

WORLD WAR II ALIEN ENEMY CONTROL PROGRAM CURRICULUM GUIDE AND LESSON PLANS

LESSON PLAN SIX: “*Martial Law in Hawaii After the Attack on Pearl Harbor*”

APPROPRIATE GRADES/COURSES: 8-14, U.S. History; Civics, American Government, Political Science

TOPIC BACKGROUND SUMMARY:

The surprise bombing attack on Pearl Harbor launched by the 1st Air Fleet of the Imperial Japanese Navy against the Pacific Fleet of the U.S. Navy took place on the morning of Dec. 7, 1941. The resulting devastation to the harbor itself and the battleships, other warships, and aircraft situated there was horrible and catastrophic. Additionally 2335 U.S. servicemen and servicewomen and 63 civilians were killed, and scores were injured.

Later that same day, in response to this attack, *martial law* was declared and the *writ of habeas corpus* was suspended in Hawaii. General Walter C. Short assumed the position of Governor of Hawaii. The Hawaiian Islands thus became one large military base. Military courts replaced civil courts. Blackouts, curfews, rationing, censorship of news and mail, fingerprinting of all civilians, arrests of “suspicious” civilians, and the moving of many members of the Japanese, German, and Italian communities to detention centers soon followed.

Although *martial law* was supposed to be short-lived, it actually lasted almost three years, ending on Oct. 23, 1944.

ESTIMATED TIME OF COMPLETION:

Flexible: depending on the pace of the class, and the depth to which the teacher wishes to pursue enemy alien issues, this lesson plan requires two-to-four class periods.

STUDENT OBJECTIVES:

- Understand the terms *martial law* and *writ of habeas corpus*
- Understand the broader terms and concepts of *due process*, and *discovery*
- Develop an awareness of the historical record as to the cessation of certain *human and constitutional rights* during our country’s history--particularly during WWII.
- Understand the roles and responsibilities of government leaders and individual citizens during times of war or national crisis.
- Develop an individual conclusion and/or group consensus as to the “rightness” or

“wrongness” of what happened in Hawaii on December 7, 1941, regarding the enactment of martial law, and relate this conclusion/consensus to current events.

MATERIALS:

- Printed copies of the **Topic Background Summary** (see above).
- Printed copies of “**The Berg Family Story**” http://www.gaic.info/real_berg.html
- Printed copies of information on Army detention camps in Hawaii. See: http://www.gaic.info/camp_usarmy.htm#oahu
- Printed hand-outs defining **martial law, writ of habeas corpus** (see below).
- Printed copies of **Article 1, Section 9, Paragraph 2 of the U.S. Constitution** (see below).
- Printed copies of the **Fourteenth Amendment** to the U.S. Constitution.
- A copy of the DVD, “*Here, In America? The Assembly on the Wartime Relocation & Internment of Civilians,*” and accompanying booklet (available from the National Japanese American Historical Society at 415-921-5007, www.njahs.org).

TEACHER PREPARATION:

- Prepare copies of the **Topic Background Summary** for each student.
- Prepare and review hand-outs on the terms, **martial law** and **writ of habeas corpus**.
- Prepare for a discussion of *constitutional rights* and *human rights*.
- Suggested discussion questions:
 - Should the *constitutional rights* of citizens ever be suspended? If so under what circumstances?
 - Did the situation in Hawaii after the bombing of Pearl Harbor merit the cessation of *constitutional rights*?
 - Does any situation ever merit the cessation of basic *human rights*?
- Review and prepare printed hand-outs for sections of the U.S. Constitution pertaining to the above concepts (**Article 1, Section 9, Paragraph 2** and the **Fourteenth Amendment**).
- Read “**The Berg Family Story**” found at http://www.gaic.info/real_berg.html and prepare a printed copy of this story for each student.
- Read background material on Sand Island and Honouliuli, Hawaiian detention camps at http://www.gaic.info/camp_usarmy.htm#oahu
- Review the DVD and accompanying booklet, “*Here, in America?*” if available.

PERIOD ONE--CLASSROOM ACTIVITIES:

- Teacher
 - Hand out and read aloud the **Topic Background Summary** as an introduction to this unit.

Hand out, review and discuss copies re: **martial law** and **writ of habeas corpus**
Hand out and read the parts of the U.S. Constitution pertaining to the *writ of habeas corpus* (**Article 1, Section 9, Paragraph 2** and **the Fourteenth Amendment**).

Ask if any student would like to explain the terms *due process* and *discovery*. If no one responds, assign each student the task of bringing a written definition of these terms to the next class.

Hand out copies of **“The Berg Family Story”**.

Teacher and/or students

Read aloud the first fifteen or sixteen paragraphs of **“The Berg Family Story”** by Doris Berg Nye and discuss.

