2.1.1 - Japanese American Incarceration and the US Constitution

The Asian American Education Project

Grade Level(s)	Pre-K-6
Lesson Overview	Japanese Americans suffered terrible injustices as a result of governmental policies that discriminated against them by treating them like enemies. In this lesson, students examine what happened to Japanese Americans during WWII, what constitutional rights were violated in the process, and why such a massive injustice happened.
Lesson Objectives	Students will be able to: ● Describe the experiences of Japanese Americans during World War II. ● Identify and evaluate the causes and effects of the incarceration of Japanese Americans during World War II. ● Explain how the constitutional rights of Japanese Americans were violated because of incarceration. ● Find evidences in primary and secondary sources to explain the constitutional violations. ● Describe how the incarceration of Japanese Americans affected other Asian American communities.

Japanese American Incarceration and the US Constitution Essay:

After Japan's attack on Pearl Harbor in 1941, over 120,000 Japanese Americans were incarcerated in prison camps across the United States with the signing of Executive Order 9066 by President Franklin D. Roosevelt. That was almost the entire population of Japanese Americans on the West Coast. No charges were brought against them, and there were no hearings. They did not know where they were going, or how long they would be detained. Many families were separated, living and raising children in poor and harsh conditions. Despite most being U.S. citizens, Japanese Americans' constitutional rights were not recognized. Their loss of rights and freedoms included but were not limited to: right to be informed of the charges; right to legal counsel; right to speedy and public trial; freedom from cruel and unusual punishment; and right to equal protection under the laws.

How could such a massive violation of constitutional rights happen? Although provoked partially by concern for national security after the Pearl Harbor attack, Japanese Americans have faced long-held racism toward them when they came after the Chinese were excluded in 1882. **White supremacist** groups lobbied to stop all immigration from Japan. California and other western states passed land laws to forbid Japanese immigrants from owning or leasing farmland. Newspapers, radio, and movies stereotyped Japanese Americans as untrustworthy. As Japan became a military power, the media depicted Japanese Americans as spies for the country—but none were ever convicted of spying. Japan's attack on Pearl Harbor only increased existing anti-Japanese racism.

Despite being forced into prison camps by the U.S. government, an estimated 33,000 Japanese Americans joined the U.S. military to fight the Nazis. 18,000 men joined the segregated all-Japanese American 442nd Regimental Combat Team. The 442nd participated in successfully liberating French cities from Nazi occupation and rescued Texan soldiers. The 442nd fought with a segregated African American unit, and drove German forces out of northern Italy. The 442nd became the most decorated unit for its size and length of service in the history of the U.S. military.

Japanese Americans, against all odds, fought for their constitutional rights. In one case in 1944, 23-year-old Fred Korematsu sued the United States on the grounds his Fifth Amendment rights were being violated by ordering him to relocate. The Supreme Court decided that he could not be excluded

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from relocation because it was a military necessity that all Japanese be moved to prison camps on the west coast.

In 1983, a report by the federal Commission on Wartime Relocation and **Internment** of Civilians found that the broad causes of Japanese American **incarceration** were racial prejudice, war hysteria and a failure of political leadership. That same year, Fred Korematsu's case was overturned. Over 40 years later and after campaigning by the Japanese American community, the U.S. government finally issued a formal apology for violating Japanese Americans' liberties guaranteed by the Constitution. The Civil Liberties Act of 1988 was signed by President Ronald Reagan and provided **reparation**s to those incarcerated during the war.

The Japanese American incarceration during World War II is a stark reminder that a racial minority's **civil liberties** can be easily violated in the name of national security. It provides a cautionary tale of the need for vigilance in safeguarding the civil liberties of all people, particularly racial minorities, and others targeted and blamed for problems by the dominant group.

