

**JAPANESE AMERICAN
INTERNMENT UNIT FOR
PARTICIPATION
IN DEMOCRACY (2008)**

Lesson Overview

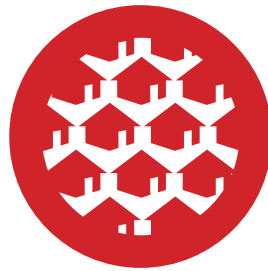
Day One Lesson

Day Two Lesson

Day Three Lesson

Day Four Lesson

Day Five Lesson



**LESSON
OVERVIEW**

PARTICIPATION IN DEMOCRACY



BIG IDEA(S) / MAJOR UNDERSTANDING(S):

The students will understand the purpose and historical impact of political institutions, the principles and values of American constitutional democracy, and the roles, rights (personal, economic, political), and responsibilities of American citizens and exercise them in civic action.

**HCPS III Benchmark:
SS.9PD.4.3 AND SS.9PD5.2**

TAXONOMIC LEVEL

Assess the extent to which the American values of common good, equality of opportunity, and individual rights have been realized

Level IV: Retrieval: Identify, list

Investigate how citizens can monitor and advocate for a local, state or national issue

Level III: Comprehension: describe, explain

CONTENT

SKILLS

- Internment of Japanese Americans during WWII
- Redress movement (including reparations)
- Grassroots “activism”
- Excluded but not interned AJAs
- Commission on Wartime Relocation and Internment of Civilians (CWRIC)
- National Coalition for Redress/Reparations (NCRR)
- National Committee for Redress, JACL
- National Council for Japanese American Redress (NCJAR)
- NCJAR Class-Action Lawsuit
- Korematsu vs. United States
- 1980 Public Law 96-317—President Carter
- 1988 Civil Liberties Act—President Reagan
- 1990 Apology—President Bush
- Edison Tomimaro Uno
- U.S. Senator S.I. Hayakawa
- U.S. Senator Spark Matsunaga
- Mike Masaoka
- Alien and Sedition Act of 1798
- Civil War Suspension of Writ of Habeas Corpus
- Espionage Act of 1917
- Red Scare 1919-1920
- War on Terror
- Rasul vs. Bush
- Dorothy Lange’s internment photos

- Analyze political developments in history
- Make assessments based on historical evidence
- Research past and present political movements
- Write reflection pieces
- Compare and contrast how citizens have advocated for different issues in the past and present
- Construct accurate and thorough timelines
- Assess the strategy involved in political decision making
- Identify cases where civil rights and personal liberties have been threatened
- Analyze the justifications and rationalizations for such acts
- Write a Letter to the Editor (from 1944)
- Deliver an oral presentation with a visual aid
- Write a five-paragraph essay
- Design an informational brochure
- Develop a legitimate Plan of Action to remedy a current injustice.

SAMPLE ASSESSMENT TASKS

1. Formative: Students will get up in front of class and make a two-minute presentation on a controversial historical event related to a perceived infringement of civil liberties, making use of a poster that depicts the two sides, and sharing their personal opinions of which side they would have been likely to support.
2. Formative: Students should organize their thoughts into a coherent five-paragraph essay that takes an initial stab at benchmark SS9PD.4.3, namely “assessing the extent to which the American values of common good, equality of opportunity, and individual rights have been realized.”
3. Formative: Students will compose a Letter to the Editor—from their perspective if they were alive in 1944 when the Supreme Court announced its decision upholding Korematsu’s internment—focused on whether the American values of common good, equality of opportunity, and individual rights have been realized.
4. Formative: Students will pair up with a partner and select one of the five key organizations/individuals involved in the Japanese Internment Redress Movement and make a brochure that has the most critical information about the organization, including why each group was started, what each group’s approach was, the major opponents and supporters, and especially the reasons for its successes and its setbacks.
5. Summative: Student will develop a step-by-step Action Plan advocating for a present-day issue (related to the tension between providing for the common good and protecting individual rights) in front of their class, based on a comparison of the model used to win redress for Japanese American internees during World War II.

BENCHMARK RUBRIC FOR SUMMATIVE ASSESSMENT

Advanced

Action Plan shows a sophisticated understanding of how citizens can successfully monitor and advocate for a local, state, or national issue and makes highly relevant use of the Redress Movement case study.

Proficient

Action Plan shows an adequate understanding of how citizens can successfully monitor and advocate for a local, state, or national issue and makes relevant use of the Redress Movement case study.

Partially Proficient

Action Plan shows a limited understanding of how citizens can successfully monitor and advocate for a local, state, or national issue and makes somewhat relevant use of the Redress Movement case study.

Novice

Action Plan shows little apparent understanding of how citizens can successfully monitor and advocate for a local, state, or national issue and makes limited (if any) use of the Redress Movement case study.

INSTRUCTIONAL STRATEGIES (LESSON/UNIT PLAN)

It is hoped that students will gain two critical understandings from undergoing this unit: 1) a small group of people can effect great change, and 2) in the resolution of most human conflicts, all parties concerned may not get everything they sought, however there can be progress if they are willing to live with the end result.

1 | DAY ONE

In order to engage the students, teacher might first invite students to offer their opinions on whether it is ever okay, in the name of national security, to curtail the individual liberties of certain groups of people based on concerns for the greater good. Students could be invited to physically go to a designated area of the room to mark their stance on the issue: always okay, mostly okay, rarely okay, and never okay. A short and civil whole-class discussion can then be facilitated or students can be broken into smaller groups that can report out about their exchange of ideas after ten minutes of discussion.

Teacher will then distribute the handout “Historical Timeline of Civil Liberties Issues” with the instructions for each student to select one of the items on the timeline about which to research and present a short (2-minute) summary. Students will be expected to get up in front of the class and make use of a poster

that depicts the two sides of the controversy. Students should be encouraged to find at least three key points that each side of the issue would feel is critical to why each side supported (PRO) or opposed (CON) the event, case, law, etc. The rest of the first day can be devoted to students doing research (in the library if necessary) for students to present these brief summaries.

2 | DAY TWO

The second day will be devoted to the actual student presentations and question-and-answer sessions. Students should be encouraged to ask each other questions if they want to know more and, of course, the teacher will be sure to model insightful questions as well. In addition, even though students will have taken great care to conduct an unbiased investigation and present an objective case summary, all students should be asked to give their personal opinions of which side they most likely would have been on and why.

Teachers can use this whole-class activity to give students topics about which to write reflection pieces, collecting them either as exit passes from class and/or assigning them to write in their reflection journals. Students should organize these thoughts into a coherent essay that takes an initial stab at benchmark SS9PD.4.3 (assessing the extent to which the American values of common good, equality of opportunity, and individual rights have been realized.)

3 | DAY THREE

Teacher will show the last 19 minutes of *Silent Suffering*, a short video reminding students of the Japanese internment story. Since this is a review of content from U.S. History, it should not generate a huge demand for additional information, but it will set the scene for the next activity.

Class should be broken down to four groups, of not more than four students each, who will be assigned to read one of the four sections from the Korematsu case: 1) Background Summary, 2) Key Excerpts from the Majority Opinion, 3) Key Excerpts from the Dissenting Opinion, or 4) Did the Court Err in Korematsu? (If

there are more than 16 students in a class, it is not a problem to assign more than one group of students to a particular section, but it is recommended that groups be no larger than four students.) The instructions to each group are to spend the rest of the period planning a short presentation to the class of your two-page handout. Allowing students maximum flexibility in how they want to present this information should be encouraged; for example, students in the two sections with the opinions could opt to do some dramatic reading along the lines of a readers' theater, or students assigned the background summary could perform a short skit reenacting the various events listed in the handout.

NOTE: If teachers are not comfortable with having students role-play and/or students being given semi-creative latitude in their assignments, students could be directed to prepare a five-slide PowerPoint presentation outlining the key points from their respective sections.

Optional—Students are now exposed to a very personalized account of the core injustice that was the Japanese internment. It has also been put into historical context by learning about other times when the nation struggled with ideas about civil liberties. A valuable activity might be to have students compose a letter to the editor, from their perspective if they were alive in 1944, when the Supreme Court announced its decision upholding Korematsu's internment. Try to focus the student's attention in the letter to whether the American values of common good, equality of opportunity, and individual rights have been realized.

4 | DAY FOUR

Students can start class by having each group of students do their re-enactment (or PowerPoint, etc.) of the Korematsu case from the previous class meeting. A short wrap-up discussion can be facilitated before moving students into the next stage of analysis, which involves the redress movement for Americans of Japanese Ancestry. After distributing the four-page handout titled "Summary of Redress Movement" teacher can supervise a popcorn-reading (basically taking turns, a paragraph/sentence at a time, from students called on by the teacher at random intervals) of the summary. This will give students the in-depth

knowledge they need to understand how at least one group of citizens monitored and advocated for an issue of importance to them. Instruct students to pair up with a partner and select one of the five key organizations/individuals involved in the movement about which to make a brochure. The brochure, of course, should have all the most critical information about the respective entity, including why each group was started, what each group’s approach was, the major opponents and supporters, and especially the reasons for its successes and its setbacks. (There are summaries of the CWRIC, NCRR, JACL, NCJAR and Edison Uno already printed out and included with this lesson. These can be distributed to students after they have started working on their brochures if the teacher feels they are having difficulty distilling the relevant details from the “Summary of Redress Movement” handout. That decision will be left up to the teacher based on what the students need to succeed.)

