

The Internment Cases: Korematsu, Endo, Hirabayashi, and Yasui



Internment Cases

- During WW II, the US govt ordered 120,000 persons of Japanese ancestry into prison camps.
- In addition, curfews restricted JA's from moving freely within specific areas.
- Hirabayashi, Korematsu, Yasui, and Endo tested those restrictions and challenged the government's ability to engage in these practices.

Background

- In the 1880s and through the early 1900s, Japanese immigrants began coming to the West Coast for work. They were the Issei, the first Japanese immigrant generation.



AN FRANCISCO'S MAYOR WANTS EXCLUSION ACT TO BAR THE JAPS



Background

- Official racial discrimination occurred as Federal law prohibited the Issei from ever becoming naturalized U.S. citizens. California made it illegal for them to own agricultural land.

Background

- Nisei, or second generation Japanese, were automatically citizens.
- They attended public schools, spoke English, attended college, worked in many occupations,



Background

- In 1940, 127,000 persons of Japanese ancestry lived in the United States, mostly in California.
- 63% of them were Nisei -- American-born citizens. For most of the Issei and Nisei, life was good.



Then Japan attacked Pearl Harbor...

World War II

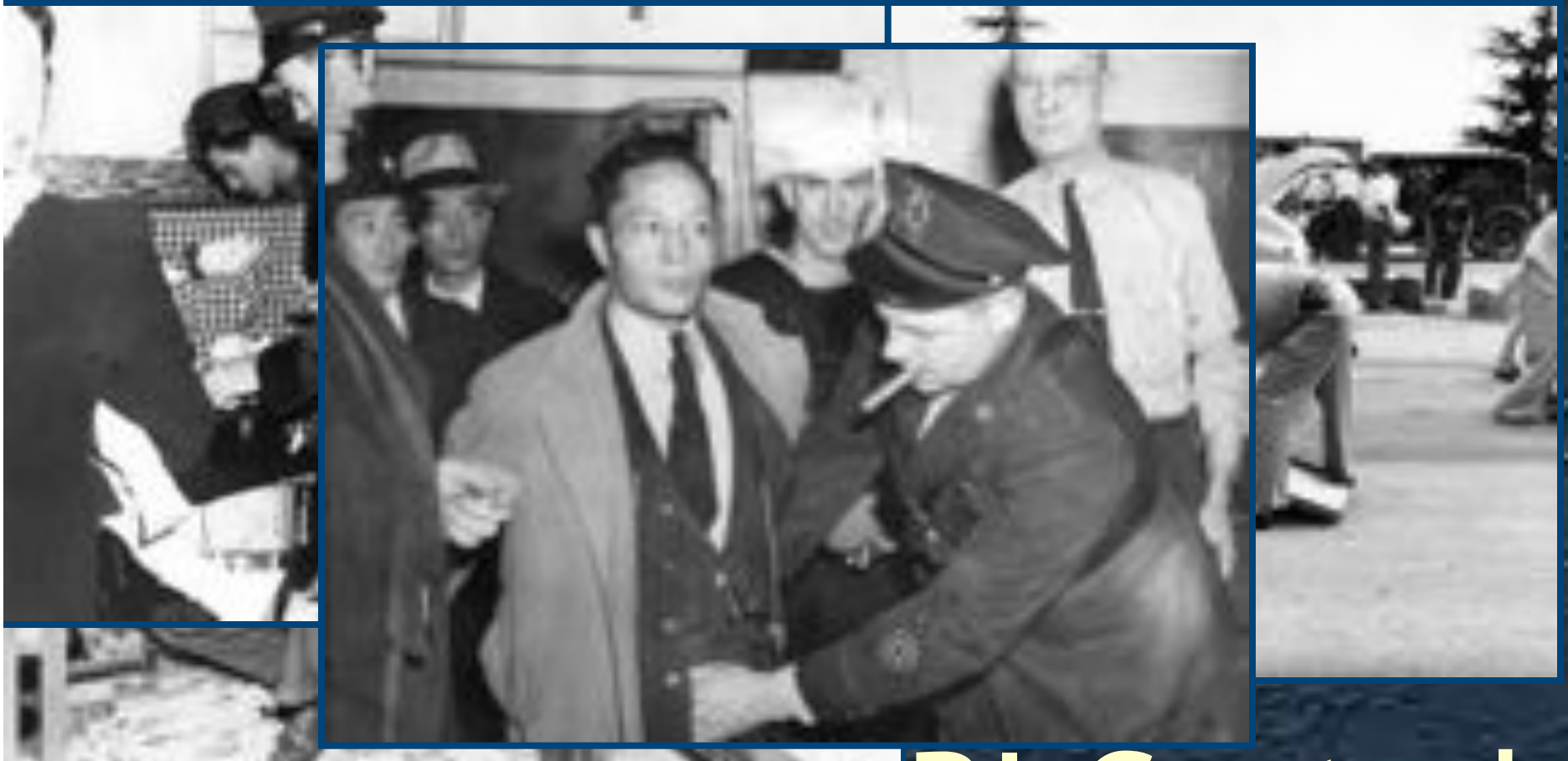


Racial Conflict



Executive Order 9066

- After Pearl Harbor, pressure mounted from politicians on the West Coast that “something be done” about the Issei and Nisei living there.
- Rumors spread about Japanese Americans preparing to aid a Japanese invasion of the United States. Army and FBI investigations found them to be false.



FBI Custody

Executive Order 9066

- General John L. DeWitt was responsible for the defense of the West Coast. Without any real evidence, he believed that people of Japanese ancestry, citizens and non-citizens alike, could not be trusted.
- DeWitt said that the lack of any sabotage on the West Coast only proved that they were waiting for the Japanese invasion to begin.

Executive Order 9066

- War Department and DeWitt developed a plan to remove all the Issei and Nisei from their homes in the Western states and lock them in prison camps. (The Justice Department, FBI, and Army intelligence all concluded that such a drastic action was not necessary.)
- President Franklin D. Roosevelt, however, accepted General DeWitt's recommendation.