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Vocabulary:

- **Civil Liberties**: Fundamental rights and freedoms protected by the Constitution[1]
- **Curfew** – Requiring people off the streets during particular hours[2]

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- **Enemy Alien**: A citizen of a nation that the United States is at war with[3]
- **Incarceration:** The placement of people in a prison for a lengthy period of time. This term applies to and is used by Japanese American citizens, who were two-thirds of those in prison camps during World War II. The other one-third were immigrants from Japan; but were denied pathway to citizenship. At that time Asians could not apply for naturalized citizenship, except people from the Philippines who had served in the United States military.[4]
- **Infamy**: To have a very bad reputation[5]
- **Internment:** The legal but questionable ability to put a group of people considered enemy aliens without a trial during wartime into prisons set up by the Army or Department of Justice (DOJ).[6]
- **Loyalty**: Faith to a country, ideas or person[7]
- **Treason**: Violating an oath of allegiance[8]
- **Reparations:** Providing compensation to make up for a past wrong[9]
- **White Supremacist**: A person who believes that the white race is inherently superior to other races[10]

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[1]Definition adapted from National Constitution Center
[2]Definition adapted from The Free Dictionary
[3]Definition adapted from The U.S. National Archives and Records Administration
[4]Definition adapted from Densho
[5]Definition adapted from Vocabulary.com
[6]Definition adapted from Densho
[7]Definition adapted from yourdictionary.com
[8]Definition adapted from collinsdictionary.com
[9]Definition adapted from Merriam-Webster
[10]Definition adapted from Merriam-Webster

Discussion Questions:

- What is the responsibility of a government to its people during both times of peace and war?
- How could the United States while fighting fascism and tyranny abroad in Europe, violate the civil liberties of its own citizens?
- Are there any circumstances in which it is okay for a democracy such as the United States to change/bend its governing principles of freedom and equality under the U.S. Constitution?
- A popular saying is "History repeats itself." Could a forced mass incarceration, like what happened to the Japanese Americans, be carried out today with another group of people? Why or why not?
- What similarities can be drawn between the Japanese American incarceration and U.S. immigration policies today?
- What does it mean to be "American"? In what ways is Executive Order 9066 "un-American"? How did incarcerated Japanese Americans prove themselves to be "American"?

Activity 1:

Identifying the causes and effects of the incarceration of Japanese Americans (Grades 2 to 6)

Making a Cause and Effect Diagram

Show this lesson's video and read the essay.

- Distribute the *Cause and Effect Diagram*, https://docs.google.com/document/d/1-0yajHoZmLc1LkiuUwXSyjBZqKGqk6_XAUJsvcakkCQ/edit

- Ask students to write "Japanese American incarceration" in the event rectangle in the middle.

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- Ask students to fill out the diagram with the causes and effects of Japanese American incarceration to individuals, families, and Asian American communities while watching the video and reading the Japanese American and the US Constitution Essay.

In pairs, have students review together and complete their diagrams.
- Prompt students to think about how individuals, families, and the Asian American communities were affected.

After students have completed the *Cause Effect Diagram*, convene as a whole group and review their responses. Facilitate a discussion by asking students:
- What were the negative effects of Japanese American incarceration?
- What were the positive effects (if any)?
- What lessons can we learn from the incarceration of Japanese Americans?

Activity 2:

Identifying Constitutional Rights Violations (Grades 1-6)

1. **Students' emotional connection to the Japanese American incarceration - *Color, Symbol, Image Diagram*** (Grades 1-6)
   a. Show this lesson's video and read the essay.
      - Prompt students to pay close attention to what happened to Japanese Americans after the Pearl Harbor attack and what constitutional rights of Japanese Americans were violated.
   b. Facilitate a whole-class discussion by asking the following questions:
      - What did you learn from this video?
      - What happened to Japanese American families and how is this an example of violating Constitutional Rights in the name of national security by the U.S. government?
   c. Distribute the *Color Symbol Image Diagram*
      https://docs.google.com/document/d/1gwpQoQhYGKrZoY7CcbgL9ZdQDWQ-yHJGJOsDZ3xj8R8/edit?usp=sharing
      - Ask students to choose a color, a symbol and an image that represent the experiences of Japanese Americans during WWII.
      - Working with partners, students explain the choices they made for each color, symbol and image.
      - Post the completed work around the room, and instruct students to participate in a gallery walk.

