

# Literacy and the Law

## Lesson Title: Lesson 3: It's War



**Context of the lesson within the project:** This third lesson reviews the history of the very beginning of the war (and book), roles of the three branches of government, and introduces Fred Korematsu, a young man who refused to go to the internment camp. Within the context of his case story, students learn about the structure of the judicial branch. (Power point slides 1-10)

## History Social Science Content Standards (applicable grade level standards)

**4.5.3** Describe the similarities (e.g., written documents, **rule of law**, consent of the governed, three separate branches) and differences....among federal state, and local governments.  
**5.7.5** Discuss the meaning of the American creed that calls on citizens to safeguard the liberty of individual Americans within a unified nation, to respect the **rule of law**, and to preserve the Constitution.  
**8.2.2** Students analyze the political principles underling the U.S. Constitution and compare the enumerated and implied powers of the federal government  
**11.7.5** Students analyze American's participation in World War II. Discuss the constitutional issues and impact of events on the U.S. home front, including the internment of Japanese Americans (e.g., Fred Korematsu v. United States of America).

### **Suggested K-12 Pathway for College, Career, and Civic Readiness**

#### **Dimension 2, Participation and Deliberation.**

#### **By the end of Grade 5:**

**D2.Civ.9.3.5.** Use deliberative processes when making decisions or reaching judgments as a group.  
**D2.Civ.10.3-5.** Identify the beliefs, experiences, perspectives, and values that underlie their own and others' points of view about civic issues.

#### **By the end of Grade 8:**

**D2.Civ.10-68.** Explain the relevance of personal interests and perspectives, civic virtues, and democratic principles when people address issues and problems in government and civil society.

### **Suggested K-12 Pathway for College, Career, and Civic Readiness**

#### **Dimension 2, Processes, Rules, and Laws**

**D2.Civ.14.3-5.** Illustrate historical and contemporary means of changing society.

#### **By the end of grade 8:**

**D2.Civ.12.6-8.** Assess specific rules and laws (both actual and proposed) as means of addressing public problems.  
**D2.Civ.14.6-8.** Compare historical and contemporary means of changing societies, and promoting the common good.

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## Essential Questions:

What is justice?

Is civil disobedience ever justified? Explain.

In what ways do people react to race and differences between one another?

## Objective(s):

Students will review some of the historical events that occurred before the Japanese Internment.

Students will review and understand the specific role of the three branches of the government.

Students will understand the structure of the courts, both federal and state and identify which cases are addressed by each system.

**Assessment:** This objective will be assessed through teacher observation of small and large group discussion, and accuracy of the scores on the game, Court Quest, on icivics.

<b>Quality Criteria:</b>	<b>Absolutely!</b>	<b>Almost</b>	<b>Not Yet</b>
<b>Active and productive engagement in discussion with ability to analyze specific evidence and support conclusions.</b>			
<b>Understanding of the three branches and their specific roles.</b>			
<b>Understands the structure of the courts, both the difference between federal and state, and the levels of each.</b>			

**Materials and Resources Needed:** Power point slides 1-10. It is recommended that students have a “Journey” folder, or use their journal to continue with note taking from this session and others.

## Learning Activities:

(10 minutes)

## Hook:

**1. Slide 1: Title Slide: Who was Fred Korumatsu.....anyone know? We are going to find out! But first, let’s watch this video...**

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**Slide 2:** Show a portion or all of the video clip of the 1941 bombing of Pearl Harbor, very close to the California coast:

<http://www.history.com/topics/world-war-ii/world-war-ii-history/videos/attack-pearl-harbor>

Ask students to Pair/Share: How they would feel as an American – what emotions come to mind? (Anger, fear, etc.) Comments – emotions? If you lived in Hawaii, on the west coast, or any part of the United States. Threatened? **If you were a Japanese American, how would you feel?** Share out with entire group some of the comments.