Suggested discussion questions:

At the beginning of this story, why do you think that the Berg parents felt that their citizenship status made them “safer”?

What could have prompted the authorities to “pick up” Doris’ parents and older sister?

After her parents were “arrested” why did Doris imagine that they were dead?

Were Doris and her younger sister in danger after their parents’ arrest? If so, why? Should the government have done something to ensure their safety?

Students

Prepare three diary entries: Pretend that you are an ordinary citizen in Hawaii and write your observations about what is happening in your life on December 7, then December 8, and finally December 9, 1941. Remember that you are under the restrictions of *martial law* and that many of your activities are curtailed.

PERIOD TWO--CLASSROOM ACTIVITIES:

Selected students

Review orally for the teacher the concepts of *martial law*, *writ of habeas corpus*, *due process*, and *discovery*.

Teacher and/or students

Continue to read aloud the next fifteen or sixteen paragraphs of **“The Berg Family Story”**. Discuss how one would feel in Doris’s position.

Selected students

Read diary entries for December 7, 8 and 9.

Teacher and students

Discuss diary entries.

Suggested discussion questions:

What are the emotions you are feeling when confronted with the changes in your life on Dec. 7, 8, and 9? Are you resentful? Accepting?

Do you think the changes in your life are necessary or unnecessary for the overall

safety of the citizens of Hawaii?

Students

Write one diary entry for today, then write the entry again and this time as if you are in Hawaii in 1941 or 1942 under *martial law*.

PERIOD THREE--CLASSROOM ACTIVITIES:

Teacher and/or students

Finish reading “The Berg Family Story” and discuss.

Suggested discussion question:

If you were Doris, would you simply forget about what happened to you and your family, or would you do something about it, and what would that be?

Discuss yesterday’s diary assignment.

Suggested discussion question:

How accepting of life changes would you be today if *martial law* were imposed?

Student homework

Define the terms *constitutional rights* and *human rights* and bring these definitions in writing to the next class.

PERIOD FOUR--CLASSROOM ACTIVITIES:

(Period four should be optional based upon the availability of time and/or materials necessary for this part of the study.)

Teacher and students

Review and discuss the definitions, written by the students, of *constitutional rights* and *human rights*.

Teacher

Show the DVD, “*Here, in America?*”

Read page forty of the accompanying booklet “*Here, in America?*” (an article by Irum Sheikh, PhD.), if available.

Students

Based on the information that you have gathered from reading the Berg Story and from the class discussions revolving around this story and key terms such as *constitutional rights*, *human rights*, *writ of habeas corpus*, and *martial law*, and based on the information from the DVD just shown and the article from the accompanying booklet, write the answers to these questions:

1. Is the enactment of *martial law* and/or the suspension of the writ of *habeas corpus* ever justified?
2. Could I adjust to *martial law* on a short term or long term basis?

3. During times of national crisis, should racial or ethnic profiling be justified in the interest of national security?

KEY TERMS/CONCEPTS FOR THIS LESSON PLAN:

See Lesson Plan One for a complete glossary of Enemy Alien terms and concepts.

Discovery: Part of the pre-trial litigation process during which each party requests relevant information and documents from the other side in an attempt to “discover” pertinent facts.

Due Process: The principle that an individual cannot be deprived of life, liberty, or property without appropriate legal procedures and safeguards.

Constitutional Rights: The rights of a citizen of any country, granted to him by the fundamental set of laws incorporated in the country’s constitution.

Human Rights: Freedom from arbitrary interference or restrictions by governments. The term largely encompasses the same rights called **civil liberties** or **civil rights**, but often suggests rights that have not been recognized.

Martial Law: Temporary rule by military authorities imposed upon a civilian population in time of war or when civil authority has ceased to function.

Writ of Habeas Corpus: *A writ of habeas corpus* is a judicial mandate to a prison official ordering that a prisoner be brought to the court so it can be determined whether or not that person is imprisoned lawfully and whether or not he should be released from custody.

SPECIFIC READING MATERIAL FOR THIS LESSON PLAN:

(See Lesson Plan One for a general reading list on the topic of the Alien Enemy Control Program)

Real people stories from www.gaic.info especially “**The Berg Family Story**”.

U.S. Constitution: **Article 1, Section 9, Paragraph 2** (see below)

The U.S. Constitution: **The Fourteenth Amendment** (see below)

“*Here, In America? Immigrants as the ‘Enemy’ During World War II and Today,*” contact the National Japanese American Historical Society, 415-921-5007,

njahs@njahs.org

Vanished: German-American Internment, 1941-48 a TRACES exhibit guide,
www.traces.org

THE FOURTEENTH AMENDMENT:

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 any person within its jurisdiction the equal protection of the laws.

ARTICLE 1, SECTION 9, PARAGRAPH 2, U.S. CONSTITUTION:

The privilege of *the writ of habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.