Optional—Teacher can distribute the handout titled “Dorothea Lange and the Censored Images of Japanese American Internment” for students to read and react to using their reflection journals. This activity will help students see that individual citizens have multiple ways of contributing to moving society in a direction away from injustice and intolerance. The handout is informative regarding the government-sponsored photo shoots of Ms. Lange, but it also is a great way to appeal to students in multiple modalities regarding the larger tension that exists between providing for the common good and preserving individual rights.

5 | DAY FIVE

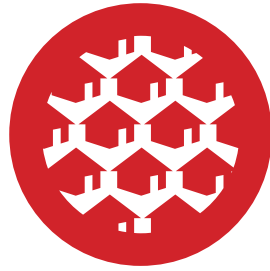
After starting class by asking students to share their various brochures with the entire class, each individual student will then be asked to develop a step-by-step action plan advocating for a present-day issue of her/his choosing—as long as it is related to the tension between providing for the common good and protecting individual rights. Teacher may want to brainstorm some possible issues for students, such as redress for Native Hawaiians or the comfort women of World War II, but of course, encourage them to select a topic of importance to them based on their values. Students should follow the procedures for developing this action plan as outlined in: “We the People /

Project Citizen”. (Background information and all the necessary forms for this process can be found at www.civiced.org.) They will then be given a week to prepare the plan to be presented orally (with visual aids) in front of their classmates, who will judge the probability of the plan’s success. Particular attention should be paid to whether there is any evidence in their plan of insights gained from their knowledge and analysis of the redress movement for Japanese American internees during World War II. These connections should be made overt to the class, with direct mention of the linkages.

ADDITIONAL INFORMATION

Listed in order to follow the recommended sequence of instructional strategies

1. “Historical Timeline of Civil Liberties Issues” handout
2. Access to library and/or internet resources for student research
3. *Silent Suffering*, a short DVD of the Japanese American internment story
4. Background Summary (of the Korematsu Case)
5. Key Excerpts from the Majority Opinion (of the Korematsu Case)
6. Key Excerpts from the Dissenting Opinion (of the Korematsu Case)
7. Did the Court Err in the Korematsu Case?
8. Copy of Letter of Apology from President George H.W. Bush
9. Honolulu Advertiser article: “Redress payments go to nine”, October, 1990
10. “Summary of Redress Movement” (handout)
11. “Major Groups and People of the Redress Movement” (handout at teacher discretion)
12. “Dorothea Lange and the Censored Images of Japanese American Internment” (optional handout)
13. Project Citizen website—for help in preparing students to assemble high-quality action plans to be presented in a public hearing format in front of their classmates: www.civiced.org



DAY ONE

DAY ONE LESSON

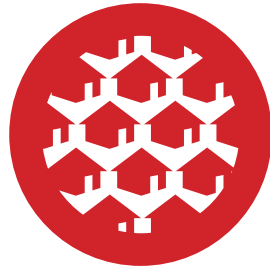


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HISTORICAL TIMELINE OF CONTROVERSIAL CIVIL LIBERTIES ISSUES

1801	Sedition Act of 1798 Expires	1971	Newspapers win “Pentagon Papers” case
1861	President Lincoln suspends Writ of Habeas Corpus in Maryland	1988	Reparations given to Japanese Americans interned during World War II
1861	May 28 - Chief Justice Taney denies Lincoln’s ability to suspend habeas corpus	1991	Media coverage limited in the Gulf War
1862	September 24 - President Lincoln suspends Writ of Habeas Corpus in northern states	1995	April 19, - Oklahoma City Bombing
1866	April 3 - U.S. Supreme Court prohibits military courts for civilians	2001	September 11 - Terrorist Attacks on WTC and Pentagon
1908	The “Bureau of Investigation” is created	2001	September 21 - Department of Transportation warns against ethnic stereotyping
1917	June 15 - The Espionage Act is passed	2001	September 21 - Immigration hearings ordered closed
1918	The Sedition Act of 1918 punishes critics of World War I	2001	September 21 - Justice Department closes immigration hearings
1918	Socialist Eugene V. Debs is arrested	2001	October 25 - Anti-terrorism Bill is passed
1919	“Clear and Present Danger” exception is established	2001	October 19 - Civil liberties groups seek information on detainees
1919	“Marketplace of Ideas” concept is defined	2001	November 13 - Bush issues order permitting military tribunals
1920	The American Civil Liberties Union (ACLU) is founded	2002	June 4 - Airline discrimination alleged
1921	Congress repeals the Sedition Act	2002	July 15 - Operation TIPS announced
1924	May 10 - J. Edgar Hoover is selected to head the Federal Bureau of Investigation	2002	Government ordered to release detainees’ names
1933	Those convicted under Espionage, Sedition Acts are pardoned	2002	Homeland Security Act signed
1937	The House Un-American Activities Committee (HUAC) is created	2003	June 2 - Inspector General critical of post - 9/11 detentions
1940	The Alien Registration Act is Passed	2003	June 5 - Attorney General seeks greater power on terror suspects
1941	December 7 - “A Date Which Will Live in Infamy”	2003	June 17 - Government not required to release detainees’ names
1942	February 15 - President Roosevelt authorizes internment camps	2004	June - Citizen “Enemy non-Combatants” have right to due process
1943	Restrictions on Americans of Japanese Ancestry (AJAs) upheld	2004	June - Federal courts can hear foreign detainees’ appeals
1944	December 18 - U.S. Supreme Court approves internment	2004	Patriot Act provision ruled unconstitutional
1947	September - Hollywood comes under scrutiny for alleged ties to communism	2005	President Bush signs the Real ID Act into law
1951-54	HUAC, McCarthyism and “naming names”	2005	Senate passes provisions of the Patriot Act
1952	Presidential overreaching disapproved	2005	Court debates government’s right to library records of U.S. citizens
1957	Use of Smith Act to prosecute criminals restricted	2006	President reauthorizes Patriot Act provisions
1968	Limits placed on symbolic speech rights	2006	June - Basic trial protections apply to detainees
1969	Students’ rights to symbolic speech upheld	2006	July - Bush acknowledges Geneva Convention applies to detainees
1971	Expression of anti-war sentiment ruled “protected speech”	2008	Court: detainees may appeal to federal courts



DAY TWO

DAY TWO LESSON



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BACKGROUND HISTORY

KOREMATSU V. UNITED STATES

When the Japanese bombed Pearl Harbor on December 7, 1941, destroying much of the American Pacific Fleet, the American military became concerned about the security of the mainland United States, particularly along the West Coast. The Japanese military had achieved significant and swift success throughout the Pacific. Many Americans turned their fear and outrage over the actions of the Japanese government on people of Japanese descent, both citizens and non-citizens, living lawfully in the United States.

At the time, approximately 112,000 people of Japanese descent lived on the West Coast; about 70,000 of these were American citizens. Many Japanese Americans had close cultural ties with their homeland, sending children to Japan for schooling and even collecting tin foil and money to send to Japan during its war with China. At the time, however, there was no proven case of espionage or sabotage on the part of Japanese or Japanese Americans in the United States.

Nonetheless, in February 1942, General DeWitt, the commanding officer of the Western Defense Command, recommended that “Japanese and other subversive persons” be evacuated from the Pacific Coast. He claimed,

The Japanese race is an enemy race and while many second and third generation Japanese born on United States soil, possessed of United States citizenship, have become Americanized, the racial strains are undiluted. To conclude otherwise is to expect that children born of white parents on Japanese soil sever all racial affinity and become loyal Japanese subjects ready to fight and, if necessary, to die for Japan in a war against the nation of their parents.

He also said that there was “no ground for assuming that any Japanese, barred from assimilation by convention as he is, though born and raised in the United States, will not turn against this nation when the final test of loyalty comes.”

President Franklin D. Roosevelt acted on this recommendation by signing Executive Order 9066. This authorized the Secretary of War or any designated commander, at their sole discretion, to limit and even prohibit some people from being in certain areas. The ensuing restrictions on people of Japanese origin included curfews and forced removal to assembly

and relocation centers much farther inland. Relocation to these centers was called internment. Most were required to live in barracks, many of which did not have running water or cooking facilities.

They were only allowed to bring basic personal items. Thus, many suffered heavy financial losses when they were forced to quickly sell their homes, vehicles, and other belongings. Soon after the order was enacted, Congress sanctioned the executive order by passing a law that imposed penalties for those who violated the restrictions that evolved from the order.

Fred Korematsu was an American-born citizen of Japanese descent who grew up in Oakland, California. He tried to serve in the United States military but was rejected for poor health. He was able, however, to get a job in a shipyard.

When Japanese internment began in California, Korematsu evaded the order and moved to a nearby town. He also had some facial surgery, changed his name, and claimed to be Mexican-American. He was later arrested and convicted of violating Exclusion Order No. 34 issued by General DeWitt, which barred all persons of Japanese descent from the “military area” of San Leandro, California. There was no question at the time of conviction that Korematsu had been loyal to the United States and was not a threat to the war effort.

Korematsu challenged his conviction on the grounds that the relocation orders were beyond the powers of Congress, the military authorities and the President. He also asserted that to apply these orders only to those of Japanese ancestry amounted to constitutionally prohibited discrimination based on race. The government argued that the exclusion and internment of Japanese Americans was justified because it was necessary to the war effort. They said there was evidence that some Japanese Americans were involved in espionage, and argued that because there was no way to tell the loyal from the disloyal, all Japanese Americans had to be treated as though they were disloyal.