2. **Constitutional Rights Violation Activity – Recording Evidences** (Grades 2-6)
   a. Review the Amendments with students. See a list in the *Japanese American Incarceration and the US Constitution Examples*.
      https://docs.google.com/document/d/1QuNe5BnYon9Nbp2KRBgJG1UxqP-ZK2-xicIkkaGMtO8/edit?usp=sharing
   b. *Japanese American Incarceration and the US Constitution* worksheets.
      Three worksheets are provided. Choose an appropriate one for your students.
      - Worksheet 1.
        https://docs.google.com/document/d/1fc3m-W7Wi4G23aZd_Vw0N0-VUKGMECp3tafACBQIUjE/edit?usp=sharing
        [Note to Teachers: You might want to scramble the order of the actions.]
        Students identify the Amendment that the actions violated.
      - Worksheet 2.
        https://docs.google.com/document/d/1Af5m2hUKezCxaIwJ5qWPak7zNAR6bcrXSR5_tf0EFMs/edit?usp=sharing

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Students record what happened to Japanese Americans that violated the particular Amendment.

- Worksheet 3. https://docs.google.com/document/d/19mx0VH4fhrWtLOIOqaNYMqxuC66rOodWQ3aIKG6_T98/edit?usp=sharing
  Students record what happened to Japanese Americans and identify the particular Amendment of violation.

c. Complete the worksheets
   - Break the class into small groups of 3 - 4 students each.
   - Allow students to work in groups and encourage discussion.
   - Ask students to look for evidences in the video, the essay or other sources on how Japanese Americans' constitutional rights were violated.

d. After students complete the worksheets, review students' responses and facilitate a whole group discussion by asking the following questions:
   - What historical events, national sentiment and lack of political leadership led to Executive Order 9066?
   - In what ways did the incarcerated Japanese Americans fight back?
   - Why are constitutional rights and freedom important, and how do we ensure that they are protected for everyone?

Activity 3:

Japanese American Experiences in the Camps (Pre-K to 6)

1. Read a text about the Japanese American experience. This can be done via instructional read-aloud or via independent reading. The following is a suggested list of possible resources:

   a. *Write to Me: Letters from Japanese American Children to the Librarian They Left Behind.* Author Cynthia Grady. Charlesbridge (2018) – (Pre-K-3)
      - The story, *Write to Me: Letters from Japanese American Children to the Librarian They Left Behind*, author Cynthia Grady sheds light into life at the incarceration camp through the correspondence between the children and their Librarian, Miss Breed. Before the children left for the camp, their librarian gave them books and asked them to write letters to her. In a letter from the incarceration camp, young Katherine Tasaki thanked Miss Breed for the book and picture she sent. The letter revealed that since her arrival, she kept getting sick. The poignant exchanges helped the children in the camp make connections to the outside world.

   b. *Fish for Jimmy: Inspired by one family's experience in a Japanese American Internment Camp.* Author Katie Yamasaki. Holiday House (2013) – (Grades 1-4)
      - An adaptation of the author's family's true story reflecting the values of family bonding, love and courage. When Jimmy lost his appetite during the forced incarceration, brother Taro sneaked out of the camp every night to catch fish hoping that fresh food could help him become healthy again.

   c. *Fred Korematsu Speaks Up.* Authors: Laura Atkins and Stan Yogi. Heyday (2017) – (Grades 4-6)

      - In *Fred Korematsu Speaks Up,* explore Fred Korematsu's activism and resistance to go to the Japanese American incarceration camp. He filed a lawsuit against the U.S. government because he felt that people should be given a fair trial before imprisonment. Even though he went to jail for his resistance, he did not give up his fight for justice.

