

## 4.2

# **Rights and Responsibilities of Citizens and Non-Citizens**

## **Standard 4.2: Rights and Responsibilities of Citizens and Non-Citizens**

*Describe the rights and responsibilities of citizens as compared to non-citizens.* (Massachusetts Curriculum Framework for History and Social Studies) **[8.T4.2]**

### **FOCUS QUESTION: What Are the Rights and Responsibilities of United States Citizens and Non-Citizens?**

Rights	Responsibilities
<ul style="list-style-type: none"> <li>• Freedom to express yourself.</li> <li>• Freedom to worship as you wish.</li> <li>• Right to a prompt, fair trial by jury.</li> <li>• Right to vote in elections for public officials.</li> <li>• Right to apply for federal employment requiring U.S. citizenship.</li> <li>• Right to run for elected office.</li> <li>• Freedom to pursue "life, liberty, and the pursuit of happiness."</li> </ul>	<ul style="list-style-type: none"> <li>• Support and defend the Constitution.</li> <li>• Stay informed of the issues affecting your community.</li> <li>• Participate in the democratic process.</li> <li>• Respect and obey federal, state, and local laws.</li> <li>• Respect the rights, beliefs, and opinions of others.</li> <li>• Participate in your local community.</li> <li>• Pay income and other taxes honestly, and on time, to federal, state, and local authorities.</li> <li>• Serve on a jury when called upon.</li> <li>• Defend the country if the need should arise.</li> </ul>

Image from the website of U.S. Citizenship and Immigration Services  
[Department of Homeland Security](#) | Public Domain

The Bill of Rights (the Constitution’s first 10 amendments) set forth the **rights** (protections under the law) of Americans. But those rights come with **responsibilities** (obligations that citizens are expected to perform) such as paying taxes, serving on a jury when called, defending the country, and participating in the democratic process. Exercising one’s rights and fulfilling one’s responsibilities are the features of **active and engaged citizenship** in this country.

**Non-citizens** also have rights and responsibilities as members of American society, but their situations are complicated by legal rules and political pressures.

What are the rights of citizens and non-citizens? The modules for this standard explore that question by outlining specific rights and responsibilities, examining the internment of Japanese Americans during World War II, and considering whether Fred Korematsu or other individuals who fought for civil rights and civil liberties should have a national day of recognition.

## **Modules for this Standard Include:**

1. [INVESTIGATE: The Rights of Citizens and Non-Citizens](#)
  - [MEDIA LITERACY CONNECTIONS: Portrayals of Immigrants in Television and Film](#)
2. [UNCOVER: The Internment of Japanese Americans During World War II](#)
3. [ENGAGE: Should Fred Korematsu and Other Individuals Who Fought for Civil Rights and Civil Liberties Have a National Day of Recognition?](#)

## **1.INVESTIGATE: The Rights of Citizens and Non-Citizens**

93% of the people living in the United States are citizens; 7% are non-citizens ([Kaiser Family Foundation, 2020](#)). One recent estimate puts the number of non-citizens at 22.6 million ([CAP Immigration Team & Nicolson, 2017](#)).

The rights of individuals under the Constitution apply to citizens and non-citizens alike.

*Rights Incorporated by the Supreme Court*

1897	1925	1931	1937	1940	1961	1963	2010
<i>Chicago, Burlington &amp; Quincy Railroad v. City of Chicago</i>	<i>Gitlow v. New York</i>	<i>Near v. Minnesota</i>	<i>DeJonge v. Oregon</i>	<i>Cantwell v. Connecticut</i>	<i>Mapp v. Ohio</i>	<i>Gideon v. Wainwright</i>	<i>McDonald v. Chicago</i>
Protection against taking private property without fair compensation	Freedom of speech	Freedom of press	Freedom of assembly	Freedom to exercise religion	Protection against unreasonable search and seizure	Right to assistance of counsel	Right to keep and bear arms

Timeline of Rights Established by the Supreme Court  
[Image from Office of the U.S. Attorney, District of Minnesota](#) | Public Domain

Non-citizens, no matter what their immigration status, generally have the same rights as citizens when law enforcement officers stop, question, arrest, or search them or their homes. Since the Constitution uses the term "people" or "person" rather than "citizen," many of the "basic rights, such as the freedom of religion and speech, the right to due process and equal protection under the law apply to citizens and noncitizens. How those rights play out in practice is more complex" ([Frazee, 2018, para. 6-7](#)). Learn more: [Citizenship Rights and Responsibilities](#) & [Constitutional Rights of Non-Citizens](#).

