Internment and Redress

In 1942, using the guise of military necessity, the U.S. government imprisoned the entire West Coast Japanese American population, over 120,000 people, without charges or trial, in ten concentration camps located in desolate areas scattered across the Western states and Arkansas. In fact, there was no military necessity. This massive dislocation and denial of civil rights stemmed instead from a wave of anti-Japanese wartime fear and hysteria, failures of political leadership, and the long history of race prejudice against Japanese Americans.

Forced by Army orders to give up their homes, businesses and their worldly possessions within days, the Internment's devastating effects forced Japanese Americans to confront their faith in America's professed ideals. Most Japanese Americans were stretched just to survive this trauma to their families and communities. Many who sought to prove their community's loyalty, volunteered for military duty, either in the highly decorated Japanese

American 442nd Regimental Combat Team, or the Military Intelligence Service. Still others, the "Resisters," protested the internment by refusing to comply with the military draft while the Constitutional rights of Japanese Americans were being denied. Others refused to answer or answered "no-no" to controversial government loyalty questionnaires they found coercive and discriminatory. Many, personally disillusioned or fearful of post-war reprisals, renounced their U.S. Citizenship. And Fred Korematsu, Gordon Hirabayashi and Minoru Yasui defied the internment orders and challenged the constitutionality of the Internment before the U.S. Supreme Court.

In 1988, after a massive grass-roots political effort building on the successes of the Civil Rights Movement, the Japanese American community finally obtained vindication by securing the Civil Liberties Act of 1988. The Act which provided some monetary redress, explicitly blamed the Internment upon "race prejudice, war hysteria and a failure of political leadership," and formally apologized to Japanese Americans for the Internment's egregious denials of civil liberties and human rights.

Coram Nobis

Soft-spoken, thoughtful and determined, Bay Area native Fred Korematsu was one of three men whose landmark wartime Supreme Court cases



In 1981, Korematsu, Gordon Hirabayashi and Minoru Yasui, represented by pro bono legal teams composed largely of Sansei attorneys, chose to reopen their cases through a rare procedure, a writ of error

Coram nobis allows a court to reopen a case after the penalty is over in order to correct egregious prosecutorial misconduct. Aiko Yoshinaga-Herzig, head researcher for the Congressional commission investigating the Internment, and law professor-attorney Peter Irons, had discovered remarkable evidence, including the original WWII Justice Department case files, revealing that the government had destroyed, concealed, altered and fabricated evidence used to defend the Internment.

On November 10, 1983, before a packed courtroom including many former internees, San Francisco Federal Judge Marilyn Hall Patel reversed Korematsu's conviction because of governmental misconduct in suppressing material evidence refuting government claims of Japanese American disloyalty and presenting "unsubstantiated facts, distortions and misrepresentations" in the original cases. Judge Patel's decision unleashed a tumult of joy and relief from the community for its vindication of Japanese American loyalty and removal of the stigma they had endured for 40 years. Although the Supreme Court decisions still stand, the reversals of the convictions in all three coram nobis cases

demonstrate the dangers of unquestioning acquiescence to governmental claims of "military necessity" to justify violations of basic Constitutional rights.

In 1998, Korematsu received the Presidential Medal of Freedom, the nation's highest civilian award, for his courageous and persistent opposition to the injustices of the Internment and his continuing defense of civil liberties for all peoples. He continued to be a prominent civil rights advocate until his passing in 2005.

Housing and Employment

Prevailing racism in the early 20th Century affected all aspects of community life. Property owners in the largely White residential neighborhoods commonly refused to rent or sell property to the *Issei* (first generation) Japanese immigrants. Many businesses would not hire the Issei, or relegated them to the least desirable and lowest paying jobs. Labor unions, controlled by Whites, also excluded the Issei from

job opportunities. Japan's growing military might, underscored by its victory over Russia in 1905, fueled mainstream fears and suspicions of growing Japanese American economic power. These fears, particularly exploited by the labor unions, were a driving force behind the Gentlemen's Agreement of 1908, which effectively ended emigration of Japanese laborers to the United States.