The federal appeals court ruled in favor of the United States, and Korematsu’s appeal brought the issue before the U.S. Supreme Court.

KEY EXCERPTS FROM THE MAJORITY OPINION

KOREMATSU V. UNITED STATES

The decision was 6-3, and Justice Black delivered the opinion of the Court. The petitioner, an American citizen of Japanese descent, was convicted in a federal district court for remaining in San Leandro, California, a “Military Area,” contrary to Civilian Exclusion Order No. 34 of the Commanding General of the Western Command, U.S. Army, which directed that after May 9, 1942, all persons of Japanese ancestry should be excluded from that area. No question was raised as to the petitioner’s loyalty to the United States. The Circuit Court of Appeals affirmed, and the importance of the constitutional question involved caused us to grant certiorari.

It should be noted, to begin with, that all legal restrictions which curtail the civil rights of a single racial group are immediately suspect. That is not to say that all such restrictions are unconstitutional. It is to say that courts must subject them to the most rigid scrutiny. Pressing public necessity may sometimes justify the existence of such restrictions; racial antagonism never can.

JUSTICE BLACK, MAJORITY OPINION

Exclusion Order No. 34, which the petitioner knowingly and admittedly violated, was one of a number of military orders and proclamations, all of which were substantially based upon Executive Order No. 9066, 7 Fed. Reg. 1407. That order, issued after we were at war with Japan, declared that “the successful prosecution of the war requires every possible protection against espionage and against sabotage to national-defense material, national-defense premises, and national-defense utilities . . .”

One of the series of orders and proclamations, a curfew order, which like the exclusion order here was promulgated pursuant to Executive Order 9066, subjected all persons of Japanese ancestry in prescribed West Coast military areas to remain in their residences from 8 p.m. to 6 a.m. As is the case with the exclusion order here, that prior curfew order was designed as a “protection against espionage and against sabotage.” In *Hirabayashi v. United States*, we sustained a conviction

obtained for violation of the curfew order . . . We upheld the curfew order as an exercise of the power of the government to take steps necessary to prevent espionage and sabotage in an area threatened by Japanese attack.

In the light of the principles we announced in the *Hirabayashi* case, we are unable to conclude that it was beyond the war power of Congress and the Executive to exclude those of Japanese ancestry from the West Coast war area at the time they did. True, exclusion from the area in which one’s home is located is a far greater deprivation than constant confinement to the home from 8 p.m. to 6 a.m. Nothing short of apprehension by the proper military authorities of the gravest imminent danger to the public safety can constitutionally justify either. But exclusion from a threatened area, no less than curfew, has a definite and close relationship to the prevention of espionage and sabotage. The military authorities, charged with the primary responsibility of defending our shores, concluded that curfew provided inadequate protection and ordered exclusion. They did so, as pointed out in our *Hirabayashi* opinion, in accordance with Congressional authority to the military to say who should, and who should not, remain in the threatened areas.

. . . Here, as in the *Hirabayashi* case, “. . . we cannot reject as unfounded the judgment of the military authorities and of Congress that there were disloyal members of that population, whose number and strength could not be precisely and quickly ascertained. We cannot say that the war-making branches of the Government did not have ground for believing that in a critical hour such persons could not readily be isolated and separately dealt with, and constituted a menace to the national defense and safety, which demanded that prompt and adequate measures be taken to guard against it.”

Like curfew, exclusion of those of Japanese origin was deemed necessary because of the presence of an unascertained number of disloyal members of the group, most of whom we have no doubt were loyal to this country. It was because we could not reject the finding of the military authorities that it was

impossible to bring about an immediate segregation of the disloyal from the loyal that we sustained the validity of the curfew order as applying to the whole group. In the instant case, temporary exclusion of the entire group was rested by the military on the same ground. The judgment that exclusion of the whole group was for the same reason a military imperative answers the contention that the exclusion was in the nature of group punishment based on antagonism to those of Japanese origin. That there were members of the group who retained loyalties to Japan has been confirmed by investigations made subsequent to the exclusion. Approximately five thousand American citizens of Japanese ancestry refused to swear unqualified allegiance to the United States and to renounce allegiance to the Japanese Emperor, and several thousand evacuees requested repatriation to Japan.

We uphold the exclusion order as of the time it was made and when the petitioner violated it. In doing so, we are not unmindful of the hardships imposed by it upon a large group of American citizens. But hardships are part of war, and war is an aggregation of hardships. All citizens alike, both in and out of uniform, feel the impact of war in greater or lesser measure. Citizenship has its responsibilities as well as its privileges, and in time of war the burden is always heavier. Compulsory exclusion of large groups of citizens from their homes, except under circumstances of direst emergency and peril, is inconsistent with our basic governmental institutions. But when under conditions of modern warfare our shores are threatened by hostile forces, the power to protect must be commensurate with the threatened danger.

It is said that we are dealing here with the case of imprisonment of a citizen in a concentration camp solely because of his ancestry, without evidence or inquiry concerning his loyalty and good disposition towards the United States. Our task would be simple, our duty clear, were this a case involving the imprisonment of a loyal citizen in a concentration camp because of racial prejudice. Regardless of the true nature of the assembly and relocation centers — and we deem it unjustifiable to call them concentration camps with all the ugly connotations that term implies — we are dealing specifically with nothing but an exclusion order. To cast this case into outlines of racial prejudice, without reference to the real military dangers which were presented, merely confuses the issue. Korematsu was not excluded from the Military Area because of hostility to him or his race. He was excluded because we are at war with the Japanese Empire, because the properly constituted military authorities feared an invasion of our West Coast and felt constrained to take proper security measures, because they decided that the military urgency of the situation demanded that all citizens of Japanese ancestry be segregated from the West Coast temporarily, and finally, because Congress, reposing its confidence in this time of war in our military leaders — as inevitably it must — determined that they should have the power to do just this. There was evidence of disloyalty on the part of some, the military authorities considered that the need for action was great, and time was short. We cannot — by availing ourselves of the calm perspective of hindsight — now say that at that time these actions were unjustified.

KEY EXCERPTS FROM THE DISSENTING OPINION

KOREMATSU V. UNITED STATES

JUSTICE MURPHY, DISSENTING OPINION:

This exclusion of “all persons of Japanese ancestry, both alien and non-alien,” from the Pacific Coast area on a plea of military necessity in the absence of martial law ought not to be approved. Such exclusion goes over “the very brink of constitutional power” and falls into the ugly abyss of racism.

In dealing with matters relating to the prosecution and progress of a war, we must accord great respect and consideration to the judgments of the military authorities who are on the scene and who have full knowledge of the military facts . . . At the same time, however, it is essential that there be definite limits to military discretion, especially where martial law has not been declared. Individuals must not be left impoverished of their constitutional rights on a plea of military necessity that has neither substance nor support . . .

. . . Being an obvious racial discrimination, the order deprives all those within its scope of the equal protection of the laws as guaranteed by the Fifth Amendment. It further deprives these individuals of their constitutional rights to live and work where they will, to establish a home where they choose and to move about freely. In excommunicating them without benefit of hearings, this order also deprives them of all their constitutional rights to procedural due process. Yet no reasonable relation to an “immediate, imminent, and impending” public danger is evident to support this racial restriction which is one of the most sweeping and complete deprivations of constitutional rights in the history of this nation in the absence of martial law.

. . . The main reasons relied upon by those responsible for the forced evacuation, therefore, do not prove a reasonable relation between the group characteristics of Japanese Americans and the dangers of invasion, sabotage and espionage. The reasons appear, instead, to be largely an accumulation of much of the misinformation, half-truths and insinuations that for years have been directed against Japanese Americans by people with racial and economic prejudices — the same people who have been among the foremost advocates of the evacuation. A military judgment based upon such

racial and sociological considerations is not entitled to the great weight ordinarily given the judgments based upon strictly military considerations. Especially is this so when every charge relative to race, religion, culture, geographical location, and legal and economic status has been substantially discredited by independent studies made by experts in these matters.

. . . No one denies, of course, that there were some disloyal persons of Japanese descent on the Pacific Coast who did all in their power to aid their ancestral land. Similar disloyal activities have been engaged in by many persons of German, Italian and even more pioneer stock in our country. But to infer that examples of individual disloyalty prove group disloyalty and justify discriminatory action against the entire group is to deny that under our system of law individual guilt is the sole basis for deprivation of rights. Moreover, this inference, which is at the very heart of the evacuation orders, has been used in support of the abhorrent and despicable treatment of minority groups by the dictatorial tyrannies which this nation is now pledged to destroy. To give constitutional sanction to that inference in this case, however well-intentioned may have been the military command on the Pacific Coast, is to adopt one of the cruelest of the rationales used by our enemies to destroy the dignity of the individual and to encourage and open the door to discriminatory actions against other minority groups in the passions of tomorrow.

No adequate reason is given for the failure to treat these Japanese Americans on an individual basis by holding investigations and hearings to separate the loyal from the disloyal, as was done in the case of persons of German and Italian ancestry . . .

I dissent, therefore, from this legalization of racism. Racial discrimination in any form and in any degree has no justifiable part whatever in our democratic way of life. It is unattractive in any setting but it is utterly revolting among a free people who have embraced the principles set forth in the Constitution of the United States. All residents of this nation are kin in some way by blood or culture to a foreign land. Yet they are primarily and necessarily a part of the new and distinct civilization of the United States. They must accordingly be treated at all times as the heirs of the American experiment and as entitled to all the rights and freedoms guaranteed by the Constitution.

