

<table>
<thead>
<tr>
<th>Supporting Question</th>
<th>How did the 1944 Korematsu case illustrate division in the United States over internment policy?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Formative Performance Task</td>
<td>Complete a graphic organizer comparing arguments from the majority and dissenting opinions in Korematsu v. United States.</td>
</tr>
</tbody>
</table>
| Featured Sources | Source A: Excerpts from Korematsu v. United States  
Source B: Excerpts from the United States Constitution |
| Conceptual Understanding | (8.6b) From 1939 to 1941, the United States government tried to maintain neutrality while providing aid to Britain but was drawn into the war by the Japanese attack on Pearl Harbor. The United States fought a war on multiple fronts. At home, the economy was converted to war production, and essential resources were rationed to ensure adequate supplies for military use. |
| Content Specifications | Students will examine the decision in the 1944 case Korematsu v. United States to intern Japanese Americans in light of perceived national security concerns versus constitutional rights. |
| Social Studies Practices | 🎧 Gathering, Using, and Interpreting Evidence  
䗢 Comparison and Contextualization |

Supporting Question

This supporting question focuses on the legal challenges to the internment policy. The question provides students with an opportunity to build on their knowledge about the debate over internment that was introduced in Supporting Question 1, and positions students to evaluate legal and constitutional arguments both in support of and opposition to internment policy. By considering the debate in the Korematsu case, students will be better prepared to address the compelling question on the tension between freedom and security.

Formative Performance Task

Formative Performance Task 3 calls on students to connect the historical foundations of the internment policy with the constitutional principles related to personal freedom and due process. Students will be asked to examine the 1944 Supreme Court case Korematsu v. United States as a means to understand the legal and political arguments presented on both sides. Specifically, students analyze excerpts from the majority opinion written by Justice Hugo Black and dissenting opinions written by Justices Frank Murphy, Owen Roberts, and Robert Jackson. Students evaluate the constitutionality of Executive Order 9066 and the government actions to implement the order that followed.

In the Korematsu case, the Supreme Court ruled 6-3 upholding Fred Korematsu's conviction for being in the exclusion zone on the West Coast. The court ruled that the need to protect against possible espionage outweighed the individual rights of the defendant Korematsu. Lawyers for Korematsu brought the case after he was arrested for failing to comply with military orders subjecting him to exclusion. Korematsu and his lawyers argued that, as a US citizen, Korematsu's arrest violated his Fifth Amendment rights.

Teachers may provide students with the Comparing Legal Opinions on Korematsu v. United States organizer to support their analyses. The organizer supports students as they present their comparisons and organize their thoughts by pulling quotes from excerpts of the majority and dissenting opinions while providing an explanation of the quote and, when relevant, a connection to the Constitution. In completing this task, students should read each opinion and identify argument statements made by the justices in their opinions. The majority, represented by Justice Black, refused to rule on the constitutionality of the exclusion order and, instead, simply upheld the military authority to execute the policy. Those who dissented wanted the court to rule on the policy itself. Students should then summarize the connections to the United States Constitution that follow from those argument statements.
Students will need to thoroughly analyze the excerpts from the opinions to complete the graphic organizer. The organizer should help students extend their ideas as they move toward the Summative Performance Task.

Students practice Gathering, Using, and Interpreting Evidence as they read and analyze the opinions from Justices Black, Murphy, Roberts, and Jackson and as they make their initial claims about the constitutionality of Japanese internment. Additionally, students employ the practice of Comparison and Contextualization as they contrast the opinions of the justices.

Formative Performance Task 3 requires thorough analysis of challenging sources. Teachers may find it helpful to provide students with secondary source material to strengthen their background knowledge for this task. Additionally, teachers might consider completing this task using a cooperative learning model, building upon students’ strengths and investigative skills.
## Comparing Legal Opinions on *Korematsu v. United States*

<table>
<thead>
<tr>
<th>Major arguments of each side</th>
<th>Majority Opinion of Justice Black</th>
<th>Dissenting Opinions of Justices Roberts, Murphy, and Jackson</th>
</tr>
</thead>
<tbody>
<tr>
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</table>

### Getting Organized
*(examples included below)*

<table>
<thead>
<tr>
<th>Quotes from the Majority Opinion</th>
<th>Explanation of the quote</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;Approximately five thousand American citizens of Japanese ancestry refused to swear unqualified allegiance to the United States and to renounce allegiance to the Japanese Emperor, and several thousand evacuees requested repatriation to Japan.‘’</td>
<td>Justice Black supported the military position that some Japanese Americans’ loyalty to Japan posed a national security risk. The Constitution provides the president with authority as commander and chief of the Army and Navy of the United States</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Quotes from the Dissenting Opinion</th>
<th>Explanation of the quote</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;Korematsu was born on our soil, of parents born in Japan. The Constitution makes him a citizen of the United States by nativity, and a citizen of California by residence.” (Justice Jackson)</td>
<td>Justice Jackson believed that, as a citizen, Korematsu could not be treated differently from others. The Fourteenth Amendment says that no state “shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States;”</td>
</tr>
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<td></td>
<td></td>
</tr>
</tbody>
</table>
Featured Sources

FEATURED SOURCE A includes excerpts from opinions of the Supreme Court justices in the 1944 case of Korematsu v. United States. Justice Hugo Black wrote the majority opinion, concluding that the power to protect our society was greater than the loss of freedom for some Americans. Justices Frank Murphy, Owen Roberts, and Robert Jackson all wrote dissenting opinions, highlighting different reasons why Korematsu’s rights as an American citizen were unconstitutionally denied as result of Executive Order 9066 and related military actions.