**3. Slide 3:** Over 2400 Americans were killed in the attack on Pearl Harbor. It was a terrible tragedy. The U.S. joined WWII. There was great fear in the United States. The government feared that people who were of Japanese ancestry, even though American citizens, would help Japan with another attack on the US.

**4. Slide 4:** Use primary sources such as those on these slides to discuss the following: Two months later, President Franklin Roosevelt gave Executive Order 9066 to the military to force 120,000 Japanese Americans out of their homes and into internment/prison camps. Just like Yuki's family, Issei, Japanese who were not born here, and Nissei, Americans of Japanese ancestry who were born here were forced to leave their homes and go to prison camps. There were no charges, or trials, and no evidence that Japanese Americans had done anything wrong. Racism was rampant, primary source, ("Ouster of all Japs....").

Photo of the internment camp. Before the interment camp was ready, many lived in horse stalls.

Background note: Japanese Americans had already been subject to discrimination ~ many had become very economically successful in agriculture, they "looked different" than the Caucasians, and were looked upon as a threat and competition in business.

**5. Slide 5:** Fred Koramatsu was 22 years old, and wanted to continue living as a regular American citizen. He refused to go to the internment camp. He was arrested on a street corner in San Leandro, California and taken to jail. He was found guilty of disobeying the law, and sent to Topaz, Utah, to live in one of the 10 internment camps. He continued to fight his conviction by taking his case to court, claiming that the interment of Japanese was against the Constitution, *Unconstitutional*. In this unit we will be working with the Korematsu case. *How is the U.S. government is set up ~ just how is war declared? How can U.S. citizens be put in internment camps? The story goes back to over 250 years ago!*

**6. Slide 6:** Story Telling Review: *The story review (provided with this lesson) can be read to the students – or presented through storytelling – using a crown for King George, a colonists hat for colonists (Party City), and a wig for the founders. As you tell specific parts of the story the prop makes it fun – (I used a long roll of cotton from the drugstore,*

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*rolled up the ends and glued it with rubber cement to make an inexpensive wig, and a pen with a feather taped on to represent the “writers” of the Constitution). I also used a sign (written on a paper plate) “No taxation without representation” and students “chimed in” when that part came up a few times. The story reviews the creation of the Constitution and the Bill of Rights. The purpose of this review is to bring the Constitution, and the Bill of Rights into this unit so that students can argue about the internment in a later lesson, based on the 5<sup>th</sup> amendment of the Bill of Rights.*

**7. Slide 7:** The U.S. Constitution set up our government. Let’s review the 3 branches of government. We will relate this to the Korematsu case in this unit. What are the three branches? You can click the power point and the three will come up after students have the opportunity to name the three. Ask them if they know the role or job of each branch of government. You can review the branches and roles after the next click! The people remembered King George, and they did not want too much power to go to the government. The three branches are to keep a balance, and a check on one another so that this does not happen.

**8. Slide 8:** There are State Courts and there are Federal Courts. Please note the line down the middle separating two court systems. Why would we have two court systems? *Note:* We have a federal court system dealing with cases having to do with the U.S. Constitution, and we have a state court system that handles cases under the rules of the California Constitution (see next two slides).

**9. Slide 9:** Example of a federal court case: a) Someone takes drugs across the border to another state or country. b) The first amendment is violated (this is in our U.S. Constitution).

**10. Slide 10:** Example of a state court case – divorce, argument about money (civil case), murder case (criminal), traffic violations. *You may want to consider having your students play a game **through icivics.com** which gives them practice and understanding of which court case. I civics: Court Quest gives students the chance to see which cases should go to which court. This game can be played in a lab individually, or as a whole group with the teacher projecting the game on the screen in the classroom.*

**Closure:** To which court did Fred Koramatsu take his case? Pair/Share:  
We will address this in our next lesson, and find out more about the details of the case.

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Gardens were a means of maintaining some semblance of normalcy .



Internees arrive at Topaz with what they could carry.