## Media Literacy Connections: Portrayals of Immigrants in Television and Film

Portrayals of immigrants and the immigrant experience are frequent themes in television and film.

A **portrayal** is how an individual or group is presented in media, but such representations may or may not be factually accurate. Sometimes these representations offer an idealized view of the immigrant experience. While the Statue of Liberty portrays a nation welcoming newcomers, the reality is that the United States was and is not a land of opportunity for many who come here.

In other instances, immigrants may be presented in harmfully stereotypical terms, often as criminals or threats. In the report [Change the Narrative, Change the World: How Immigrant Representation on Television Moves Audiences to Action](#), researchers from the University of Southern California found viewers who saw programs with more inclusive immigration storylines had more welcoming, supportive attitudes toward immigrants than those who did not.

In these activities, you will explore whether current portrayals and representations of immigrants in television and film media are accurate or stereotypical, and while so doing, consider: "What does media representation of immigrants mean to immigrants?"

- [Activity 1: Write a Letter of Praise or Protest \(Persuasive Writing\)](#)
- [Activity 2: Evaluate the Representation of Immigrants in the Movies](#)

## Suggested Learning Activities

- **Compare and Contrast the Rights of Citizens and Non-Citizens**
  - Create an infographic which compares and contrasts the rights of citizens and non-citizens\*
    - [Legal Rights of Undocumented Immigrants](#), *KQED Learning*
    - [Know Your Rights: A Guide to the U.S. Constitution](#), Office of the U.S. Attorney, District of Minnesota
    - [Know Your Rights When Encountering Law Enforcement](#), American Civil Liberties Union

\*This activity is designed to demonstrate that the rights guaranteed to all Americans as citizens are not universal for all people (even legal immigrants to the country). It asks students to think critically and creatively about what rights all people should have. It is based on a learning plan developed by University of Massachusetts Amherst teaching interns Conor Morrissey and Connor Frechette-McCall in Fall 2019.

## Online Resources for the Rights of Citizens and Non-citizens

- LEARNING PLAN: [When Some Students are Undocumented, and Some Are Not: Teaching Civics in Mixed-Citizenship Classrooms](#), *Social Education* (November/December 2020).
- [Becoming American: Exploring Names and Identities](#), *Facing History and Ourselves*
- [Rights of Non-Citizens under the Equal Protection Clause](#), from Exploring Constitutional Conflicts
- [Incorporation](#), Bill of Rights Institute.
  - The Supreme Court has incorporated the numerous

rights from the Bill of Rights against actions by the government.

## **2. UNCOVER: Internment of Japanese Americans during World War II**

Following the December 7, 1941 Japanese attack on Pearl Harbor, President Franklin D. Roosevelt issued [Executive Order 9066](#) which mandated moving 120,000 Japanese-Americans from their homes to one of 10 internment camps in the western part of the United States. Most of the people relocated were U.S. citizens or legal permanent resident aliens.



Farm workers, Manzanar Relocation Center, Ansel Adams Photograph, 1943  
"Farm workers and Mt. Williamson" by Ansel Adams  
Library of Congress's Prints and Photographs Division under the digital ID [ppprs.00370](#)  
Public Domain

The **internment camps**, officially called "relocation centers," were located in California, Idaho, Utah, Arizona, Wyoming, Colorado, and Arkansas. Over 50% of those interned were children. To learn about the camps, view [Building History 3.0: An Interactive Explorations of the Japanese American Incarceration in Minecraft](#).

**Constitutional safeguards given to United States citizens were ignored or bypassed** in the name of national defense. People were detained for up to four years, without due process of law or any factual basis, and forced to live in remote camps behind barbed wire and under the surveillance of armed guards.





Watch on YouTube <https://edtechbooks.org/-JaiK>

Actor George Takei, of *Star Trek*, and his family were imprisoned in Rowher, Arkansas, as documented in his autobiography *To The Stars* (1995). Takei and three co-writers have since collaborated on [They Called Us Enemy](#), a graphic memoir about his experiences in the camp (2019).