FEATURED SOURCE B includes excerpts from the United States Constitution. These excerpts include the guiding principles as laid out in the Preamble; the powers granted to the Executive Branch in Article II; and the Fourth, Fifth, and Fourteenth Amendments, which most closely relate to matters of personal freedom and due process. By including this source, students have an opportunity to make their own connections between the internment policy and the relevant parts of the Constitution.

Additional Resources

The sources described earlier are featured because they are illustrative of the kinds of sources teachers may use to teach the inquiry and how to use them. They are not meant to be a final or exhaustive list. Additional or alternative sources include the following:

NOTE: Almost immediately after Executive Order 9066 was issued, civil liberties advocates brought lawsuits to challenge the constitutionality of Japanese relocation. One of these lawsuits, Korematsu v. United States, was argued before the Supreme Court in 1944. In a 6-3 decision, the court refused to overturn the exclusion orders.

**Korematsu v. United States (No. 22)**

Argued: October 11, 12, 1944  
Decided: December 18, 1944

**Selections from the Majority Opinion**

BLACK, J., Opinion of the Court

MR. JUSTICE BLACK delivered the opinion of the Court.

The petitioner, an American citizen of Japanese descent, was convicted in a federal district court for remaining in San Leandro, California, a "Military Area," contrary to Civilian Exclusion Order No. 34 of the Commanding General [p216] of the Western Command, U.S. Army, which directed that, after May 9, 1942, all persons of Japanese ancestry should be excluded from that area. No question was raised as to petitioner's loyalty to the United States. The Circuit Court of Appeals affirmed, [n1] and the importance of the constitutional question involved caused us to grant certiorari.

It should be noted, to begin with, that all legal restrictions which curtail the civil rights of a single racial group are immediately suspect. That is not to say that all such restrictions are unconstitutional. It is to say that courts must subject them to the most rigid scrutiny. Pressing public necessity may sometimes justify the existence of such restrictions; racial antagonism never can....

The 1942 Act [Executive Order 9066] was attacked in the Hirabayashi case as an unconstitutional delegation of power; it was contended that the curfew order and other orders on which it rested were beyond the war powers of the Congress, the military authorities, and of the President, as Commander in Chief of the Army, and, finally, that to apply the curfew order against none but citizens of Japanese ancestry amounted to a constitutionally prohibited discrimination solely on account of race. To these questions, we gave the serious consideration which their importance justified. We upheld the curfew order as an exercise of the power of the government to take steps necessary to prevent espionage and sabotage in an area threatened by Japanese attack.

In the light of the principles we announced in the Hirabayashi case, we are unable to conclude that it was beyond the war power of Congress and the Executive to exclude those of Japanese ancestry from the West Coast war area at the time they did. True, exclusion from the area in which one's home is located is a far greater deprivation than constant confinement to the home from 8 p.m. to 6 a.m. Nothing short of apprehension by the proper military authorities of the gravest imminent danger to the public safety can constitutionally justify either. But exclusion from a threatened area, no less than curfew, has a definite and close relationship to the prevention of espionage and sabotage. The military authorities, charged with the primary responsibility of defending our shores, concluded that curfew provided inadequate protection and ordered exclusion. They did so, as pointed out in our Hirabayashi opinion, in accordance with Congressional authority to the military to say who should, and who should not, remain in the threatened areas.

That there were members of the group who retained loyalties to Japan has been confirmed by investigations made subsequent to the exclusion. Approximately five thousand American citizens of Japanese ancestry refused to swear
unqualified allegiance to the United States and to renounce allegiance to the Japanese Emperor, and several thousand evacuees requested repatriation to Japan.

We uphold the exclusion order as of the time it was made and when the petitioner violated it. Cf. Chastleton Corporation v. Sinclair, 264 U.S. 543, 547; Block v. Hirsh, 256 U.S. 135, 155. In doing so, we are not unmindful of the hardships imposed by it upon a large group of American citizens. Cf. Ex parte Kawato, 317 U.S. 69, 73. But hardships are part of war, and war is an aggregation of hardships. All citizens alike, both in and out of uniform, feel the impact of war in greater or lesser measure. Citizenship has its responsibilities, as well as its privileges, and, in time of war, the burden is always heavier. Compulsory exclusion of large groups of citizens from their homes, except under circumstances of direst emergency and peril, is inconsistent with our basic governmental institutions. But when, under conditions of modern warfare, our shores are threatened by hostile forces, the power to protect must be commensurate with the threatened danger. Citizenship has its responsibilities, as well as its privileges, and, in time of war, the burden is always heavier. Compulsory exclusion of large groups of citizens from their homes, except under circumstances of direst emergency and peril, is inconsistent with our basic governmental institutions. But when, under conditions of modern warfare, our shores are threatened by hostile forces, the power to protect must be commensurate with the threatened danger.

