

## Rights and Responsibilities of Citizens and Non-Citizens

*Activities explore the rights of citizens and non-citizens in the United States, times when those rights been denied (including the Page Act, the Chinese Exclusion Act and Japanese internment during World War II) and what individuals and events deserve a state or national holiday or day of recognition in the struggle for civil rights and civil liberties. A Media Literacy Connection asks students to analyze portrayals of immigrants on television and in films.*

### 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) and civil rights laws set forth the **rights** (protections under the law) of all Americans.

As summarized by the [ACLU \(American Civil Liberties Union, 2022\)](#) you have specific rights:

- when stopped by the police
- as a student
- as a voter
- against discrimination based on sex, race, ethnicity, or national-origin
- as an immigrant
- to practice religious beliefs
- as an LGBTQ individual
- to engage in political protest
- as a prisoner
- as an disabled person
- in some states [protections of abortion rights](#)

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.

## Modules for this Standard Include:

1. [INVESTIGATE: Rights of Citizens and Non-Citizens](#)
  - MEDIA LITERACY CONNECTIONS: Portrayals of Immigrants in Television and Film
2. [UNCOVER: Civil Liberties Denied: Page Act, Chinese Exclusion Act, and Internment of Japanese Americans During World War II](#)
3. [ENGAGE: What Individuals Who Fought for Civil Rights and Civil Liberties Should Have a National Holiday or a Day of Recognition?](#)

## 1.INVESTIGATE: 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. 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](#)).

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.

<i>Rights Incorporated by the Supreme Court</i>							
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

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](#)



[Watch on YouTube](#)

## 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: Civil Liberties Denied: Page Act, Chinese Exclusion Act, and Internment of Japanese Americans during World War II

Immigrating to the United States and being a citizen of the country has not meant that peoples' rights and civil liberties have been fully protected at all times. The Page Act of 1875, 1882 Chinese Exclusion Act, and the Internment of Japanese Americans during World War II are examples of deeply rooted anti-Asian racism in United States history. German people also faced internment in the United States during World War I.

### The Page Act (1875) and Chinese Exclusion Act (1882)

The **Chinese Exclusion Act** established a 10 year ban on Chinese laborers coming to the United States, making it the first significant federal law restricting immigration to the country. It was made permanent in 1903 and was not officially condemned by Congress till 2011. Here is a [detailed summary of the Act](#) from the National Archives.

Learn more about the Exclusion Act from [this video posted](#) on the History of Racial Injustice Calendar.

While the Chinese Exclusion Act dramatically altered immigration policies, an earlier law, the [Page Act of 1875](#), effectively restricted Chinese women from coming to the United States. As University of Massachusetts history major Bri Hastry noted, the Page Act revealed "discrimination as well as the stereotyping of Asian women as being a sexual threat and being involved in prostitution. This skewed gender ratios of Asians in the US and paved the way for other discriminatory immigration acts" while showing the double complexities of being a woman and a racial minority in the American society of the time.

You can learn more from [Chinese Exclusion Act and the Exclusion of Asians, Pacific Islanders, and Chinese Women](#), a video and learning plan from the Asian American Education Project.

## The Internment of Japanese Americans

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.

The U.S. also engaged in a parallel internment system in which some 2200 Latin Americans of Japanese descent were taken from countries including Peru, Bolivia and Colombia and confining them in the United States ([America's Forgotten Internment](#), Politico Magazine, December 2121).



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

**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](#)

Actor George Takei and his family were imprisoned in Rohwer, 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). Takei later became well-known for his role on television show *Star Trek*.

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 Internment and Suspension of Civil Liberties during Wartime

- [Japanese Internment from Library of Congress](#)
- [Japanese, German, and Italian American Enemy Alien Internment](#) (Texas Historical Commission)
- [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](#) (Smithsonian Museum of American History)
  - Images, music and text explores 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 \(1944\)](#)
- [World War I: Internment Camp](#) (*Tar Heel Junior Historian*, May 1993)
  - Describes what happened in North Carolina to German passengers and crew of German ships that stayed in American ports when the U.S. declared war on Germany in 1917.
- [Fort Douglas World War I German Internment Camp](#) (Intermountain Histories, 2023)
  - German POWs and those defined as "enemy aliens" were placed in this camp in Utah.
- [Internal Affairs: Untold Case Studies of World War I German Internment](#). Jacob L. Wasserman, Yale University (2016).
- [What World War I Civilian Internment Can Teach Us about Today](#). Matthew Stibbe, Sheffield Hallam University.
  - At least 800,000 civilians were imprisoned during the First World War, but little is known about their experiences.

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

There are currently [12 legal federal holidays in the U.S.](#): New Year's Day, Martin Luther King Jr.'s Birthday, Inauguration Day (once every 4 years), George Washington's Birthday, Memorial Day, Juneteenth National Independence Day, Independence Day, Labor Day, Columbus Day, Armistice Day/Veterans Day, Thanksgiving, and Christmas.

There are also a number of what the National Constitution Center calls **civic holidays** intended to honor America's past, including Constitution Day (September 17), Election Day (the first Tuesday after the first Monday in November), Bill of Rights Day (December 15), Law Day (May 1), Flag Day (June 14), and Earth Day (April 22).

Meanwhile, there are individuals and groups who fought for civil rights and civil liberties who remain neglected or omitted from history books and state-level history curriculum frameworks. Check out the [Fighting for Justice](#) series of picture books presenting the stories of civil rights change makers; the first two books are *Fred Korematsu Speaks Out* (2017) and *Biddy Mason Speaks Out* (2019).

