DECEMBER
LESSON PLANS

FRED T. KOREMATSU INSTITUTE
**Title of Lesson Plan:** Korematsu v. United States

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**Grade Level:** 9-12

**Synopsis/Summary of Lesson:**
Students learn about the Supreme Court case Korematsu v. United States through a variety of avenues. By examining propaganda posters created by the United States Government Printing Office, students create a definition of what liberty meant to the nation in the 1940s and question if liberty was truly for all Americans. Then students read a chapter titled, “One Man Seeks Justice from a Nation: Korematsu v. United States” and create a verbal and pictorial dictionary of keywords important to the case. By the end of the lesson, students should know how Fred T. Korematsu fought for liberty not only for himself, but for all.

**Background Introduction:**
Following the attack on Pearl Harbor on December 7, 1941, President Franklin D. Roosevelt issued Executive Order 9066, which called for the creation of military zones in the Western United States. Under the order, “any or all persons may be excluded, and with respect to which, the right of any person to enter, remain in, or leave shall be subject to whatever restrictions the Secretary of War or the appropriate Military Commander may impose in his discretion.” Protection against espionage and sabotage to national defense was cited as the prime motivation for the forced removal of Japanese Americans from these declared military zones.

Fred T. Korematsu was arrested on May 30, 1942 and convicted on September 8, 1942 in federal court for violating the order to report to an incarceration camp. Korematsu argued the order violated his Fifth Amendment rights. On December 18, 1944, the case was decided by the Supreme Court. The 6-3 decision upheld that the order was lawful. Many decades later, a discovery of key documents evinced that the U.S. government knew Japanese Americans posed no threat to national security. After an intensive legal effort, Korematsu’s conviction was overturned on November, 1983 in the U.S. District Court of Northern California.

**Possible Units to Use With:** World War II, Civil Liberties, Government (Case Briefs)

**Focus/Essential Question(s):**
- Under what conditions do governments infringe or deny civil liberties to individuals or groups?
- What strategies do individuals use to address social injustices?
Objectives:
1. Critique government-issued World War II posters to infer what it meant to be an American and patriotic
2. Understand the details of the Korematsu v. United States court case and the legacy of Fred T. Korematsu

C3 Framework Standards:
D2.Civ.10.9-12. Analyze the impact and the appropriate roles of personal interests and perspectives on the application of civic virtues, democratic principles, constitutional rights, and human rights.
D2.His.1.9-12. Evaluate how historical events and developments were shaped by unique circumstances of time and place as well as broader historical contexts.
D2.Civ.12.3-5. Explain how rules and laws change society and how people change rules and laws.

Required Materials and Preparation:
Preparation: An understanding of World War II, the reason for the United States’ entry into the war, and the attack on Pearl Harbor will provide the context for this lesson.

Materials:
- Photocopy for each student or project onto a screen the following:
  - “Avenge December 7”
    https://images.northwestern.edu/multiresimages/inu:dil-b0ceeb10-95e5-4988-ad63-983772c5d860
  - “1778, 1943: Americans will always fight for liberty”
    https://images.northwestern.edu/multiresimages/inu:dil-4e49c076-620e-49c8-bac4-f344b3aefc76
- Photocopy for each student: “One Man Seeks Justice from a Nation: Korematsu v. United States” chapter edited by Stewart Kwoh and Russell C. Leong—see the Korematsu Institute’s Digital Curriculum Kit

Procedure:
1. Lead a class discussion using the following questions: What is the purpose of propaganda? Who creates propaganda? How does bias or personal/group perspective influence propaganda? This discussion is about propaganda in general and does not need to focus on World War II or Japanese Americans yet.
2. Distribute copies or project onto a screen both World War II posters for students to view. Have students work with a partner to answer the following questions:
   - “Avenge December 7” is referring to what significant event in United States history?
• Who do you think created this poster?
• What emotion is this piece trying to evoke?
• Do you see any social or political issues that could arise after American citizens view this poster?

3. Have partners report out their answers to the first image. Through class discussion, lay the foundation for exploring the treatment of Japanese Americans after the attack on Pearl Harbor.

4. Have students turn back to their partners and answer the following questions:
   • “1778, 1943: Americans will always fight for liberty” is referring to what two significant events or periods in United States history?
   • Who do you think created this poster?
   • What emotion is this piece trying to evoke?
   • Why was America fighting during both of those periods?

5. Have partners report out their answers to the second image. Tie back to the focus question, “Under what conditions do governments infringe or deny civil liberties to individuals or groups?”

6. Connect their answers to introduce Fred T. Korematsu, a Japanese American who was incarcerated after the attack on Pearl Harbor and because of his ancestry. Korematsu’s civil liberties were denied during wartime.

7. Merge partners together to form groups of four and distribute a copy of “One Man Seeks Justice from a Nation: Korematsu v. United States” to each student. Use the jigsaw teaching strategy:
   a. Student 1 reads “Introduction” through “What Happened to Japanese Americans in 1942”
   b. Student 2 reads “How Korematsu Challenged the Exclusion Order” through “Young Lawyers Challenge Injustice”
   c. Student 3 reads “Korematsu’s Second Day in Court”
   d. Student 4 reads “Aftermath: Redress and Coram Nobis” through “Racial Profiling: Could it Happen Again?”

8. Each student acts as the expert for their assigned section and teaches their group the main idea of the section. Students should either highlight in their packet information groupmates report out or write down a few notes.

9. Have each group choose one person in the group to report out a summary of the reading.

**Differentiated Engagement Strategies for Accessibility of All Students:**
Purposeful partnering for the propaganda discussion portion allows for all students to engage in the conversation. By using a jigsaw strategy for the project portion, students are supported by their peers through the process. For students who struggle with reading comprehension, a highlighted copy of the reading could be provided that narrows student focus to key portions of the text. The highlighted version would not lessen their engagement within the group.
Groups could also complete a timeline of events and describe each event related to the case. If students struggle with pulling out key events, the teacher could provide 10 events for students to look up using the reading.

**Extension Activities:**

1. Students work with their group to create a dictionary based on the reading. Use a technology platform that allows students to collaborate on a document at the same time. For every letter of the alphabet, students will type the letter, provide a word from the reading, define it based on the source context and provide a picture that represents the term. Some letters could have more than one possible answer. For example:

   **A:** ACLU: American Civil Liberties Union Attorneys offered to help Fred Korematsu fight for justice. Insert picture

   **B:** Boiler Makers Union…, C-Coram Nobis….

2. Individually, have students create a propaganda poster. Posters should reflect an updated representation of patriotism, liberty for all, and/or legacy of *Korematsu v. United States*.

3. Class Discussion or Individual Writing Prompt: Dale Minami, Korematsu’s lead *coram nobis* counsel stated, “I think the jury’s out on the legacy of redress. Unless we continue the legacy of that struggle for other groups—like Latin American Japanese Americans and other minority groups—the legacy will have been wasted.” What are some similarities between the attack on Pearl Harbor/World War II period and the events and aftermath of September 11, 2001? Were liberties of individuals or groups infringed upon after September 11th under the disguise of military necessity? How can we, in our daily lives, live the legacy of Fred Korematsu to fix social injustices in our community and nation?