Korematsu was not excluded from the Military Area because of hostility to him or his race. He was excluded because we are at war with the Japanese Empire, because the properly constituted military authorities feared an invasion of our West Coast and felt constrained to take proper security measures, because they decided that the military urgency of the situation demanded that all citizens of Japanese ancestry be segregated from the West Coast temporarily, and, finally, because Congress, reposing its confidence in this time of war in our military leaders — as inevitably it must — determined that they should have the power to do just this. There was evidence of disloyalty on the part of some, the military authorities considered that the need for action was great, and time was short. We cannot — by availing ourselves of the calm perspective of hindsight — now say that, at that time, these actions were unjustified.

Excerpts from the Dissenting opinions

MR. JUSTICE ROBERTS, dissenting.

I dissent, because I think the indisputable facts exhibit a clear violation of Constitutional rights.

This is not a case of keeping people off the streets at night, as was Hirabayashi v. United States, 320 U.S. 81, nor a case of temporary exclusion of a citizen from an area for his own safety or that of the community, nor a case of offering him an opportunity to go temporarily out of an area where his presence might cause danger to himself or to his fellows. On the contrary, it is the case of convicting a citizen as a punishment for not submitting to imprisonment in a concentration camp, based on his ancestry, and solely because of his ancestry, without evidence or inquiry concerning his loyalty and good disposition towards the United States. If this be a correct statement of the facts disclosed by this record, and facts of which we take judicial notice, I need hardly labor the conclusion that Constitutional rights have been violated.

MR. JUSTICE MURPHY, dissenting.

This exclusion of “all persons of Japanese ancestry, both alien and non-alien,” from the Pacific Coast area on a plea of military necessity in the absence of martial law ought not to be approved. Such exclusion goes over “the very brink of constitutional power,” and falls into the ugly abyss of racism.

In dealing with matters relating to the prosecution and progress of a war, we must accord great respect and consideration [p234] to the judgments of the military authorities who are on the scene and who have full
knowledge of the military facts. The scope of their discretion must, as a matter of necessity and common sense, be wide. And their judgments ought not to be overruled lightly by those whose training and duties ill-equip them to deal intelligently with matters so vital to the physical security of the nation.

At the same time, however, it is essential that there be definite limits to military discretion, especially where martial law has not been declared. Individuals must not be left impoverished of their constitutional rights on a plea of military necessity that has neither substance nor support. Thus, like other claims conflicting with the asserted constitutional rights of the individual, the military claim must subject itself to the judicial process of having its reasonableness determined and its conflicts with other interests reconciled.

MR. JUSTICE JACKSON, dissenting.

Korematsu was born on our soil, of parents born in Japan. The Constitution makes him a citizen of the United States by nativity, and a citizen of California by residence. No claim is made that he is not loyal to this country. There is no suggestion that, apart from the matter involved here, he is not law-abiding and well disposed. Korematsu, however, has been convicted of an act not commonly a crime. It consists merely of being present in the state whereof he is a citizen, near the place where he was born, and where all his life he has lived.

Much is said of the danger to liberty from the Army program for deporting and detaining these citizens of Japanese extraction. But a judicial construction of the due process clause that will sustain this order is a far more subtle blow to liberty than the promulgation of the order itself. A military commander may overstep the bounds of constitutionality, and it is an incident. But if we review and approve, that passing incident becomes the doctrine of the Constitution. There it has a generative power of its own, and all that it creates will be in its own image. Nothing better illustrates this danger than does the Court's opinion in this case.

My duties as a justice, as I see them, do not require me to make a military judgment as to whether General DeWitt's evacuation and detention program was a reasonable military necessity. I do not suggest that the courts should have attempted to interfere with the Army in carrying out its task. But I do not think they may be asked to execute a military expedient that has no place in law under the Constitution. I would reverse the judgment and discharge the prisoner.

Supporting Question 3

| Featured Source | Source B: Constitutional Convention, document describing the structure of the US government, United States Constitution (excerpts), 1787 |

Preamble

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

Article II. Section 1.

The President shall be commander in chief of the Army and Navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Amendment V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment XIV

Section 1.

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

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http://www.archives.gov/exhibits/charters/constitution.html
Supporting Question 4

<table>
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<th>Supporting Question</th>
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<tr>
<td>What were arguments in favor of and against the 1988 Civil Liberties Act and reparations payments to Japanese Americans?</td>
<td>Develop a claim supported by evidence in favor or opposed to the Civil Liberties Act.</td>
<td>Source A: Excerpts from the Conference Report on H.R. 442, Civil Liberties Act of 1988&lt;br&gt;Source B: Civil Liberties Act of 1988&lt;br&gt;Source C: Presidential apologies for Japanese American internment from George H. W. Bush and Bill Clinton</td>
<td>(8.6b) From 1939 to 1941, the United States government tried to maintain neutrality while providing aid to Britain but was drawn into the war by the Japanese attack on Pearl Harbor. The United States fought a war on multiple fronts. At home, the economy was converted to war production, and essential resources were rationed to ensure adequate supplies for military use.</td>
<td>Students will examine the decision in Korematsu v. United States 1944, to intern Japanese Americans in light of perceived national security concerns versus constitutional rights.</td>
<td>🌐 Gathering, Using, and Interpreting Evidence&lt;br&gt;💭 Comparison and Contextualization&lt;br&gt;🌟 Civic Participation</td>
</tr>
</tbody>
</table>