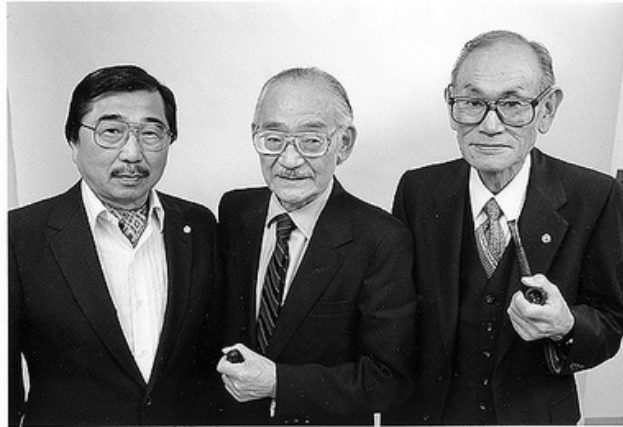
What additional holidays or days of recognition should be established to celebrate and honor change-making individuals and groups?

## Indigenous People's Day and International Day of the World's Indigenous Peoples

In 2021, more than 50 cities and states celebrated Indigenous People's Day ([Running Strong for American Indian Youth](#)) along with or as a replacement for Columbus Day. August 9 is the United Nations-sponsored [International Day of the World's Indigenous Peoples](#) that focuses attention on the needs, rights, and historical mistreatment of indigenous communities around the world.

## Fred Korematsu

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.



Gordon Hirabayashi, Minoru Yasui, and Fred Korematsu

["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](#).

## National Women's Holiday

Since **none of the legal federal holidays honor women**, a national women's holiday has been proposed for August 26, the date of the signing of the 19th Amendment. Other ideas for a holiday for women's rights include March 8, International Women's Day or February 15, Susan B. Anthony's birthday (which is already a holiday in California, New York, West Virginia, Florida, and Wisconsin).

What national holiday would you create to honor the accomplishments of women and the struggle for women's rights?

## Over-Looked or Little-Known Days of Recognition

Have you heard of these important, but not always well-known days of recognition?

- **Buffalo Soldiers Day** on July 28 honors 180,000 Black Americans who served in six U.S. Army regiments after the Civil War. Buffalo Soldiers were among the first to work as rangers at Yosemite, Yellowstone, and Sequoia & Canyons National Parks. Buffalo soldier Charles Young became the first Black American to earn the rank of colonel in the Army.



"Buffalo soldiers of the 25th Infantry" | Public Domain

- **National Tap Dance Day** is May 25, designated by Congress in 1989 to honor the legendary African American dancer Bill "Bojangles" Robinson; May 25 is Robinson's birthday.
- **Chávez-Huerta Day** happens in Texas on the Monday that precedes March 31 in all the schools of the Houston Independent School District to honor the efforts of César Chávez and Dolores Huerta to earn rights for farmworkers throughout the United States.
- **Transgender Day of Visibility** was formally declared March 31 in 2022 by President Joe Biden, the first U.S. President to do so; the day has been celebrated internationally since 2009.
- **Quock Walker Day** (Massachusetts Emancipation Day) enacted in 2022 to celebrate the July 8, 1783 Massachusetts Supreme Court decision declaring slavery unconstitutional under the state's constitution.
  - Link for more information to [Abolition of Slavery in the North after the American Revolution](#).
- **Negro Election Day**, the first Saturday in July, was established as a civic holiday in Massachusetts to honor the first Black voting and self-governing system.
  - Begun in Salem in 1740 when enslaved men chose their own King or Governor. The practice expanded to other towns in Massachusetts. That elected figure served as a mediator and liaison between slaves, elected colonial leaders and white slave owners, also holding court trials and deliberating punishment for non-law-abiding slaves in their communities ([First Black Self-Governing System Negro Election Day History](#), 2018).

## The Politics of Holidays and Recognitions

Proposals to add new holidays generate strong political disagreements. Some lawmakers and public policy advocacy groups object to giving government workers another paid day off. For example, in voting against making Juneteenth a state holiday in Connecticut, one Republican state legislator noted that state workers could take 46 paid days off a year —15 vacation days, 15 sick days, three personal days and now 13 holidays, adding "Nine weeks! I don't see anyone in the private sector getting that much time off with pay" ("[Juneteenth is Not a Legal Holiday in Most States](#)," *Pew Trusts*, June 17, 2022).

State days of recognition, in contrast to holidays, do not necessarily mean a paid day-off for state workers.

Efforts to honor individuals for their significant, but long overlooked historical efforts are underway throughout the United States:

- Recognitions include holidays, days of recognition, and parks and monuments.
  - In July 2023, President Joe Biden established the [Emmett Till and Mamie-Till Mobley National Monument](#), the country's 425th national park. The park's three locations in Mississippi and Chicago focus on "Emmett Till's lynching and funeral, the acquittal of his murderers and the subsequent activism by his mother, Mamie Till-Mobley."
- Ten states and numerous communities celebrate Indigenous Peoples' Day instead of Columbus Day ([IndianYouth.org.](#), 2022). At the same time, and 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](#)).
- [The Naming Commission](#), a Pentagon committee created by Congress following the murder of George Floyd in 2020, is charged with removing Confederate ties from military installations. In 2023, [two ships were renamed](#): USS Robert Smalls to honor the African American Civil War hero and USS Marie Tharp to honor the woman ocean geologist who documented the process of continental drift.

**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](#)).

Younger students can be actively involved too, as in this example: [Amherst Elementary School Students Launch Campaign for Indigenous People's Day](#).

Who would you nominate for a National Holiday or 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.
    - For more information, link to [African American History Makers](#) from the Los Angeles Public Library (2020).
- **Design an Augmented Reality Digital Monument for Historical Figures**
  - [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 Digital 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.





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