DID THE COURT ERR IN KOREMATSU?

Most internees suffered significant financial and property losses. Upon evacuation, the Japanese American internees were told that they could bring only as many articles of clothing, toiletries, and other personal effects as they could carry.

To compensate these losses, the U.S. Congress, on July 2, 1948, passed the “American Japanese Claims Act,” which stated that all claims for war losses not presented within 18 months “shall be forever barred.” Approximately \$147 million in claims were submitted; 26,568 settlements to family groups totaling more than \$38 million were disbursed.

Beginning in the 1960s, a younger generation of Japanese Americans who felt energized by the Civil Rights movement began what is known as the “Redress Movement” — an effort to obtain an official apology and reparations (compensation) from the federal government for interning their parents and grandparents during the war. The movement’s first success was in 1976, when President Gerald Ford proclaimed that the evacuation was “wrong.”

In 1980, President Carter set up a congressional commission to investigate Japanese internment during World War II. Specifically, the Commission on Wartime Relocation and Internment of Civilians was directed to review the facts and circumstances surrounding Executive Order 9066 and the impact of the order on American citizens and permanent resident aliens. In addition, the Commission was to recommend appropriate remedies for the government’s actions at the time.

The Commission held 20 days of hearings in 1981, listening to testimony from more than 750 witnesses including evacuees, government officials, historians and other professionals. The Commission also reviewed the records of government action, contemporary writings and historical analyses.

On February 24, 1983, the commission issued a report entitled *Personal Justice Denied*, condemning the internment as unjust and motivated by racism rather than real military necessity. The Commission concluded in its report that “the decision in *Korematsu*

lies overruled in the court of history.” Later in the report, the Commission stated that “*Korematsu* has not been [technically] overruled — we have not been so unfortunate that a repetition of the facts has occurred to give the Court that opportunity — but each part of the decision, questions of both factual review and legal principles, has been discredited or abandoned.” The Commission suggested that the *Korematsu* judgment was an anomaly in Supreme Court decision-making.

Forty years after his conviction, Fred *Korematsu* once again decided to challenge it. On November 10, 1983, *Korematsu*’s conviction was overturned by the United States District Court for the Northern District of California, the same court that had originally convicted him. The case was heard as a *coram nobis* case. A writ of *coram nobis* is a remedy used only in special circumstances to correct errors in a criminal conviction.

The court ruled that newly uncovered evidence revealed the existence of a manifest injustice which — had it been known at the time — would likely have changed the Supreme Court’s decision. The decision rested on a series of documents recovered from the National Archives showing that the government had withheld important and relevant information from the Supreme Court that demonstrated that the Army had altered evidence to make it appear that Japanese Americans posed a greater threat of spying and disloyalty.

As a result of these conclusions, President Ronald Reagan signed the Civil Liberties Act of 1988, which provided redress of \$20,000 for each surviving detainee, totaling \$1.2 billion dollars. On September 27, 1992 the Amendment of the Civil Liberties Act of 1988 and an additional \$400 million in benefits was signed into law by President George H. W. Bush, who also issued another formal apology from the U.S. government.

Other actions by the U.S. government since *Korematsu* support this view. In 1988, Congress officially apologized for Japanese internment in the Civil Liberties Act. Furthermore, President Bill Clinton sent a formal letter of apology to survivors of Japanese internment in 1993 with reparations.

But these actions were taken at a time when the United States did not face a threat on its territory. Since the events of September 11, 2001, debate over the Korematsu decision has once again ignited as the United States attempts to deal with the threat of terrorism. In 1998, before this terrorism threat fully surfaced, Chief Justice William Rehnquist wrote a book titled *All the Laws But One: Civil Liberties in Wartime*, where he discussed the balance that past governments have negotiated between security and civil liberties. In a speech given in 2000, Justice Rehnquist sums up a position supported by many that the Courts may need to give greater leeway to other branches of government in time of war.

It is important to note that the coram nobis decision overturned Korematsu's conviction based on the faulty evidence, but did not overturn the constitutionality of the Supreme Court's decision. Although Korematsu has not been followed as precedent, it remains good law to this day.



DAY FOUR

DAY FOUR LESSON



Students can start class by having each group of students do their re-enactment (or PowerPoint, etc.) of the Korematsu case from the previous class meeting. A short wrap-up discussion can be facilitated before moving students into the next stage of analysis, which involves the redress movement for Americans of Japanese Ancestry. After distributing the four-page handout titled “Summary of Redress Movement,” teacher can supervise a popcorn-reading (basically taking turns, a paragraph/sentence at a time, from students called on by the teacher at random intervals) of the summary. This will give students the in-depth knowledge they need to understand how at least one group of citizens monitored and advocated for an issue of importance to them. Instruct students to pair up and, with a partner, select one of the five key organizations/individuals involved in the movement about which to make a brochure. The brochure, of course, should have all the most critical information about the respective entity, including why each group was started, what each group’s approach was, the major opponents and supporters, and especially the reasons for its successes and its setbacks. (There are summaries of the CWRIC, NCRR, JACL, NCJAR and Edison Uno already printed out and included with this lesson. These can be distributed to students after they have started working on their brochures if the teacher feels they are having difficulty distilling the relevant details from the “Summary of Redress Movement” handout. That decision will be left up to the teacher based on what the students need to succeed.)

Optional—Teacher can distribute the handout titled “Dorothea Lange and the Censored Images of Japanese American Internment” for students to read and react to using their reflection journals. This activity will help students to see that individual citizens have multiple ways of contributing to moving society in a direction away from injustice and intolerance. The handout is informative regarding the government-sponsored photo shoots of Ms. Lange, but it also is a great way to appeal to students in multiple modalities regarding the larger tension that exists between providing for the common good and preserving individual rights.

Edison Uno is often credited as being the “father” of the redress movement. At the 1970 Japanese American Citizens League (JACL) national convention, he, along with other renegades in the JACL who were working on the repeal of the Emergency Detention Act, introduced a resolution for the JACL to seek compensation through legislation for the wrongs committed by the U.S. government in interning more than 120,000 people of Japanese ancestry during World War II. The JACL, which had not yet taken a stand on the Vietnam War and had for the most part stayed away from the Civil Rights movement, did not seem ready to adopt a resolution in favor of redress. The resolution passed but went nowhere. Similar resolutions at JACL national conventions passed in 1972 and 1974 with Uno’s perseverance, but they too died after approval.

In the early 1970s, the Seattle Evacuation Redress Committee of the JACL formed to pursue the cause introduced by Uno. Clearly, it was another renegade group trying to push the National JACL into action. On November 19, 1975, it unveiled what is now known as the “Seattle Plan,” which called for individual reparations of \$5,000 to each person who “voluntarily resettled” and to those who were forcibly removed from the West Coast and incarcerated in the camps. A sum of \$10 per day interned would be added to the fixed compensation of \$5,000. The money would come from a special fund set up by the Internal Revenue Service (IRS). The Seattle Plan came into conflict with the proposal offered by the National JACL. Instead of individual reparations, the national proposed that “block grants” be paid to individual Japanese American organizations.

In 1976, the National Committee for Redress (NCR) was established at the JACL national convention. This represented the group’s first serious action taken on the issue. The group was charged with researching the issue and adopting legislation to be considered at the next convention in 1978. It started with the proposal of a community fund (block grants) but immediately encountered resistance from the Seattle group. By the time the 1978 convention came around, it had adopted a proposal demanding \$25,000 in reparations for each person forcibly removed.

Surprisingly, the latter proposal also met with resistance from the Seattle group. To start with, the plan did not make any provision for those who had been removed but not detained in the camps (i.e., the “voluntary resettlers”). Second, it did not include reparations to those who had been forcibly removed from areas outside of the Western Defense Command, namely those in Hawai’i, Alaska and other parts of the country. Lastly, they disagreed with the idea of putting a Japanese American commission in charge of allocating the money; nobody, after all, was immune to corruption. The proposal passed despite their objections and the opposition of older leaders like Mike Masaoka.

In the meantime, a struggle against the redevelopment of Japantowns across the nation was taking place. Major cities, wanting to revitalize their central business districts in downtowns, attempted to rebuild without the approval of those affected most: the people who lived and worked there. When the idea had been proposed, it had been greeted with enthusiasm. Japantowns, after all had become run down over the years and were in need of a face-lift. Controversy started, however, when long-time Issei residents were threatened with eviction and were given nowhere else to live. Local business people saw the influx of Japanese yen and wondered if there would be a place for them when redevelopment was finished. Activists in the Japanese American community mobilized around the issue and saw this as another example of American racism. Groups such as the Little Tokyo People’s Rights Organization (LTPRO) in Los Angeles protested redevelopment and eventually won major concessions. Out of this struggle emerged the Los Angeles Community Coalition for Redress/Reparations (LACCRR) and other local redress groups across the country. The idea for redress started to gain momentum in the Japanese American community.

On the weekend of March 3-4, 1979, the NCR of the JACL switched its support from direct individual payments to the creation of a government commission to study the matter and recommend solutions. The main reasons given for the change were fiscal conservatism and the vociferous attacks on redress by S.I. Hayakawa, a conservative U.S. Senator

from California of Japanese descent. Some in the organization questioned the authority of the NCR to change the official position mandated by the delegates at the 1978 national convention. Many others felt that the JACL was waffling on the issue and putting too much trust in the government. As a result of this action by the NCR, the National Council for Japanese American Redress (NCJAR), consisting of William Hohri of Chicago and members of the JACL in Seattle in May of 1979, was formed.