**Supporting Question**

Having examined the debate in early 1942 about the need for an internment policy, how the policy affected Japanese Americans, and the constitutionality of internment and relocation, this supporting question calls upon students to evaluate the need for reconciliation and reparations. This question allows students to examine the legacy of Japanese internment through the study of the 1988 Civil Liberties Act and apologies issued by two sitting presidents. By addressing this supporting question, students will have encountered a third debate over internment and will be better positioned to make their arguments in response to the compelling question.

**Formative Performance Task**

In this formative performance task, students evaluate whether Japanese Americans, many years later, should have been compensated in the form of reparation payments from the US government. Students’ work on this task brings them closer to the Summative Performance Task in that it requires them to develop a claim supported by relevant historical evidence. This task requires students to evaluate whether the internment policy in the United States from 1942 to 1944 required a formal apology and compensation for those individuals and families affected. Central to this investigation is floor debate in the US House of Representatives from August 1988 on the Civil Liberties Act.

This task provides another opportunity for students to practice Gathering, Using, and Interpreting Evidence as they develop claims around the question of whether passage of the 1988 Civil Liberties Act and reparations payments to Japanese Americans were necessary. Students should compare speeches made in the House of Representatives and examine the context in which these speeches were delivered. Teachers are also encouraged to use video of this debate, included in the Additional Resources, to scaffold this issue for students who might otherwise struggle with the text.
Featured Sources

**FEATURED SOURCE A** The sources for Formative Performance Task 4 illustrate the diverse perspectives and arguments in support of and opposition to the 1988 Civil Liberties Act. Featured Source A includes excerpts from the August 1988 debate in the House of Representatives on the proposed bill. These excerpts were chosen to represent the divergent viewpoints held by the American people in the decades following World War II. Each excerpt speaks to the difficulty faced in balancing individual freedom with national security.

**FEATURED SOURCE B** is an excerpt from the 1988 Civil Liberties that outlines the position of the United States Congress 46 years after the issuance of Executive Order 9066. The law includes an apology and acknowledged complicity in the violation of the civil liberties of Japanese American citizens.

**FEATURED SOURCE C** is a set of statements issued by presidents George H. W. Bush and Bill Clinton, who both thought it necessary to formally apologize for the civil liberties violations of Japanese Americans during World War II.

Additional Resources

The sources described earlier are featured because they are illustrative of the kinds of sources teachers may use to teach the inquiry and how to use them. They are not meant to be a final or exhaustive list. Additional or alternative sources include the following:

- Democracy Starts Here, National Archives and Records Administration. [http://videocast.nih.gov/sla/NARA/dsh/broadband.html](http://videocast.nih.gov/sla/NARA/dsh/broadband.html). (Students may better understand the importance of the 1988 Civil Liberties Act by viewing this video commemorating the 25th anniversary of the Civil Liberties Act.)
Supporting Question 4

**Featured Source**


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**Mr. Glickman**: Mr. Speaker, this is a great day for America, because it bears witness to the unique and special greatness of America that we are today repaying American citizens for injustices suffered during World War II as a result of denial of due process. Very few other societies or countries would do what we Americans are doing today.

Mr. Speaker, this bill proves our respect for human rights and liberties is paramount. This bill also establishes a historical precedent that this will never happen again to any racial, religious, ethnic group or individual—that those folks will be deprived of due process because of their background.

Mr. Speaker, behind me is a statement by Daniel Webster. He closes the remarks by saying, "And let us see whether we in our day and in our generation may not perform something worthy to be remembered."

We are doing that today.

— *US Representative Dan Glickman (Democrat, KS)*

**Mr. Frenzel**: Mr. Speaker, when this bill was before us, I criticized its appropriateness, and as I frequently do, criticized the spending of money in the amounts called for. I spoke my piece, and I lost the argument.

Through the good work of a host of managers, the bill has been improved and has moved forward. A national apology will be offered when this bill is passed today. One of the managers, a particular friend, the gentleman from California [Mr. Matsui], has been most gracious in talking to me about this bill and explaining what his aspirations for it are.

Partly as a result of those discussions, I see this bill now as an important national apology. As such, it is one which should be made by all of us, and for all of the people of this country. Therefore, on this vote I am going to swallow my objections on appropriateness and unnecessary spending and I will reverse my vote against the bill.

Mr. Speaker, it is a time for apology, healing, and reunification, and I intend to be a part of it.

— *U.S. Representative Bill Frenzel (Republican, MN)*

**Mr. Panetta**: Mr. Speaker, enactment of this legislation will bring to a close a painful chapter in this Nation’s history. The forced internment of 120,000 persons of Japanese ancestry, most of them American citizens, was a national shame.

