*Jurors’ Arguments Worksheet – Preparatory Exercise for Jury Deliberations*

***Korematsu v. U.S.***

Next to each argument, designate a K if the argument supports Fred Korematsu’s position and designate a G, if the argument supports the government’s position.

1. When war or imminent danger changes the balance between individual liberty and public safety, individual liberty must take a backseat if the civilization is to survive.

2. The government should never discriminate on the basis of race, ethnicity, country of origin, or religion.

3. The government had already established a curfew only for people of Japanese descent. Excluding them from public places goes too far.

4. President Roosevelt’s Executive Order 9006 was necessary to keep the country safe from espionage and sabotage.

5. In times of imminent danger the military makes decisions based on information and intelligence that is not accessible to the Judicial Branch.

6. The government had no grounds for rounding up and detaining more than 120,000 people of Japanese descent – two thirds of whom were American citizens.

7. People who are pulled out of lines for in-depth screening at airports share the benefits accrued from the airlines’ commitment to safety.

8. It is the duty of the courts to uphold the Constitution, even in times of war or imminent danger.

9. In times of imminent danger the military makes decisions based on information and intelligence that is not accessible to the Judicial Branch.

10. If we are going to keep our Constitutional government and our democratic way of life, we have to safeguard our ideals with common sense.