Executive Order 9066

- On February 19, 1942, President Roosevelt issued Executive Order 9066.
- General DeWitt could now order the mass evacuation of Issei and Nisei from the West Coast and other military areas.
- The stated purpose of removing this entire ethnic group was for “protection against espionage and against sabotage.”
- Congress made it a crime to refuse to leave a military area when ordered to do so.

PROCESS

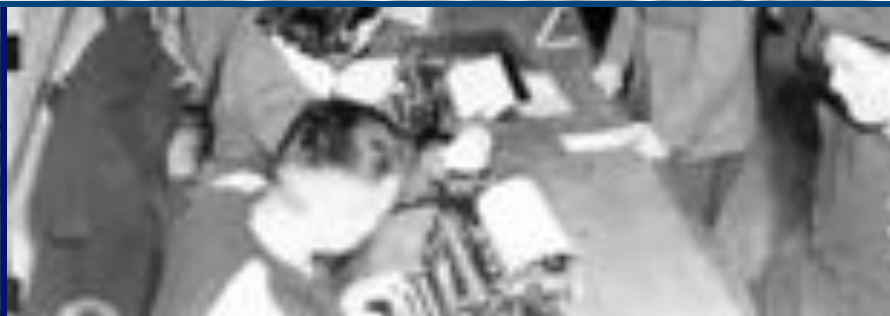
WESTERN OFFICIALS (MAGISTRATES AND POLICE) HAVE
RECEIVED THIS OFFICIAL DOCUMENTATION

From the Office of War Relocation Authority

INSTRUCTIONS TO ALL PERSONS OF JAPANESE ANCESTRY WHO ARE LIVING IN THE FOLLOWING AREAS:

Affected areas are:

Beginning at a point in the North Bay of San Francisco and extending to the point in San Diego Bay, California, as shown on the attached map, all persons of Japanese ancestry and the Pacific Islander blood, wherever they are, are hereby ordered and authorized to evacuate the following areas of the United States and to be relocated in the United States until the authority of the War Relocation Authority is terminated.



Executive Order 9066

- On March 2, 1942, DeWitt issued orders requiring all persons of Japanese ancestry in 8 states to report to temporary assembly centers.
- These orders affected about 120,000 citizens and non-citizens of Japanese origin.

Camps: 1942- 1946



Evacuation

- Govt transported Issei and Nisei to permanent “relocation centers,” -- these were guarded prison camps where they would remain for up to 4 years.
- 10 camps in desert and high mountain locations
- Issei and Nisei families usually had only a few days to sell their homes, businesses, vehicles, and other property.
- Almost all cooperated with DeWitt’s orders, believing that by doing so they proved their loyalty.

Moving Out



Moving Out



Evacuation

- More than 60 percent of those ordered to evacuate were U.S. citizens; none had a hearing or trial before the government locked them up in relocation camps.

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同様の場面が、別のページにも見られます。

Evacuation

- Once in the camps, however, the government asked them to sign a loyalty oath to the United States. Most did, but about 4 percent refused, protesting how they had been treated. The government classified these individuals as “disloyal.”