Extraordinary sacrifices occur in times of national crisis, and we recognize that thousands of Americans lost their lives in that conflict. The war exacted a price that can never be repaid. What they fought for, what they fought and died for, was a Nation that respects basic freedoms, justice, and rights. Their sacrifice is the very reason we have the responsibility of coming to terms with this tragic moment of our history. That is the lesson we all must learn.

Mr. Speaker, I rise today in support of the conference report for the Civil Liberties Act of 1987, which will provide restitution to Japanese Americans interned and relocated during World War II, an apology to these people, and an education fund to ensure the future study of this tragic moment of American history.
The treatment of Japanese Americans in the months following the attack on Pearl Harbor has long been a source of controversy and debate in this country. On February [19], 1942, 10 weeks after America’s entrance in the war, President Franklin D. Roosevelt signed Executive Order 9066 giving the Secretary of War and regional military commanders the power to exclude any and all persons from designated areas for security reasons. In the end, more than 120,000 persons of Japanese ancestry—two-thirds of whom were American citizens—were uprooted from along the coasts of California, Oregon, and Washington and interned in remote relocation camps.

Today, more than 40 years later, the controversy surrounding that decision continues. Congress moved in 1980 to address this sensitive issue by establishing a bipartisan Commission on Wartime Relocation and Internment of Civilians to examine the circumstances leading up to the exclusion of Japanese Americans from the west coast and their subsequent detention under armed guard.

After months of hearings and extensive examination of public records, the Commission reported in January 1983 that circumstances in this country during the war did not warrant the internment of thousands of Japanese Americans. In support of this conclusion, the Commission reported that there was not a single documented act of espionage or subversion committed by an American of Japanese heritage on the west coast. The Commission also noted the unequal treatment of suspected nationals, pointing out that no mass exclusion or detention was ordered against Americans of German or Italian descent.

Frankly, we all recognize the necessity of extraordinary measures in times of national crisis. Mandatory military service and gas and food rationing were but a few of the hardships and sacrifices that touched the lives of all Americans during World War II. For the thousands of young Americans who lost their lives in that conflict, the war exacted a price that can never be repaid.

The question before Congress and the Nation is whether, some 40 years after the fact, we should try to compensate for losses suffered by Americans of Japanese ancestry. I believe that we must come to terms with this tragic moment of our history. The education programs provided for in the bill will finally give this nearly forgotten casualty of World War II the attention it deserves. Children in schools across the Nation will learn about the cruelties of war and racism.

Too many young Americans are unaware of the events of World War II. For a variety of reasons the Japanese internment camps are not given adequate attention in the classrooms of the United States. At a time when young people are learning about the controversial events that occurred in Vietnam, so should they be learning of the assault on liberties that occurred right here in the United States during World War II. The money authorized in the bill specifically for education will ensure that future generations will know of these events and learn from them. While I recognize the concern of some over the price of this legislation, the price of not taking this action seems even higher. Only through a knowledge of history can similar events be avoided in the future.

— US Representative Leon Panetta (Democrat, CA)

Mr. Coble: Mr. Speaker, I yield myself my remaining 4 minutes.

Mr. Speaker, I am not comfortable rising to oppose this bill because some will accuse me of being insensitive and uncaring. It is inaccurate. Many proponents of the bill are Members of this house for whom I have the highest regard, and that compounds my discomfort.

I cannot argue to my colleagues that this legislation does not represent a humane gesture by the United States, nor can I argue that Americans of Japanese descent who were living on the west coast of the United States did not experience a horrendous and regrettable interruption of their lives and livelihoods during World War II because of the relocation program.

I can, however, argue, Mr. Speaker, that in a time of war when a country is threatened for its very survival, as this country was after Pearl Harbor in 1942, many things happen and many lives are disrupted for no logical reason.
Many travesties of justice occur during a time of war. Many people lost their lives during World War II. Many people’s lives were disrupted against their will, and this country went to war in order to help stop the further loss of lives.

I believe it is unfair and perhaps even presumptuous for us to sit in the calm of this House, thousands of miles away from any threat of war today, with the benefit of 20-20 hindsight, and pass judgment of the decision made by President Roosevelt, his Secretary of War, and other members of his Cabinet during the threat of war which faced them in 1942 following the attack on the front line of defense at Pearl Harbor.

Was there perhaps war hysteria? No doubt. Was there perhaps racial prejudice involved? No doubt.

Was there a failure of political leadership? I think not. We joined that war and helped our allies win it.

But the decisions which are being question today, Mr. Speaker, were intertwined with a threatened national security.

I furthermore have reservations about the precedent that we may be setting in passing legislation of this kind. I do not believe that this Government can make restitution for every wrong committed by it during a time of global war, and where do we draw the line. Perhaps descendants of slaves, perhaps American Indians who were forced from their ancestral grounds and placed upon reservations. The potential is endless.

Our office has received many letters from our veterans who fought in the Second World War who disagree with this bill, and the tone of their letters is generally the same. Many of them fought and were injured in World War II in conflict with our enemies. Some lost friends and loved ones as a result of the attack upon Pearl Harbor.