Citizenship

eligible for citizenship. Not until the 1952 McCarran-Walter Act, which removed the nation's original racial criteria for citizenship, were the aging Issei able to become citizens. Some embraced this opening as an opportunity to participate in the American promise. Others, disillusioned by the nation's betrayal of its professed ideals, refused to accept this offer.



INJUSTICE AND HONOR SHAPING THE CHARACTER OF A COMMUNITY

suyako "Sox" Kitashima

Yori Wada

不公平と名誉: 日系コミュニティーの性格形成

Like other people of color, Japanese Americans endured and survived a gamut of legalized bigotry and oppression. By persistently striving to enforce our Constitutional principles of freedom, equality and the inalienable dignity of all people, Japanese Americans challenged America to live up

Gordon Hirabayashi, Minoru Yasui and Fred Korematsu

With few exceptions, the Issei were denied naturalized American citizenship, which penalized them economically through the Alien Land Laws and politically by denying them the right to vote. Japanese Americans' efforts to counter these oppressions were dashed in 1922, when the U.S. Supreme Court in Ozawa v. U.S. refused to recognize persons of Japanese ancestry as "free whites"





Edison Uno

to its ideals, and gave witness to the enduring power and spirit as well as fragility of these ideals. This history has taught Japanese Americans the importance of remembering their roots and of the need to stand with others when these ideals are threatened by prevailing fears and prejudices.

Alien Land Laws

CWRIC Hearing - Photo: Isao Isago Tanaka/NJHAS

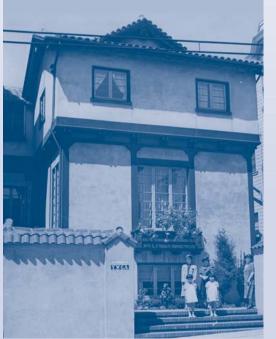
The product of rising fear and resentment of the Issei's commercial, especially agricultural, success, California's 1913 Alien Land Law prohibited the Issei, as immigrants "ineligible for American citizenship," from owning or leasing most real property. Although Japanese Americans and their allies found creative, if legally risky, ways to evade the law, increasingly virulent anti-Japanese American sentiment led to even more oppressive provisions enacted by statewide initiative in 1920. The initial Constitutional challenges to these laws failed. In 1952, however, following a series of groundbreaking civil rights victories in the U.S. Supreme Court, the California Supreme Court declared the Alien Land Law unconstitutional. In 1999, responding to the dispute over the ownership of the former Japanese YWCA building in San Francisco, the California Legislature unanimously recognized the continuing impact of the Alien Land Law on the Japanese American community, and enacted as state policy the eradication of its persisting racial discrimination.

Elementary School 1950

An Issei, Chio Mizuno receives Redress.

The San Francisco Japantown History Walk is a self-guided tour that s approximately 10 city blocks and consists of 16 interpretive signs. **9** The Spirit of Nihonmachi

- **10** A In the Name of National Security **10B** Kodomo No Tame Ni
- 11 Issei Women's Legacy **4** Commerce & Community
 - **12** A New Ballgame 13 Internment Camps and
 - Return to Nihonmachi
 - 14 Redevelopment to Redress
 - **15** San Francisco Japantown Sensu
 - 16 What You Leave Behind: Looking to the Future, Remembering the Past