The first action by NCJAR was to find a member of Congress to sponsor a redress bill. Since the four Democratic Japanese American Congressmen supported the creation of a government commission, support was not likely to come from them. Instead, Mike Lowry from Seattle became the first to sponsor redress legislation. Not surprisingly, the proposed legislation was almost a duplicate of the “Seattle Plan” written years earlier. The bill, with no support from the Nikkei Congressmen, was killed in committee.

On July 30, 1980, the Commission on Wartime Relocation and Internment of Civilians (CWRIC) was created by an act of Congress. Formed mainly to investigate matters surrounding the camps and to recommend appropriate remedies, the CWRIC had no power to correct grievances and was seen as a “cop-out” by the JACL. Still, hearings were set to be conducted in 20 cities across the nation beginning the next year.

One group that objected to the formation of the CWRIC was the National Coalition for Redress/Reparations (NCR). Organized on July 12, 1980, primarily out of LACCRR in Los Angeles, the NCR also included the Nihonmachi Outreach Committee in San Jose, Concerned Japanese Americans in New York, Japanese Community Progressive Alliance in San Francisco, and the Asian Pacific Student Union (APSU) on the West Coast. Like NCJAR, the NCR saw no need for a commission to investigate the camps and viewed the CWRIC with suspicion. With the JACL backing off from its demands for monetary compensation, the NCR felt that it was necessary to organize around the CWRIC hearings to make sure that the voice of the Japanese American community was heard. The addition of the NCR to the redress movement added the necessary grassroots angle to what was to become a long struggle.

In 1981, while the CWRIC conducted its hearings, another important aspect of the redress movement was just beginning. Peter Irons, a law historian, was conducting research on the wartime convictions of Fred Korematsu, Gordon Hirabayashi and Min Yasui for a book. He came across evidence that the government had purposely suppressed evidence in its cases against the three wartime resisters. After meeting with them, he and a group of Sansei lawyers worked to get their convictions overturned, using a little known petition procedure called “Writ of Error Coram Nobis.” The research uncovered in the coram nobis cases was to be instrumental in the advancement of the redress movement.

The CWRIC hearings were the turning point of the redress movement. Community representatives echoed the demand for individual monetary reparations in almost every statement. Previous opponents of redress, like Mike Masaoka and other conservative members of the JACL, were won over to the movement by the hearings. The often emotional testimony was cathartic for the community, as many former concentration camp inmates talked of their experiences in public for the first time.

In December 1982, the CWRIC issued its report, *Personal Justice Denied*. It was an exhaustive work that combined the testimonies heard at the hearings and research conducted by a team led by Aiko Yoshinaga-Herzig. It issued no recommendations, but it was clear that the commission was sympathetic toward the issue of redress. The next year there was much rejoicing when the CWRIC recommended, among other things, \$20,000 in individual compensation to those interned and a formal apology. This recommendation was to be the basis for the many redress bills that were to follow.

In the meantime, the NCJAR was conducting a separate attack on the government for its wartime violation of civil rights. It raised money to retain a law firm, conducted intensive research, and on March 16, 1983, brought a class-action lawsuit against the government on behalf of the over 120,000 victims of the camps. Though the suit was eventually dismissed, it provided necessary pressure on the government to pay reparations.

In 1987, redress bills HR442 and S1009 were introduced in the House and Senate. With the support of the Nikkei congressional delegation, the bills quickly

generated momentum in Congress. For the first time, the redress bill was voted out of committee and was scheduled for a vote by the full Congress. The NCCR, continuing in its grassroots tradition, mobilized an Asian American delegation to lobby for the redress bill in Washington D.C. Originally, the group anticipated only a few dedicated participants. However, word spread about its efforts, and over 120 people made the journey to Washington from July 25-29, 1987. Many more supported them through financial donations. The NCCR delegation made over 100 congressional visits, solidifying support among some members and changing the minds of others in Congress about the bill.

On September 19, 1987, the 200th anniversary of the Constitution, HR442 passed by a margin of 243-141. On April 20, 1988, the Senate passed its own version of the bill and sent it to President Ronald Reagan for his signature. At first, the President threatened

to veto the bill because of fiscal restraints in the federal budget. However, later in 1988, a presidential election year, a fellow conservative, Daniel Lungren, suffered a stunning defeat in a race for California state treasurer. Lungren, who was a leader against the redress movement, had been nominated for the office by the governor but had been rejected largely because of the vocal protests led by the Japanese American community. Also, over 20,000 letters and mail-grams were sent to the President in support of the bill. The President eventually signed the redress bill on August 10, 1988; the reasons will be debated for years by scholars and proponents of the three major redress groups. Over two years later, on October 9, 1990, the first redress payments were made to the oldest living survivors of America's concentration camps.

*Excerpted from Japanese American History
(JCCH Collection)*



10 OCT 1990

Honl. Advertiser

America apologizes to Japanese Americans

Redress payments go to nine

Advertiser News Services

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Thornburgh, handing out \$20,000 redress payments to nine elderly internees, the first of some 60,000 Japanese Americans who eventually will receive them, told the recipients that even when the American "system failed you, you never lost your faith in it."

"By finally admitting a wrong, a nation does not destroy its integrity but, rather, reinforces the sincerity of its commitment to the Constitution and hence to its people," the attorney general said.

"We can never fully right the wrongs of the past," President Bush declared in a two-paragraph statement accompanying each check. "But we can take a clear stand for justice and recognize that serious injustices were done to Japanese Americans during World War II."

Reps. Robert Matsui and Norman Mineta, two California Democrats who played key roles in the redress campaign, brushed tears from their eyes and embraced each other as the audience in the Justice Department's Great Hall sang "God Bless America."

Mineta, interned as a 10-year-old in a camp at Heart Mountain, Wyo., said: "Americans of Japanese ancestry now know in their hearts that the letter and spirit of our Constitution holds true for them."

Sen. Daniel Inouye, D-Hawaii, who lost his right arm fighting in Europe with the fabled 442nd Regiment, had to dry his eyes after greeting Eto, the resident of a Los Angeles nursing home.

"We honor ourselves and honor America," Inouye said. "We demonstrated to the world that we are a



UPI photo

Sugi Kiriya, 100, of Los Angeles, reacts after receiving her check.

strong people — strong enough to admit our wrongs."

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Justice Department officials will be in Honolulu Monday to present

checks to six Hawaii residents. More than 2,000 of the 120,000 or so Americans of Japanese ancestry who were interned during the war came from Hawaii.

Surrounded by barbed wire and armed sentries, they were held for the duration of the war — allegedly to prevent any attack on U.S. strategic installations, although not a single incident of a Japanese American attempting to aid the enemy was ever documented.

AMERICA APOLOGIZES TO JAPANESE AMERICANS... REDRESS PAYMENTS GO TO NINE

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THE WHITE HOUSE
WASHINGTON

A monetary sum and words alone cannot restore lost years or erase painful memories; neither can they fully convey our Nation's resolve to rectify injustice and to uphold the rights of individuals. We can never fully right the wrongs of the past. But we can take a clear stand for justice and recognize that serious injustices were done to Japanese Americans during World War II.

In enacting a law calling for restitution and offering a sincere apology, your fellow Americans have, in a very real sense, renewed their traditional commitment to the ideals of freedom, equality, and justice. You and your family have our best wishes for the future.

Sincerely,

A handwritten signature in blue ink, appearing to read "G. H. W. Bush".

GEORGE BUSH
PRESIDENT OF THE UNITED STATES

OCTOBER 1990

INTERNMENT WITHOUT CHARGES: DOROTHEA LANGE & THE CENSORED IMAGES OF JAPANESE AMERICAN INTERNMENT

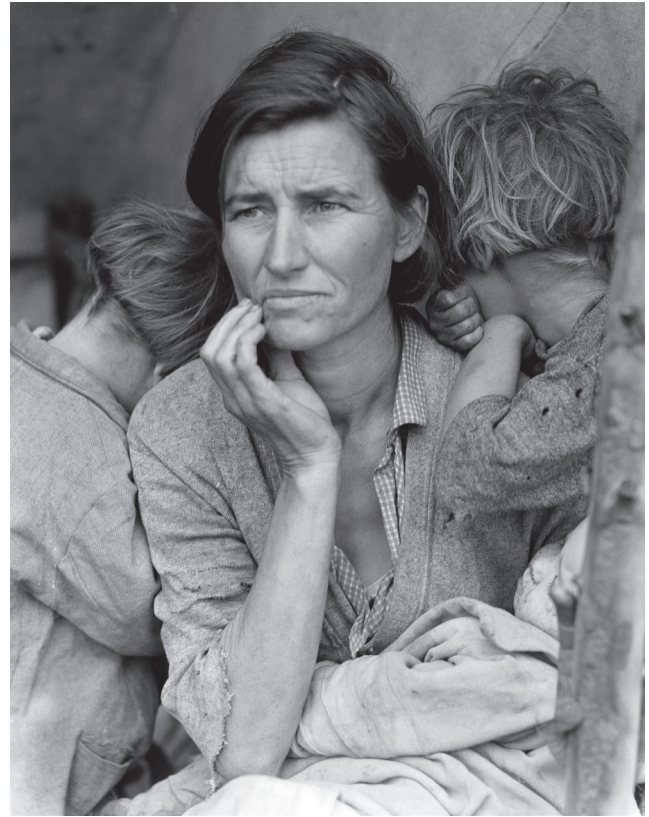
In 1942 the U.S. War Relocation Authority hired documentary photographer Dorothea Lange to photograph the World War II internment of approximately 120,000 Japanese Americans. Lange is now a world-famous documentary photographer, best known for chronicling the Great Depression of the 1930s. Her work is the subject of more than a dozen glossy art books. Even those who do not know her name will recognize some of her pictures. One of her photographs has been called the most famous image in the U.S.