Mr. Speaker, in closing, I have no problems with the United States apologizing to those citizens of Japanese descent who were interned during the Second World War or whose lives were disrupted and detrimentally so during that war. And there are, furthermore, many people who should be recipients of apologies for acts that were done to them during the time of war. But it is a problem, Mr. Speaker, that cannot be simply and summarily resolved after the fact through legislation.

— US Representative Howard Coble (Republican, NC)

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## Supporting Question 4

### Featured Source

**Source B:** United States Congress, legislation regarding an apology to and reparations for Japanese Americans, Civil Liberties Act (excerpts), August 10, 1988

The Congress recognizes that, as described in the Commission on Wartime Relocation and Internment of Civilians, a grave injustice was done to both citizens and permanent residents of Japanese ancestry by the evacuation, relocation, and internment of civilians during World War II.

As the Commission documents, these actions were carried out without adequate security reasons and without any acts of espionage or sabotage documented by the Commission, and were motivated largely by racial prejudice, wartime hysteria, and a failure of political leadership.

The excluded individuals of Japanese ancestry suffered enormous damages, both material and intangible, and there were incalculable losses in education and job training, all of which resulted in significant human suffering for which appropriate compensation has not been made.

For these fundamental violations of the basic civil liberties and constitutional rights of these individuals of Japanese ancestry, the Congress apologizes on behalf of the Nation.

Based on the findings of the Commission on Wartime Relocation and Internment of Civilians (CWRIC), the purposes of the Civil Liberties Act of 1988 with respect to persons of Japanese ancestry included the following:

1. To acknowledge the fundamental injustice of the evacuation, relocation and internment of citizens and permanent resident aliens of Japanese ancestry during World War II;
2. To apologize on behalf of the people of the United States for the evacuation, internment, and relocations of such citizens and permanent residing aliens;
3. To provide for a public education fund to finance efforts to inform the public about the internment so as to prevent the recurrence of any similar event;
4. To make restitution to those individuals of Japanese ancestry who were interned;
5. To make more credible and sincere any declaration of concern by the United States over violations of human rights committed by other nations.

Supporting Question 4

**Featured Source**

**Source:** George H. W. Bush and Bill Clinton, presidential apologies for the internment of Japanese Americans during World War II, 1988 and 1993, respectively

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**Apology from President George H. W. Bush.**
Public domain.

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**Apology from President Bill Clinton.**
Public domain.
At this point in the inquiry, students have examined multiple issues related to the internment of Japanese Americans during World War II. They have investigated the debate in the weeks following the bombing of Pearl Harbor leading up to Executive Order 9066. Students have researched what life was like for Japanese Americans who were interned in camps. They have learned about the legal challenges to the exclusion policy brought in Korematsu vs. United States. And, finally, students have considered the arguments for reparations for and an apology to Japanese Americans who were subjected to internment.

The Summative Performance Task asks students to construct an argument that addresses the compelling question using specific claims and relevant evidence from historical sources while acknowledging competing views. The compelling question asks about the overall relationship between freedom and security. In this inquiry, students have learned about the specific instance of Japanese American internment when the balance between freedom and security was in dramatic tension. Given the content of this inquiry, teachers will likely frame the question in reference to the issue of Japanese American internment. However, teachers who introduce other resources and issues related to the intersection civil liberties and national security may want to expand the scope of the question beyond Japanese American internment.

To support students as they construct their arguments, teachers may want to use the Evidence Chart provided. While the task requires students to take a position and construct an evidence-based argument, the format for students’ presentations may include a detailed outline, poster, essay, seminar, formal debate, or the use of multimedia. It is essential, however, that whichever format is chosen, students use the social studies practices in developing this argument.

Students’ arguments will likely vary, but could include any or all of the following claims:

- The United States went too far with its Japanese American internment policy in trying to balance freedom and security.
- Politicians and military leaders in 1942 miscalculated the threat from Japanese Americans in creating the internment policy.
- The Constitution should guide policy makers when making decisions about how to balance freedom and security.

**Extension**

Teachers may encourage students to extend their arguments by crafting a statement that could be used in a court on the question of how to balance freedom and security. The statement might be thought of as a simple form of a legal brief, which is a written statement that puts forward the legal reasons for a case and the factual reasoning supporting a particular view on a case.
Teachers might use any one of the following contexts to support students in the development of their legal briefs:

• A brief in support of Fred Korematsu in the 1944 *Korematsu vs. United States* Supreme Court case: Students could write briefs that present the facts of the case and their informed perspectives on why the exclusion policy was constitutionally flawed given the national security circumstances.

• A brief presenting the facts and an opinion on the constitutionality of an issue under continuing litigation: One possibility would be for students to write briefs in support of or in opposition to a lawsuit challenging the constitutionality of the National Defense Authorization Act (NDAA) of 2012. The NDAA includes a provision for detaining people without a trial on suspicion of supporting terrorist organizations. The law includes the following provision in Section 1021: “Congress affirms that the authority of the President to use all necessary and appropriate force pursuant to the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note) includes the authority for the Armed Forces of the United States to detain covered persons (as defined in subsection (b)) pending disposition under the law of war.”