Loya





Korematsu Case

- Fred Korematsu, born of Issei parents in Oakland, CA was a Nisei and an American citizen.
- 22-years-old in 1942 when DeWitt ordered those of Japanese ancestry to report to assembly centers.
- But Korematsu was in love with an Italian-American girl and decided he did not want to leave his home near Oakland.



Korematsu

- After refusing to report for internment, Korematsu changed his name and even underwent eyelid surgery to make him look less Japanese.
- On May 30, 1942 govt authorities finally tracked him down.
- They arrested him for remaining in a military area barred to anyone of Japanese ancestry.



Korematsu

- After his conviction in a federal court, the judge sentenced Korematsu to five years probation. The military immediately took him into custody, however, and sent him to the relocation camp at Topaz, UT.
- The ACLU persuaded Korematsu to appeal his case.
- Case reached the Supreme Court in October 1944



Korematsu

- Attorneys for the govt. pointed to the constitutional war powers of Congress and the President and argued that the military must take all steps necessary to wage war successfully.
- In the view of Pres Roosevelt, the War Dept, and Gen. DeWitt, the internment of all Japanese Issei and Nisei was a “military necessity.”



Korematsu

- Govt attorneys argued that there was not enough time to hold hearings or trials to determine who was and was not loyal.
- They presented a report from Gen. DeWitt, which repeated many of the unproved rumors about Issei and Nisei disloyalty.
- Govt also cited those in the camps who had refused to sign the loyalty oath.



Korematsu

- Attorneys for the ACLU and the Japanese American Citizens League represented Korematsu.
- They argued -- no military necessity for removing and imprisoning all persons of Japanese ancestry without a hearing or trial.



Korematsu

- On December 18, 1944, the Court decided, 6–3, to uphold the conviction of Korematsu.
- Majority ruled only on his refusal to leave a prohibited military area
- Did not consider the constitutionality of the relocation camps.
- Justice Hugo Black, writing for the majority, fully accepted the views of Gen. DeWitt.
- Justice Black also said that Korematsu had not been forced from his home because of his race, but because of “the military urgency of the situation.”



Korematsu

- Three justices dissented
- Justice Jackson denied that the govt could simply declare all members of a racial group guilty and imprison them. He wrote that “guilt is personal and not inheritable.”
- Justice Roberts condemned the imprisonment of a citizen “without evidence or inquiry concerning his loyalty.”
- Justice Murphy called the majority opinion “this legalization of racism.”

Other cases

- Justices also decided another case – *ex parte Endo* -- that coincided with the closing of the camps.
- Court ruled that President Roosevelt's executive order and the enforcement law passed by Congress only authorized the removal of the Issei and Nisei from military areas, *not their imprisonment.*

Other Cases

- The court never squarely decided whether the government could have legally issued orders and passed laws to establish a prison camp system.



Release and Compensation

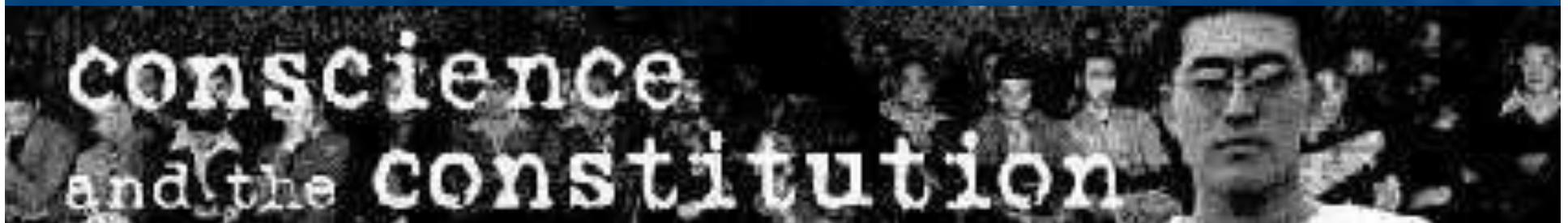


Release and Compensation

- In 1948, Congress and President Truman partially compensated them for the loss of their businesses or property.

Compensation

- In 1980, Pres. Carter appointed a special commission to investigate the entire internment.
- Commission concluded that the decisions to remove those of Japanese ancestry to prison camps occurred because of “race prejudice, war hysteria, and a failure of political leadership.”



Compensation

- In 1988, Pres. Reagan and Congress apologized and granted personal compensation of \$20,000 to each surviving prisoner.





Post-script

- Korematsu had one more day in court.
- Researchers discovered that the government had withheld important facts at his trial.
- In 1984, a federal judge agreed that Korematsu probably did not get a fair trial and set aside his conviction.