



## Korematsu v. United States (1944): Lesson Plan

Topic	
<p>President Franklin Delano Roosevelt signed Executive Order 9066, allowing for the military to “exclude any or all persons from militarily sensitive areas” and to “house them in internment camps.” The United States military then required Japanese-Americans to move into internment camps, especially those living on the West Coast of the country, claiming to protect national security. In a 6-3 decision, the Court decided that Executive Order 9066 was valid and within the rule of law. Justice Hugo Black wrote the majority opinion and argued that there was no racial prejudice in the order or its implementation but was strategically imperative given national security risks, noting the West Coast’s proximity to Japan. Conservative Justice Antonin Scalia noted that <i>Korematsu</i> was one of the worst decisions the United States Supreme Court has ever made.</p>	
Possible subjects/classes	Time needed
<ul style="list-style-type: none"> <li>• Civics</li> <li>• History</li> <li>• Social Studies</li> </ul>	30-45 mins
Video link:	
<a href="https://academy4sc.org/video/korematsu-v-united-states-1944/">https://academy4sc.org/video/korematsu-v-united-states-1944/</a>	
Objective: <i>What will students know/be able to do at the end of class?</i>	
<p>By the end of this lesson, students will be able to:</p> <ul style="list-style-type: none"> <li>• Define Executive Order 9066 and the story of Fred Korematsu.</li> <li>• Describe the majority opinion in <i>Korematsu</i>.</li> <li>• Detail the fallout in the years after the decision.</li> </ul>	
Key Concepts & Vocabulary	



Pearl Harbor, Internment Camps, Reparations, Travel Ban

### Materials Needed

Worksheet, Optional access to streaming equipment, Optional internet access

### Before you watch

**Brief Discussion:** Discuss as a class what students know, if anything, about Japanese internment during World War II.

### While you watch

Complete the worksheet.

### After you watch/discussion questions

1. Are racial classifications ever warranted during a time of war?
2. Do you agree with Justice Murphy that the *Korematsu* decision was a “legalization of racism”?
3. The idea of reparations for other groups that have been hurt by the United States government, like the African-American community, has been proposed in recent years. Do you agree with their use for Japanese-Americans in 1988? Should reparations be used in the future?

### Activity Ideas

- Watch [The Fight \(2020\)](#). This documentary follows lawyers from the American Civil Liberties Union (ACLU) as they present legal challenges in cases that obstruct civil liberties. The ACLU represented *Korematsu* in 1944.
- Research the use of reparations throughout United States history. One group should research reparations for Japanese-Americans. Another group should research reparations for women sterilized by eugenicists. Another group should research reparations for the Tuskegee Experiment and a final group should research reparations for Rosewood. Make 3-5 minute presentations for the rest of the class to watch.



#### Sources/places to learn more

1. Gillman, Howard. American Constitutionalism, Second Edition. Volume II Rights and Liberties. [Virtual Source Bookshelf].
2. "Korematsu v. United States." *Oyez*, [www.oyez.org/cases/1940-1955/323us214](http://www.oyez.org/cases/1940-1955/323us214).
3. Savage, Charlie. "Korematsu, Notorious Supreme Court Ruling on Japanese Internment, Is Finally Tossed Out." *The New York Times* (26 June 2018). <https://www.nytimes.com/2018/06/26/us/korematsu-supreme-court-ruling.html>.