As students construct their legal briefs, teachers may provide them with the following structure:

A statement shall consist of the following:

• *Purpose* of the brief, summarizing the legal issues and the position being taken in the brief
• *Facts* in the case, with information about the sequence of events related to the case
• *Opinion*, presenting an argument on one side or the other in the case
• *Remedy*, a resolution that puts forward the actions desired as a result of the lawsuit.
# Evidence Chart

## Initial Claim

What is your opening claim about Japanese American internment? This claim should appear in the opening section of your argument. Make sure to cite your sources.

## Evidence

What evidence do you have from the sources you investigated to support your initial claim? Make sure to cite your sources.

## Additional Claims

What are some additional claims you can make that extend your initial claim? Make sure to cite your sources.

## Additional Evidence

What additional evidence do you have from the sources you investigated that support your additional claims? Make sure to cite your sources.

## Double Check

What ideas from the sources contradict your claims? Have you forgotten anything? Make sure to cite your sources.

## Pulling It Together

What is your overall understanding of the compelling question? This should be included in your conclusion. Make sure to cite your sources.
Taking Informed Action

<table>
<thead>
<tr>
<th>Compelling Question</th>
<th>Should freedom be sacrificed in the name of national security?</th>
</tr>
</thead>
</table>
| **Taking Informed Action** | **UNDERSTAND** Using the Question Formulation Technique (QFT), brainstorm a list of contemporary local, regional, and/or national issues where freedom and security are in tension.  
**ASSESS** Determine how to contribute to the debate on a contemporary example of the freedom versus security debate.  
**ACT** Create a statement expressing the position of students on the issue and distribute to appropriate outlets. |
| **Featured Source** | Source A: Editorial cartoon, *Uncle Sam Strip Searched at the Airport* |

Taking informed action can manifest in a myriad of ways and within a range of civic spaces. The tasks in this inquiry ask students to understand important civic ideas in the context of the historical internment of Japanese Americans. For this inquiry, students draw on their overall understandings of the relationship between personal liberty and collective security through the case study of Japanese internment during the World War II. In this Taking Informed Action activity, students apply what they have learned in order to explore a contemporary issue where freedom and security are in tension.

To *understand* the contemporary issue, students may participate in a brainstorming activity in which they list local, regional, and/or national issues where freedom and security are in tension. In doing so, students may also discuss and/or write about possible analogies (and limitations in making such analogies) between Japanese internment and the contemporary controversy. To begin that process, teachers may use the Question Formulation Technique (QFT) developed by the Right Question Institute to determine an issue where freedom and security are in tension.

The QFT process begins with a question focus. In this activity, the focus would be the idea that freedom and national security are sometimes at odds. To jumpstart their thinking, teachers may use the Kirk Anderson cartoon to help students consider the balance between freedom and security.

Students should then move through the three steps in the QFT process:

- Step one: Produce your own questions.
- Step two: Categorize your questions.
- Step three: Prioritize your questions.

In step one, students should write down as many statements or questions that come to mind as they reflect on what they learned in this inquiry, view the Kirk Anderson cartoon, and think about the implications. Students should not stop to think about how the question is worded or even whether or not it is a good question. The idea is just to get as many ideas down as possible.

For step two, students put the questions in categories, labeling them as “closed” or “open.” (Note: A closed-ended question is one that can be answered with “yes,” “no,” or a specific piece of information, such as “the Declaration of Independence was signed on July 4, 1776”; an open-ended question requires more reflection on the part of the respondent.) At this point, students are trying to determine the value of their questions. An alternative categorization approach would be to label the questions as easy to answer or hard to answer.

In step three, students should rank the open or hard to answer questions in order of importance given what they have learned in this inquiry.

With one of their top questions on a contemporary issue in mind, students should begin to assess how they might contribute to the debate on their contemporary example of the freedom versus security debate. Students should be encouraged to contribute to the debate with legal and historical justifications informed from what they learned in
the inquiry whenever possible. Teachers may need to provide students with background information to support their work. Things to consider might include the following:

- Time frame for engaging in the debate
- Nature and location of the debate (e.g., online, among the general public)
- Considerations for the legal argument
- Considerations for the historical argument
- Main arguments informing the debate
- Constraints to achieving action

To act on their emerging understanding, students might create statements expressing their positions on the issues and distribute them to appropriate outlets.

While students are always encouraged to learn from the lessons of history, teachers may want to emphasize the potential risks of using historical experiences to make judgments in the present and the reverse. Despite the often-repeated aphorism that history repeats itself, it simply cannot. Each historical situation represents a distinctly unique context and deserves careful consideration before drawing on it for evidence for a claim about a contemporary issue. Hence, students should be encouraged to reflect on contextual similarities and differences between Japanese internment and the case study. In this way, students apply what they have learned in this Taking Informed Action activity by deciding the extent to which the past can inform decisions in the present.
Taking Informed Action

**Featured Source**

**Source A:** Kirk Anderson, editorial cartoon, *Uncle Sam Strip Searched at the Airport*, November 2, 2012

### Common Core Connections Across the Grade 8 Inquiry

Social studies teachers play a key role in enabling students to develop the relevant literacy skills found in the New York State P–12 Common Core Learning Standards for English Language Arts and Literacy. The Common Core emphasis on more robust reading, writing, speaking and listening, and language skills in general and the attention to more sophisticated source analysis, argumentation, and the use of evidence in particular are evident across the Toolkit inquiries.