In October 2005, her photograph of the “White Angel Bread Line” sold at auction for \$822,400, at that time the second highest price ever paid for a photograph.

Between February and July 1942 Lange worked assiduously to cover the internment throughout California. She made more than 800 photographs. But some military authority found them so evidently critical that the photographs were impounded for the duration of the war. Afterwards they were quietly placed in the U.S. National Archives where, because they are government property, they are in the public domain—free to be used by anyone for any purpose whatsoever.

A few scholars have published a small number of the photographs—fewer than six, to my knowledge—but they have never been published or exhibited as a group. This is surprising, given Lange’s reputation, and the fact that the U.S. government officially apologized for the unjustified and racist internment of 120,000 Japanese Americans. A selection of these photographs, approximately one-eighth of the total, are now published for the first time in “Impounded: Dorothea Lange and the Censored Images of Japanese American Internment” (Norton, 2006), edited by Linda Gordon and Gary Y. Okihiro. A selection of Lange’s images, and the captions she wrote to accompany them, are also displayed below.

Lange’s photographic critique is especially impressive given the political mood of her time—early 1942, just after Imperial Japan bombed Pearl Harbor, destroying a substantial portion of the American Pacific fleet. American anger was especially strong because most did



Photograph known as “Migrant Mother” (Photo: Japan Focus)

not know how deliberately President Roosevelt, eager to help the British, had provoked the Japanese. But this anger was soon organized from above to focus not only on the treacherous Japanese attack, ignoring the historical context of U.S.–Japan conflict in Asia and the nature of Japanese colonialism, but on the Japanese as a race. Anti-Japanese racism was already well developed on the West Coast, and after the attack it was ratcheted up by politicians and the press; after rumors surfaced of plans to intern Japanese Americans, big agribusiness interests joined in the barrage of defamation, probably because they thought (correctly) that they could buy Japanese farms at discounted prices. Now the pejorative verbal and visual rhetoric about Japanese Americans was intensified and expanded to include completely uncorroborated allegations of disloyalty and treason.

Hysterical waves of fear of further Japanese attacks on the West Coast of the U.S. crested on a century of racism against East Asians. Rumors of spies, sabotage, and attacks circulated widely. A few authenticated Japanese attacks—for example, in February 1942

submarines shelled a Santa Barbara oil refinery; in June a submarine shelled the Oregon coast; in September a submarine launched incendiary bombs near Brookings, Oregon—escalated the fear-driven hysteria, although no one was hurt, damage was minimal, and the Japanese American community was not implicated. But significantly, the order calling for the internment preceded these attacks. Military leaders especially ratcheted up the anti-Japanese fever. General John DeWitt, head of the U.S. Army's Western Defense Command, opined that "the Japanese race is an enemy race and while many second and third generation Japanese born on American soil, possessed of American citizenship, have become 'Americanized,' the racial strains are undiluted The very fact that no sabotage has taken place to date is a disturbing and confirming indication that such action will be taken" That kind of hysterical illogic went largely unchallenged. As the Los Angeles Times justified the policy, "A viper is nonetheless a viper wherever the egg is hatched"

In this situation, as the writer Carey McWilliams remarked, you could count on your fingers the number of "whites" who spoke publicly against sending Japanese Americans to internment camps. Liberals and leftists, even those who explicitly opposed racism, remained silent because they swallowed the claim that this was a necessary measure to defeat the Nazi-



Japanese-Italian alliance—a claim made by their beloved President Roosevelt. The Communist Party was then willing to accept any policy that purported to aid the Soviet resistance to the Nazi invasion. Even the liberal Dr. Seuss contributed a racist anti-Japanese cartoon.

In February 1942, FDR ordered the internment of the Japanese Americans, regardless of their citizenship, and the War Relocation Authority (WRA) was established on March 18 to organize their removal. These prisoners were never even charged with a crime, let alone convicted. Two-thirds of them were U.S. citizens, born in the U.S.—the remainder could not have become citizens because at that time people of Asian origin were prohibited from naturalization. The WRA was then headed by Milton Eisenhower (brother of Dwight), who had previously worked for the Department of Agriculture; he might well have been acquainted with Paul Taylor (Lange's husband), and Lange's reputation as a documentary photographer for the Farm Security Administration had probably reached him. Equally important, no doubt, Lange lived in San Francisco, a major center of the Japanese American population. Still, her hiring was ironic. No doubt she had received an enthusiastic recommendation because her work had so perfectly advanced the earlier agency's agenda of documenting rural poverty. The WRA probably expected the same compliance now but did not get it.

Another question arises: Why did the WRA want photographic documentation of the internment? Paul Taylor thought that making a photographic documentary record by then was simply "the thing to do" in government. Another factor: "government" was by no means of one mind—if the Army's Western Command, which ran the evacuation and the camps, had been in charge, there might not have been any photographs. A photographic record could protect against false allegations of mistreatment and violations of international law, but it carried the risk, of course, of documenting actual mistreatment. (A measure of how important it seemed to prevent such a calamity was that the internees were forbidden to have cameras.)

Lange was already opposed to the internment when offered the job documenting it. She had several Japanese American acquaintances, mainly through Taylor, a maverick progressive economics professor at U.C. Berkeley who mentored several Japanese

American graduate students. Taylor was one of the very small group of Anglos who protested Executive Order 9066 ordering the evacuation. Both Lange and Taylor had been active in the struggles of migrant farmworkers, who were primarily Mexican, and this engagement had made them acutely aware of racism, West Coast style.

Nevertheless, what Lange saw was worse than she had expected. Every stage she observed—the peremptory directives to Japanese Americans to “report,” the registration, the evacuation, the temporary assembly centers and the long-term internment camps—deepened her outrage. This in turn increased her determination to finish the job and capture the actual conditions, and doing so required withstanding considerable adversity. She worked nonstop 16-hour days for half a year, driving north, south and east many miles through California’s agricultural valleys where most Japanese Americans lived. She traveled on roads that were far from superhighways in cars not air-conditioned despite the scorching heat that prevailed toward the end of her undertaking. She did this as a disabled woman already beginning to feel the pain of bleeding ulcers and the muscular weakness we now know as post-polio syndrome. She patiently faced down continual harassment from army officers and guards who threw at her any regulation or security claim they could think of to prevent, slow, or censor her work. She was away from home for most of 5 months, worrying constantly about her older son, who at age 17 was rebelling to the extent of being called a juvenile delinquent. She undertook to photograph something she considered odious in order to create this record. She steeled herself to witness suffering. She compromised some of her most tenaciously held photographic and aesthetic values in order to record everything she could.

Not least among her difficulties, she maintained a facade of neutrality in her dealings with army brass so that they wouldn’t fire her. This was a close call. Lange developed a particularly adversarial relation with Major Beasley (referred to by some as Bozo Beasley), who tried to catch her in various infractions. Once she gave a photograph to Caleb Foote, a leader in the Fellowship of Reconciliation, who used it as the cover of a pamphlet denouncing the internment. Beasley thought he had her. But luckily for Lange, a congressional investigating committee had published the picture, thus putting it into the public domain. Another time Beasley

thought he had caught her out in holding back a negative but when he called her in and demanded that she produce the missing negative, she showed him that it was filed just where it ought to have been.

I believe that she imagined her photographs producing a narrative, because by this time she had become convinced that pictures communicated best when telling a story. In doing this she went far beyond her assignment—making, for example, scores of images of the lives and contributions of Japanese Americans before the executive order. So in designing this book, Gary Okihiro and I arranged the photographs not in the order she took them—because the internment process was in different stages in different parts of California—but in the order I believe she would have wanted: tracing the experience of the Japanese Americans from life prior to the evacuation order through the relocation and the internment experience.

The before-evacuation photographs emphasized the respectability and American-ness of the Japanese Americans and the ironies of their internment.

(Captions for all numbered photos are as recorded in the National Archives.)



536053: *San Francisco, California. Flag of allegiance pledge at Raphael Weill Public School, Geary and Buchanan Streets. Children in families of Japanese ancestry were evacuated with their parents and will be housed for the duration in War Relocation Authority centers where facilities will be provided for them to continue their education. (Photo: Japan Focus)*



536474: Florin, Sacramento County, California. A soldier and his mother in a strawberry field. The soldier, age 23, volunteered July 10, 1941, and is stationed at Camp Leonard Wood, Missouri. He was furloughed to help his mother and family prepare for their evacuation. He is the youngest of six children, two of them volunteers in United States Army. The mother, age 53, came from Japan 37 years ago. Her husband died 21 years ago, leaving her to raise six children. She worked in a strawberry basket factory until last year when her children leased three acres of strawberries “so she wouldn’t have to work for somebody else”. The family is Buddhist. This is her youngest son. Her second son is in the army stationed at Fort Bliss. 453 families are to be evacuated from this area. (Photo: Japan Focus)



537475: Mountain View, California. Scene at Santa Clara home of the Shibuya family who raised select chrysanthemums for eastern markets. Madoka Shibuya (right), 25, was a student at Stanford Medical School when this picture was taken on April 18, 1942. Evacuees of Japanese ancestry will be housed in War Relocation Authority centers for the duration. (Photo: Japan Focus)

As the round-up proceeded, the photographs show people ripped from their lives on short notice, forced to sell property at great losses, to give up homes and furnishings, leave jobs and schools; lined up, registered, tagged like packages; waiting, waiting, often guarded by armed soldiers; allowed to bring only what they could carry. Lange frequently used her unequalled mastery as a portrait photographer.