2. Facilitate a whole-group discussion by asking the following questions:

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- Feelings of anxiety and concerns about their future amongst the Japanese Americans during their incarceration were prevalent. Describe their experiences as documented in the video clip and texts. *Write to Me: Letters from Japanese American Children to the Librarian They Left Behind.*
- Citing examples from the video clip and texts, describe how camp conditions affected the health and mental conditions of Japanese Americans during incarceration. *Fish for Jimmy: Inspired by one family's experience in a Japanese American internment camp.*
- What evidence of turmoil amongst the Japanese Americans were mentioned in the video clip and texts? *Fred Korematsu Speaks Up*

Extension Activity

Analyzing Causes and Effects (Grades 5 & 6)

1. Explain what primary and secondary sources are:
   - **Primary Sources**: Eyewitness accounts of an event from someone who experienced it directly.
   - **Secondary Sources**: Secondhand accounts that interpret information from primary sources.

2. Analyze primary and secondary sources.
   Organize students into small groups and have them analyze primary and secondary sources about Japanese American incarceration during World War II.

   a. Guide students to conduct research on various primary and secondary sources.
   A suggested list of sources is provided below [Note to Teachers: Review and adjust as needed for your students. For some students, do a guided close reading of these texts in order to help students infer meaning from the texts.]:
      - 1944 memo from FBI Director J. Edgar Hoover: http://encyclopedia.densho.org/sources/en-denshopd-i67-00019-1/
      - Anti-Japanese propaganda posters:
        - https://catalog.archives.gov/id/534105
        - https://catalog.archives.gov/id/513563
      - 1993 presidential letter of apology by President Bill Clinton: http://www.pbs.org/childofcamp/history/clinton.html
      - Eleanor Roosevelt's article: https://www.nps.gov/parkhistory/online_books/anthropology74/ce2.htm
      - *LA Times* editorial from 1942 expressing anti-Japanese racism: https://historycontext.wordpress.com/2017/02/20/a-viper-is-nonetheless-a-viper-wherever-the-egg-is-hatched/

   b. Distribute the *Primary and Secondary Sources* worksheet.
   https://docs.google.com/document/d/1rAVxKlIxABkjCfIb38YPJ2TQJ-oYJedJExds0Y26CvU/edit?usp=sharing
   Ask students to
      - Write down their understanding of primary and secondary sources in the Definition row.
      - Write down the titles of the primary sources in the Primary Sources column, the secondary sources in the Secondary Sources column in the remaining rows.

3. Analyzing causes and effects
   When students have completed the handout, review their responses and facilitate a whole-group discussion by asking the following questions:
   - What are the causes or the U.S. government's reasons for the incarceration of Japanese Americans during World War II?
   - Do you agree or disagree with these causes/reasons?

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- What were the effects of incarceration on Japanese Americans?
- How were/are the overall Asian American community at the time affected by the incarceration of Japanese Americans? Can injustices be justified?

Further Information

Resources for Students:

- Visit one of the incarceration camps. For example, visit the Manzanar War Relocation Center which offers tours and programs. Students have the opportunity to become "junior rangers": https://www.nps.gov/manz/learn/kidsyouth/beajuniorranger.htm
- Participate in the Smithsonian's "Story Experience" about the Japanese-American incarcerations: https://amhistory.si.edu/perfectunion/non-flash/index.html
- Visit the Japanese American National Museum in Los Angeles: http://www.janm.org
- Learn more about the 442nd Regimental Combat Team, which was comprised entirely of Japanese American men: https://library.miracosta.edu/c.php?g=463915&p=4496082

Readings for Students:

- *Manzanar War Relocation Center*. National Park Service https://www.nps.gov/manz/learn/kidsyouth/beajuniorranger.htm
- *Japanese Americans and the U.S. Constitution*. Smithsonian National Museum of American History. https://amhistory.si.edu/perfectunion/non-flash/index.html
- *Japanese American Internment: 442nd Regimental Combat Team*. MiraCosta College Library https://library.miracosta.edu/c.php?g=463915&p=4496082
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