Identifying the connections with the Common Core Anchor Standards will help teachers consciously build opportunities to advance their students' literacy knowledge and expertise through the specific social studies content and practices described in the annotation. The following table outlines the opportunities represented in the Grade 8 Inquiry through illustrative examples of each of the standards represented.

<table>
<thead>
<tr>
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<th>Common Core Anchor Standard Connections</th>
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<tbody>
<tr>
<td><strong>Reading</strong></td>
</tr>
<tr>
<td><strong>CCSS.ELA-LITERACY.CCRA.R.1</strong></td>
</tr>
<tr>
<td>Read closely to determine what the text says explicitly and to make logical inferences from it; cite specific textual evidence when writing or speaking to support conclusions drawn from the text.</td>
</tr>
<tr>
<td>See Formative Performance Task 3: Students complete a chart that lists evidence in support of the majority and dissenting opinions in <em>Korematsu v. United States</em>.</td>
</tr>
<tr>
<td><strong>CCSS.ELA-LITERACY.CCRA.R.2</strong></td>
</tr>
<tr>
<td>Determine central ideas or themes of a text and analyze their development; summarize the key supporting details and ideas.</td>
</tr>
<tr>
<td>See Formative Performance Task 1: Students summarize information from sources and create a list of stated or implied reasons for and against</td>
</tr>
<tr>
<td><strong>CCSS.ELA-LITERACY.CCRA.R.7</strong></td>
</tr>
<tr>
<td>Integrate and evaluate content presented in diverse media and formats, including visually and quantitatively, as well as in words.</td>
</tr>
<tr>
<td>See Formative Performance Task 2: Using text and photographs as sources, students will write a paragraph describing how life changed for interned Japanese Americans.</td>
</tr>
</tbody>
</table>

| **Writing**                             |
| **CCSS.ELA-LITERACY.CCRA.W.1**          |
| Write arguments to support claims in an analysis of substantive topics or texts using valid reasoning and relevant and sufficient evidence. |
| See the Summative Performance Task: Should freedom be sacrificed in the name of national security? Construct an argument (e.g., detailed outline, poster, or essay) using specific claims and relevant evidence from historical sources while acknowledging competing views. Write a legal brief presenting facts and arguments in a case related to the balance between freedom and security. |
| **CCSS.ELA-LITERACY.CCRA.W.5**          |
| Develop and strengthen writing as needed by planning, revising, editing, rewriting, or trying a new approach. |
| See the Summative Performance Task: Students carefully develop arguments using a custom planning process. |

<p>| <strong>Language</strong>                            |
| <strong>CCSS.ELA-LITERACY.CCRA.L.6</strong>          |
| Acquire and use accurately a range of general academic and domain-specific words and phrases sufficient for reading, writing, speaking, and listening at the college and career readiness level; demonstrate independence in gathering vocabulary knowledge when encountering an unknown term important to comprehension or expression. |
| See Appendix A: Japanese Internment Inquiry Vocabulary: Students use the vocabulary guide to understand words and phrases they encounter in the formative performance tasks. |</p>
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>dissenting opinion</td>
<td>Legal statement made by one or more justices in a Supreme Court case that expresses disagreement with the court’s final issued opinion.</td>
</tr>
<tr>
<td>due process</td>
<td>The right to a fair administration of justice and protection against illegal denial of life, liberty, and property by the government.</td>
</tr>
<tr>
<td>espionage</td>
<td>Covert surveillance operations on other countries and/or foreign threats.</td>
</tr>
<tr>
<td>executive order</td>
<td>Presidential directives that carry full legal weight to help manage various agencies of the executive branch of the federal government.</td>
</tr>
<tr>
<td>imperial</td>
<td>Relating to an empire, which is a territory greater than a nation or a kingdom.</td>
</tr>
<tr>
<td>indoctrination</td>
<td>The process of instilling ideas, attitudes, and/or doctrine onto a group of people who are expected to not question what they have learned.</td>
</tr>
<tr>
<td>internment</td>
<td>The act of confining people to a particular location usually in the form of temporary and indefinite imprisonment during wartime.</td>
</tr>
<tr>
<td>majority opinion</td>
<td>Legal statement agreed upon by more than half of the justices in a Supreme Court case that provides an explanation and rationale for the court’s final issued opinion.</td>
</tr>
<tr>
<td>neutral</td>
<td>Withholding support or endorsement for any disputing sides during a controversy, conflict, or war.</td>
</tr>
<tr>
<td>unassimilated</td>
<td>Someone who does not conform to social, cultural, or political norms.</td>
</tr>
<tr>
<td>War Department</td>
<td>The original US Cabinet department responsible for the Army that ran from 1789 to 1947, until it was replaced by the National Military Establishment and renamed the US Department of Defense in 1949.</td>
</tr>
</tbody>
</table>
Appendix B: Additional Resources for Teaching this Inquiry