537773: Byron, California. Field laborers of Japanese ancestry from a large delta ranch have assembled at Wartime Civil Control Administration station to receive instructions for evacuation which is to be effective in three days under Civilian Exclusion Order Number 24. They are arguing together about whether or not they should return to the ranch to work for the remaining five days or whether they shall spend that time on their personal affairs. (Photo: Japan Focus)



537745: 2031 Bush Street, San Francisco, California. Friends and neighbors congregate to bid farewell, though not for long, to their friends who are en route to the Tanforan Assembly center. They, themselves will be evacuated within three days. (Photo: Japan Focus)

It is in the close-ups that we sense that the greatest injury was often the humiliation.



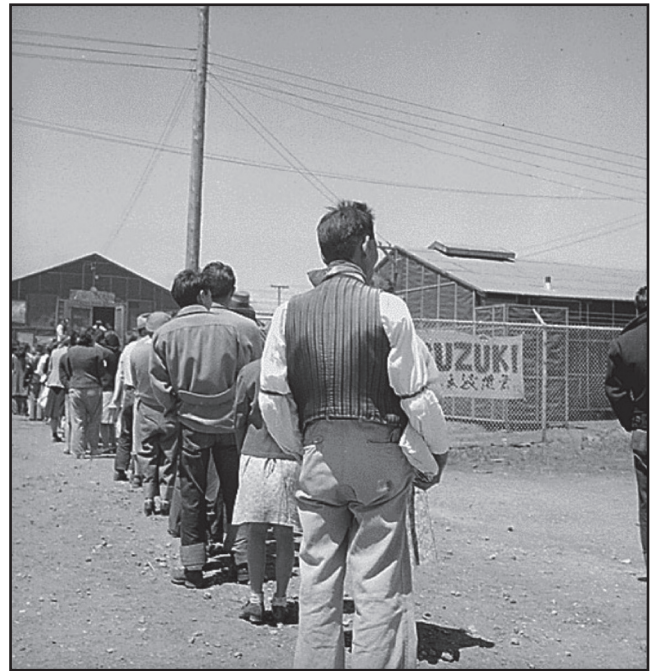
537566: Centerville, California. A grandfather awaits evacuation bus. Evacuees of Japanese ancestry will be housed in War Relocation Authority centers for the duration. (Photo: Japan Focus)

The temporary assembly centers were degrading beyond imagining. At the Tanforan assembly center in San Bruno, a former racetrack, the internees lived in former horse stables.



537930: San Bruno, California. Near view of horse-stall, left from the days when what is now Tanforan Assembly center, was the famous Tanforan Race Track. Most of these stalls have been converted into family living quarters for Japanese. (Photo: Japan Focus)

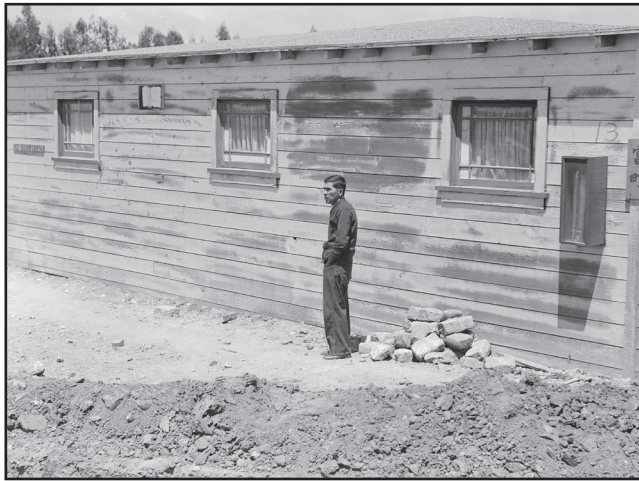
They are surrounded by prison regulations: no cameras, no books or magazines in Japanese, meals in large mess halls with food often ladled out from garbage cans, collective toilets, whole families sleeping in one “room” barely partitioned off from adjoining families, singles sleeping in huge wards with long rows of cots.



537924: San Bruno, California. “Supper time.” Meal times are the big events of the day at assembly centers. This is a line-up of evacuees waiting for the “B” shift at 5:45 pm. They carry with them their own dishes and cutlery in bags to protect them from the dust. They, themselves, individually wash their own dishes after each meal because dish washing facilities in the mess halls proved inadequate. Most of the residents prefer this second shift because sometimes they get second helpings, but the shifts are rotated each week. There are eighteen mess halls that together accommodate 8,000 persons for three meals a day. All food is prepared and served by evacuees. The poster seen in the background advertises the candidacy of Mr. Suzuki for this precinct. (Photo: Japan Focus)

We realize now that she has forged a theme, both visual and emotional, that winds through her photographs: waiting in line. The internees line up for their preliminary registration, they wait in chairs, they stand waiting before tables at which officials ask questions, fill out forms, give out instructions. Then they wait for buses or trains to carry them away. They wait in line for meals, for bathrooms, for laundry sinks.

They suffer acutely from idleness, having been deprived of work, school, a vocation, community—and freedom.



537941: *San Bruno, California. Many evacuees suffer from lack of their accustomed activity. The attitude of the man shown in this photograph is typical of the residents in assembly centers, and because there is not much to do and not enough work available, they mill around, they visit, they stroll and they linger to while away the hours. (Photo: Japan Focus)*

Manzanar was the only long-term internment camp Lange was able to visit. The snow-covered Sierras looking down from the east did nothing to cool the 100-degree-plus heat, and there were neither trees nor hills to break the fierce winds, whether icy or hot. Lange was awed by the hostile environment: “meanest dust storms ... and not a blade of grass. And the springs are so cruel; when those people arrived there they couldn’t keep the tarpaper on the shacks.” Unlike the other camps, Manzanar needed no high barbed fence or guards—as with Alcatraz, geography formed the prison walls.



539961: *Original caption: Manzanar, California. Dust storm at this War Relocation Authority center where evacuees of Japanese ancestry are spending the duration. (Photo: Japan Focus)*

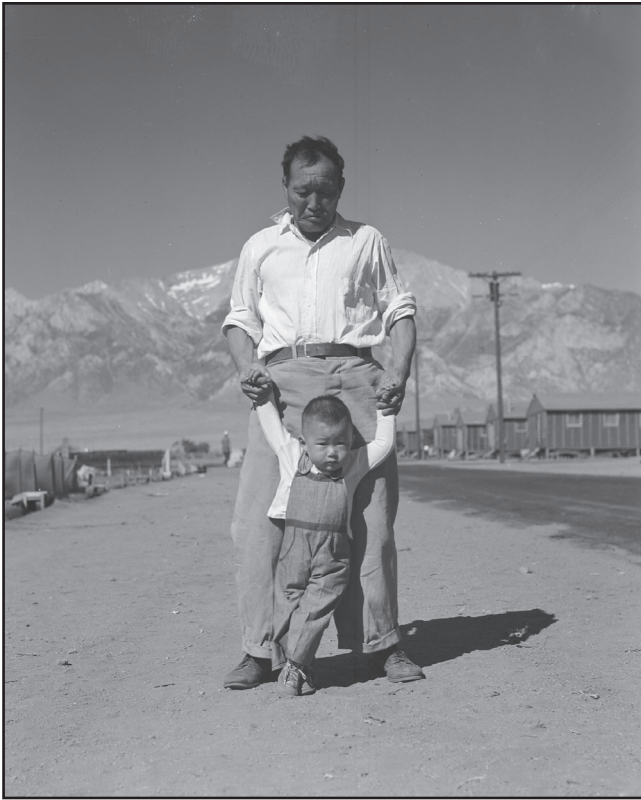
Here they settle in and recreate a life.



538152: *Manzanar Relocation Center, Manzanar, California. William Katsuki, former professional landscape gardener for large estates in Southern California, demonstrates his skill and ingenuity in creating from materials close at hand, a desert garden alongside his home in the barracks at this War Relocation Authority center. (Photo: Japan Focus)*



537962: *Manzanar Relocation Center, Manzanar, California. An elementary school with voluntary attendance has been established with volunteer evacuee teachers, most of whom are college graduates. No school equipment is as yet obtainable and available tables and benches are used. However, classes are often held in the shade of the barrack building at this War Relocation Authority center. (Photo: Japan Focus)*



537991: *Manzanar Relocation Center, Manzanar, California. Grandfather of Japanese ancestry teaching his little grandson to walk at this War Relocation Authority center for evacuees. (Photo: Japan Focus)*

I came to these photographs in the process of writing a biography of Dorothea Lange, in which I will be examining the visual culture of the depression and “New Deal,” the representation of poverty, race, and class conflict. These photographs, however, could not await the completion of the biography. Their relevance to internment-without-charges today seemed to me to require bringing them to public attention.