Japanese Americans, the Civil Rights Movement and Beyond

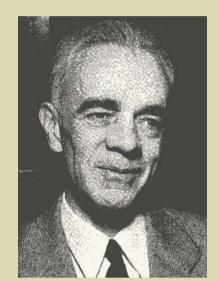
Although the African American experience lay at its core, the 19th and 20th Century Civil Rights Movements also included the efforts of Asian immigrants and other oppressed peoples. In the late 1800s the Chinese community responded to brutal oppression with a court strategy culminating in the U.S. Supreme Court's 1883 Yick Wo decision, striking down racially discriminatory laws designed to destroy San Francisco's Chinese businesses. During World War II, although the U.S. Supreme Court rejected Fred Korematsu's, Gordon Hirabayashi's and Min Yasui's challenges to the constitutionality of the Internment, the Court's decisions affirmed for the first time that discrimination on the basis of race is "odious to a free people" (Hirabayashi) and that government actions based on racial classifications would be subject to the "most rigid scrutiny." (Korematsu) Following WWII, renewed judicial challenges to California's Alien Land Law and race-based restrictions on commercial fishing led to the U.S. Su-

preme Court's Takahashi and Oyama decisions, which found those laws infected by unconstitutional racial discrimination. These cases laid the constitutional foundation for the Court's famous 1954 Civil Rights decision, Brown v. Board of Education, striking down racially segregated public schools.

More recently, seeing the parallels to their own history, Japanese Americans were among the first to actively oppose the profiling of the Muslim and Arab American communities for retribution and discrimination arising from the same forms of war hysteria, race prejudice and failures of political leadership that had fueled the World War II Internment. After the attacks on the World Trade Towers in 2001, Japanese Americans refused to remain silent. Recalling how pretextual claims of national security had been used to rationalize the historical injustice they had suffered, Japanese Americans sought to prevent the infliction of similar repressive measures against the Muslim and Arab American communities.

Wayne Collins: Internment, Renunciation and Iva Toguri d'Aquino

Wayne Collins dedicated his skills, financial resources and his life seeking justice for the Japanese American community. With Ernest Besig of the Northern California ACLU, Collins led Fred Korematsu's constitutional challenge to the Internment before the Supreme Court. Collins also defended Iva Toguri D'Aquino, unjustly convicted of treason by perjured



evidence and mass public hysteria as "Tokyo Rose." Unfortunately, Collins died before he could see Fred Korematsu's judicial vindication in 1983 and Iva Toguri D'Aquino's Presidential Pardon in 1976.

Collins tenaciously pursued justice by his representation of Japanese Latin Americans and Japanese American "renunciants." During the war the U.S. kidnapped over 3,000 Japanese Latin Americans to be bartered for American prisoners of war. While most were deported after the war as "undesirable aliens," Collins successfully enabled hundreds of JLAs to remain and make their homes in America. Collins also represented thousands of Japanese American internees the government had deceived or coerced into renouncing their American citizenship. Adopting Collins' arguments, Federal Judge Louis E. Goodman found the mass renunciations unconstitutional, stating: "It is shocking to the conscience that an American citizen be confined without authority and while so under duress and restraint for this government to accept from him a surrender of his constitutional heritage." When the federal appeals court decided that each renunciant's case had to be individually decided, Collins embarked on a 20-year campaign, filing thousands of court cases to successfully recover the renunciants' citizenships.



Education: Segregation and Preservation

In 1906, spurred by rising anti-Japanese attitudes, San Francisco enacted an ordinance forcing Japanese, Chinese and Korean students into segregated schools. Outraged by this discriminatory act, the Issei founded their own schools, which included the prominent "Sano School" on Sutter Street.

San Francisco's ordinance had long-lasting repercussions. Japan lodged a formal protest, but even with President Theodore Roosevelt's intervention, San Francisco did not rescind its ordinance until 1908 when Japan acceded to the "Gentlemen's Agreement" to halt emigration of ordinary laborers to the United States.

In 1973, the Japanese American community founded the Japanese Bilin-



gual Bicultural Program (JBBP) in order to preserve its cultural and linguistic heritage through the public schools. In 2006, Japantown's centennial, JBBP moved to Japantown's historic Rosa Parks (formerly Rafael Weill) Elementary School, where Dorothea Lange photographed schoolchildren during the forced removal of Japanese Americans from the West Coast during World War II, and from which the last buses left Japantown for the Tanforan Assembly Center in San Bruno.