

“Defining Moments” in Our History

Several years of collaboration between the State Bar of Michigan, the Michigan State Bar Foundation, Michigan Government Television (MGTV), and local educators has brought about a unique curriculum package that teaches Michigan’s young people important lessons from a chapter in history that many may be unfamiliar with.

The curriculum package focuses on the internment of Japanese Americans during World War II and former U.S. Supreme Court Justice Frank Murphy’s dissent in a case that upheld the internment of this group (*Korematsu v United States*, 323 US 214, 1944).

As well as serving as a U.S. Supreme Court Justice, Murphy (1890–1949), who was born in Harbor Beach, served as U.S. Attorney General, Governor of Michigan, Governor-General of the Philippines, and Mayor of Detroit. He was also a Recorder’s Court Judge in Detroit, a law instructor at the University of Detroit, an assistant U.S. District Attorney in Eastern Michigan, and a U.S. Army officer.

The idea for the curriculum package, which is entitled, “Defining Moments: Frank

Murphy, Fred Korematsu, and the Internment of Japanese Americans During World War II,” began after MGTV staff covered a State Bar Legal Milestone event in August of 1996 that honored Murphy.

MGTV Executive Director Bill Trevarthen worked with the State Bar to develop a concept and applied for funding for the package, which includes extensive background information, complete lesson plans, and a 50-minute video that features interviews with several Michigan residents who lived in the internment camps as teenagers and young adults. As part of its discretionary fund for law-related education, the State Bar Foundation, which primarily supports civil legal aid to the poor, provided a grant that paid for the printing of the package’s paper materials.

At first glance, one might assume that Michigan’s middle- and high-school students could find the detainees’ stories and lessons in the curriculum package difficult to relate to, as the events discussed happened to a minority group more than 50 years ago in coastal cities far from Michigan. However, the materials aim to help students analyze the issues brought up by the *Korematsu* case, which are still very relevant today.



Frank Murphy

State Bar President Scott S. Brinkmeyer spoke about this relevance at a reception and press conference to launch the curriculum package that took place February 26 at the Michigan Historical Museum in Lansing.

“In the shadow of the tragic events of September 11, 2001, and our war with terrorism, the Supreme Court is once again called upon to make what may also be historic decisions involving national security and the legal rights of individuals,” Brinkmeyer said.

Charles A. Palmer, a professor at the Thomas M. Cooley Law School who participated in the “Defining Moments” video, said the subject is topical because there are “parallels between the fear of the Japanese during World War II and fear of Middle Eastern people after 9-11,” including the over-generalization that all similarly situated people are involved when a certain group is attacking the United States.

Palmer, however, is quick to point out the differences between what happened with the internment of Japanese Americans during World War II and what is taking place in today’s post-September 11 climate.

“One of the very important differences here is that President Bush, shortly after 9-11, gave a speech saying ‘we know it’s not Middle-Eastern people’ . . . And I think we have a more sophisticated society as far as those sorts of things today, so I don’t think that’s anywhere near as likely to happen today as it did then,” Palmer said. In addition, Palmer notes that during World War II



Michigan Supreme Court Justice Clifford Taylor spoke at the February 26 press conference. Pictured in the background (left to right) are: Rowland Hwang, Helen Erlandson, Prof. Charles Palmer, Dr. Iwao Ishino, and Mary Ishino, who all participated in the creation of the “Defining Moments” video.

there was an organized nation bringing war against the United States, which is not the situation today.

Michigan State Bar Foundation Executive Director Linda Rexer, a former educator, said she hopes the curriculum package will help give Michigan children an analytical framework, which they otherwise would not have had, to deal with issues brought about by September 11 because many of the issues may take years to solve, as evidenced by the fact that the *Korematsu* case is being studied nearly 60 years later.

“Teachers who are out there in the trenches figured out lesson plans that have the kids role playing, doing thinking, doing critical analysis, trying to figure out if what



Group at the press conference. Pictured (from left to right) Scott S. Brinkmeyer, State Bar President; Clifford Taylor, Michigan Supreme Court Justice; Rowland Hwang, Assistant Attorney General; Prof. Charles Palmer, Thomas M. Cooley Law School; Bill Trevarthen, MGTV Executive Director; Dr. Iwao Ishino, Michigan State University; Ron Aramaki, University of Michigan; Sandra Clark, Director of the Michigan Historical Center; Mary deWolf, Holt High School; Rachel Hoffmeyer, Howell High School student; Helen Erlandson (front-left); and Mary Ishino (front-right).

they learn about the *Korematsu* case helps them to think about today's post-9-11 situation.” Rexer said.

“There are people of goodwill on both sides of the question . . . It's very good for kids to see that people of goodwill can disagree. They are not evil—they are just different perspectives.” Rexer added.

According to Trevarthen, prior to the creation of the curriculum package, teachers did not have an organized set of materials to help them teach about the *Korematsu* case and may have been unaware of the Michigan connection that Murphy brought to it. He hopes the materials will spark students' interests in legal and political history and their present-day processes, and perhaps encourage them to tune into legislative sessions or oral arguments when they are broadcast by MGTV.

MGTV has distributed about 300-400 of the *Korematsu* curriculum packages, and the demand continues to grow, especially after a recent conference for social studies teachers.

The curriculum package is available free to Michigan educators. However, MGTV may need future additional funding to meet the ongoing costs of printing additional copies.

“So many schools nowadays are really hard-pressed for funds, and they want these materials—and in a lot of cases, they simply can't afford them, so we just make them available at no charge, and as long as we can, we'll continue to do that.” Trevarthen said.

Trevarthen and Rexer both said preliminary feedback they have received from teachers who have used the package, which is tailored to meet specific curriculum guidelines set for Michigan schools, has been positive. The curriculum package also recently received recognition from the Cable Television Public Affairs Association, which gave it a Beacon Award on March 23. ♦

Lauren Nowenstein is a staff writer for the Michigan Bar Journal.

Photos courtesy of Michigan Government Television and State Bar archives.



State Bar Legal Milestone plaque placed at the Frank Murphy Memorial Museum in Harbor Beach on August 16, 1996.