In 1944, two years after signing Executive Order 9066, President Roosevelt revoked the order. The last internment camp was closed by the end of 1945. There was no official apology from the United States government until passage of [The Civil Liberties Act of 1988](#). In 1991, President George H. W. Bush wrote a letter of apology to each surviving internment camp member who also received a \$20,000 check from the government ([Letter from President George Bush to Japanese Internees](#)).

Largely forgotten today were the experiences of Japanese-American soldiers who fought for the United States in western Europe. Many of these soldiers were Nisei (American-born children of Japanese immigrants), and former members of the Hawaii National Guard. They experienced the contradiction of fighting to liberate Europe and close down German concentration camps while other Japanese-Americans were interned in camps at home. Learn more about the hidden history of [Japanese-American Soldiers in World War II](#) from the website Re-Imagining Migration.



Japanese-American infantrymen of the 442nd Regimental Combat Team hike up a muddy French road in the Chambois Sector, France, in late 1944. ["442 regimental combat team"](#) | Public Domain

## Suggested Learning Activities

- **Analyze Primary Sources**

- Was Roosevelt's executive order driven by anti-Japanese racism among politicians and many in the general public who feared espionage or resented Asian Americans?
  - [Japanese Relocation](#) is a short video from the US government explaining the decision to create internment camps
  - [The Internment Diary of Toyojiro Suzuki](#) from the State Historical Society of North Dakota.
  - [A collection of Ansel Adams' photographs showing life in a Japanese Internment camp.](#)
  - [Japanese-American woman who was forced into an internment camp at 16 recalls time in custody](#)
  - [Brief Overview of the World War II Enemy Alien Control Program](#)

- **Analyze Multimedia Sources**

- How did Japanese Americans respond to their internment?
  - [Children of the Camps](#) is a PBS documentary (and accompanying website) about the experiences of six Japanese-Americans who were detained as children.
  - [Densho: The Japanese American Legacy Project](#) offers multimedia materials including a slideshow and videos as well as oral histories from Japanese Americans who were imprisoned during World War II.

- **Design a "Righting a Wrong Poster" About Internment Camps**

- As a model for this activity, see [Righting a Wrong: Japanese Americans and World War II Poster Exhibition](#)

from the Smithsonian.

- Find more information on a wiki page for [Japanese Internment in World War II](#)

- **Take a Position**

- Should internment camps have been used on Japanese Americans, many of whom were U.S. citizens, after the attack on Pearl Harbor?
  - Write 1-2 paragraphs answering the question and cite at least 3 pieces of evidence.
    - Split the class into two groups and have one group research reasons for the use of internment camps and the other group research issues and unfair treatment that resulted from the camps.
    - Share findings and discuss whether or not the internment camps should have been used after hearing both sides.
  - What alternatives could the U.S. government have used instead of internment camps?

- **State Your View**

- Should constitutional safeguards given to United States citizens be ignored or bypassed in the name of national defense?

## **Online Resources for Japanese Internment**

- Lesson plan on [Japanese Internment from Library of Congress](#)
- [Lesson Plans from the Manzanar National Historic Site](#) focus on the experiences at one of the primary internment camps.
- [A More Perfect Union: Japanese Americans & the U.S. Constitution](#) from the Smithsonian Museum of American History that uses images, music and text to explore the

experience of citizens placed in detention camps during World War II.

- Two important legal cases were brought against the United States concerning Japanese internment:
  - [Hirabayashi v. United States \(1943\)](#)
  - [Korematsu v. United States \(1944\)](#)

### **3. ENGAGE: Should Individuals Who Fought for Civil Rights and Civil Liberties Have a National Day of Recognition?**

In 1942, a 23-year-old Japanese American named **Fred Korematsu** refused an order to move to one of the government's wartime internment camps. He was arrested, convicted, and jailed for his actions. Along with two other resisters, he appealed his case to the Supreme Court which upheld his conviction. That conviction was eventually overturned in 1983.



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Gordon Hirabayashi, Minoru Yasui, and Fred Korematsu

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["Gordon Hirabayashi, Minoru Yasui, and Fred Korematsu"](#)  
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To honor his fight for civil rights and civil liberties, [Fred Korematsu Day](#) was enacted in California in 2010. It was the first state-wide day in the United States to be named after an Asian American. Hawaii, Virginia, and Florida have since passed laws honoring Fred Korematsu to perpetuity. Learn more at [It's Fred Korematsu Day: Celebrating a Foe of U.S. Internment Camps](#), and [Honoring a Japanese-American Who Fought Against Internment Camps](#).

Deciding to honor someone for their historical efforts has large political implications in the United States today. Despite its racist history, there are states and communities that continue to celebrate the Confederacy and Confederate war heroes with days of recognition ([Southern Poverty Law Center, 2019](#)). At the same time, there are

individuals and groups who fought for civil rights and civil liberties but who remain neglected or omitted from history books and state-level history curriculum frameworks.

**Students can be effective advocates for honoring those who fought for civil rights and civil liberties.** In the early 1980s, students from Oakland Tech High School class of 1981 - "**The Apollos**" - engaged in a four-year campaign to get the state of California to establish a day honoring Dr. Martin Luther King, Jr. Their efforts were successful when California became the fourth state to have a MLK Day (the national holiday was established in 1986). In 2109, students at the school wrote and performed a play about the efforts of the Apollos ([California High School Students Who Lobbied for State MLK Holiday Honored in Oakland Tech Play](#)).

Who would you nominate for a State or National Day of Recognition for efforts to achieve civil rights and civil liberties?

## **Suggested Learning Activities**

- **Present Your Analysis**
  - Why has the U.S. failed to fully recognize individuals like Fred Korematsu who stood up for American ideals?
- **Nominate an Individual or Group for a State or National Day of Recognition**
  - Select an individual and write a persuasive essay (or design a video) to send to a local or national elected official.
  - For example, on August 14, 2021, [Navajo Code Talkers Day](#) became a legal state holiday in Arizona.
- **Design an Augmented Reality Digital Monument**
  - [Kinfolk](#), an app by Movers & Shakers NYC, features augmented reality monuments of famous Black historical

figures with narrated text, artifacts, images, biographical information, and other materials.

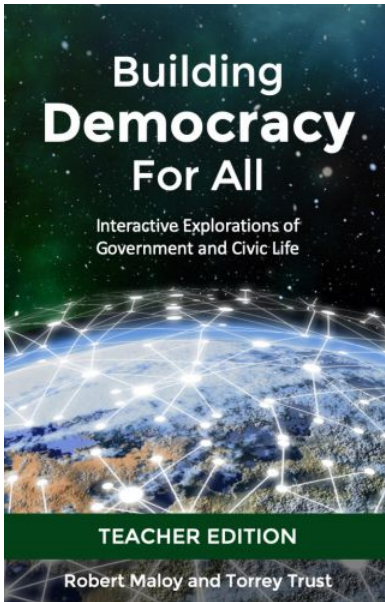
- After exploring the Kinfolk app, design your own monument for any important individual or group of individuals who have shaped history and upheld American ideals by fighting for civil rights and civil liberties.
  - Here are examples of people who you might select for an AR Monument:
    - [Navajo and Tlingit Code Talkers](#)
    - [Benjamin Banneker, African American Author, Surveyor, and Scientist](#)
    - [Langston Hughes, Activist and Journalist](#)
    - [Marian Anderson, Singer and Civil Rights Activist](#)
    - [A. Philip Randolph, Black Labor Activist](#)
    - [Mary McLeod Bethune](#), a member of the FDR's Black Cabinet, was the director of the Office of Minority Affairs in the National Youth Administration during the New Deal era in U.S. history.
      - The Black Cabinet was a group of 45 African Americans who held positions in cabinet offices or New Deal agencies. Learn more at the National Women's History Museum website: [Mary McLeod Bethune - Overview and Background \(1875-1955\)](#).
    - [Bessie Coleman](#) (1892-1926), the daughter of a poor, southern, African American and Native American family, became one of the most famous women in aviation history.
      - There is more information at [Bessie Coleman](#) from The History Chicks



podcast site and a historical biography page on the *resources for history teachers* wiki: [Bessie Coleman, African American Aviator and Civil Rights Pioneer](#).

## Standard 4.2 Conclusion

In the United States, every citizen has rights and responsibilities as a member of a democratic society. Non-citizens have rights too, although they differ from those of citizens. **INVESTIGATE** explored the specific rights of citizens and non-citizens. **UNCOVER** focused on the suspension of citizenship rights during the internment of Japanese Americans during World War II. **ENGAGE** asked whether days of recognition should be given to Fred Korematsu or other women and men who fought to establish and preserve civil rights and civil liberties throughout American history.



Maloy, R. W. & Trust, T. (2020). *Building Democracy for All*. Equity Press. <https://equitypress.org/democracy>