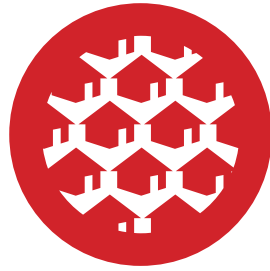
Dorothea Lange challenged the political culture that categorized people of Japanese ancestry as disloyal, perfidious, potentially traitorous, that stripped them of their citizenship and made them un-American. She wanted to stop the internment, and although she could not do that, she surely hoped that it would not be repeated. She was as eager to defeat the Axis powers as any other supporter of democracy, and worked on other photographic projects to honor those who contributed to the war effort—for example, portraits of defense industry workers. She too thought World War II was a “good war,” honorable and necessary. If her photographs of a major American act of injustice had nuanced this verdict just a bit, that fact would

hardly have undermined the national commitment. And the added nuance might well have contributed to developing among Americans a capacity for more complex, critical thinking about ensuing U.S. race and foreign policy.



Photograph of Lange herself, photographing the internment. (Photo: Japan Focus)

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DAY FIVE

DAY FIVE LESSON



After starting class by asking students to share their various brochures with the entire class, each individual student will then be asked to develop a step-by-step Action Plan advocating for a present-day issue of her/his choosing—as long as it is related to the tension between providing for the common good and protecting individual rights. Teacher may want to brainstorm some possible issues for students, such as redress for Native Hawaiians or the comfort women of World War II, but of course, encourage them to select a topic of importance to them based on their values. Students should follow the procedures for developing this action plan as outlined in: “We the People /

Project Citizen”. (Background information and all the necessary forms for this process can be found at www.civiced.org.) They will then be given a week to prepare the plan to be presented orally (with visual aids) in front of their classmates, who will judge the probability of the plan’s success. Particular attention should be paid to whether there is any evidence in their plan of insights gained from their knowledge and analysis of the redress movement for Japanese American internees during World War II. These connections should be made overt to the class, with direct mention of the linkages.

Excerpted From Japanese American History (JCCH Collection)

COMMISSION ON WARTIME RELOCATION AND INTERNMENT OF CIVILIANS (CWRIC)

A Congressional commission charged with studying the mass removal and incarceration of Japanese Americans during World War II and recommending an appropriate remedy. CWRIC was born on July 31, 1980, with President Jimmy Carter's signing of Public Law 96-317. The CWRIC actually had its beginnings in 1979 when the Japanese American Citizens League (JACL) decided to act on its goal of seeking redress and pushed for the formation of the committee.

This strategy angered some members of JACL's National Committee for Japanese American Redress; in May 1979, some of them split from the JACL to form the National Council for Japanese American Redress, a group that tried to get through Congress a bill seeking direct reparations rather than one seeking a study commission. The commission was chaired by Washington, D.C. lawyer Joan Z. Bernstein and included among its members Long Beach, CA Congressman Daniel E. Lungren, former U.S. Senator Edward Brooke, MA Congressman Robert Drinan, Arthur S. Flemming, Ishmael V. Gromoff, Philadelphia Judge William Marutani and Hugh B. Mitchell.

As part of its research, the CWRIC held hearings beginning in 1981 in several cities across the country. In each city, Japanese Americans testified about their experiences in the concentration camps; many talked about these experiences for the first time. After 18 months of research, the CWRIC issued its report on February 22, 1983, published under the title *Personal Justice Denied*. In its final recommendations to Congress on June 16, 1983, the CWRIC issued a formal recommendation calling for individual payments to victims of the camps of \$20,000. Five years later, a bill implementing these recommendations for the most part was signed by President Reagan.

NATIONAL COALITION FOR REDRESS/REPARATIONS (NCRP)

One of three major national organizations seeking redress for Japanese Americans incarcerated in government concentration camps during World War II. The organization was formed out of the Los Angeles Community Coalition on Redress/Reparations, which in turn came out of L.A.'s Little Tokyo People's Rights Organization's Redress Committee. Charter members of the NCRP felt the need to organize a grassroots organization that would be the voice of the Japanese American community.

The Japanese American Citizens League (JACL), they felt, was not accountable and in fact had backed off of their redress proposal to pursue the formation of a government commission on the camps. The kickoff conference for the NCRP took place on November 15, 1980, at California State University—Los Angeles, with about 400 participants. Members of the JACL and the National Council for Japanese American Redress attended and formed a somewhat shaky united front for redress at the conference—a prelude to the civil hostilities that would simmer between the three groups in the years to come.

Initially, the NCRP favored redress in the form of direct individual payments of at least \$25,000 per person plus the formation of a community fund. A bill that provided for these demands was introduced into Congress by Rep. Mervyn M. Dymally (D-CA) on December 8, 1982. In the meantime, the NCRP organized community testimony for the Commission on Wartime Relocation and Internment of Civilians (CWRIC) hearings in 1981 and ensured that the demand for monetary reparations was heard.

In 1983, the CWRIC recommended to Congress that the government pay \$20,000 in damages to those interned in U.S. concentration camps during World War II. From 1983, the NCRP threw its support primarily behind the direct payment bills introduced immediately after the CWRIC recommendations—HR4110, introduced into the House by Jim Wright on October 6, 1983, and S2116, introduced into the Senate

by Spark Matsunaga on November 17, 1983. Both were defeated in committee, as were other bills submitted in the next Congress.

In 1987, redress bills HR442 and S1009 were introduced in the House and Senate and quickly generated momentum in Congress. The NCCR, continuing in its grass roots tradition, mobilized an Asian American delegation 120 strong to lobby for the redress bill in Washington, D.C. from July 25-29, 1987. The NCCR delegation made over 100 congressional visits, solidifying support among some members while gaining endorsements from others.

On September 17, 1987, HR442 was passed by the House of Representatives and the Senate version, S1009, was passed the following year on April 20, 1988. After threatening to veto the legislation, President Ronald Reagan eventually signed the redress bill on August 10, 1988.

Since the passage of the redress bill, the NCCR has been very active in the appropriations process and was quick to protest the delay in funding the legislation. They, along with the JACL, were instrumental in assisting the Office of Redress Administration in locating eligible individuals for redress. Over the years, the NCCR has published the NCCR Banner and has been willing to speak out on other issues not necessarily limited to the Japanese American community. In 1990, the group celebrated its 10th anniversary with a conference at California State University—Long Beach, and changed its name to Nikkei for Civil Rights and Redress.

NATIONAL COMMITTEE FOR REDRESS, JACL

Redress subgroup of the major Japanese American civil rights organization. The formation of the National Committee for Redress (NCR) at the 1976 Japanese American Citizens League (JACL) national convention represented the first serious action toward redress taken by the organization.

Previous attempts to gather support for redress stalled after passing resolutions in 1970, 1972 and 1974. Under the leadership of Edison Tomimaro Uno, the architect of the previous proposals, the group was charged with researching the issue and adopting

legislation to be considered at the next convention in 1978. At first, they started with the proposal of a community fund (“block grants”) and immediately encountered resistance from the Seattle chapter. By the time the 1978 convention came around, they adopted a proposal calling for \$25,000 reparations payments for each person forcibly removed and detained in concentration camps during World War II.

Surprisingly, the latter proposal was also met with resistance from the Seattle group. To start with, the plan did not make any provisions for those who were forced from their West Coast homes but not incarcerated in the camps (i.e., the “voluntary” resettlers). Also, it did not include reparations to those who were affected outside the domain of the Western Defense Command, namely those in Hawai‘i, Alaska and other parts of the country. Still, the plan passed despite these objections and despite the opposition of older leaders like Mike Masaoka. (At the time, Masaoka thought “the whole idea of seeking monetary recompense for a sacrifice we accepted in a time of war was disturbing.”)

On the weekend of March 3-4, 1979, the NCR of the JACL, on the advice of the four Democratic Nikkei Congressmen, switched its support for legislation calling for direct individual payments and instead proposed the creation of a government commission to study the matter and recommend solutions. The main reasons given for the change were fiscal conservatives and the vociferous attacks on redress by Senator SI Hayakawa of California. Some in the organization questioned the authority of the NCR to change the official position mandated by the delegates at the 1978 national convention. Many others felt that the JACL was “waffling” on the issue and was putting too much trust in the government. John Tateishi, leader of the NCR since the 1978 convention, explained: “The majority of the committee members expressed the view that if the circumstances allowed, they would vote in favor of the legislation directly aimed at compensation. But given the political realities and the mood of the Congress and the public...we voted in favor of legislation seeking the creation of a federal commission.”

On July 30, 1980, the Commission on War Relocation and Internment of Civilians (CWRIC) was created by an act of Congress. Formed mainly to investigate matters surrounding the camps and to recommend

appropriate remedies, the CWRIC had no power to act on specific grievances—only to hear them. Still, hearings were set to be conducted in 20 cities across the nation beginning the next year. In hindsight, the commission hearings were the turning point of the redress movement. With community involvement, the demand for individual monetary reparations was heard in almost every statement. Whether or not that was the intention of the NCR is debatable.

One thing is certain, however: the CWRIC hearings united the Japanese American community and the JAACL behind the cause. Even previous opponents of redress like Masaoka were won over to the movement after the hearings. The NCR and its later incarnation, the Legislative and Education Committee (LEC) of the JAACL, went on to play a crucial role in the redress movement. With its political contacts in Washington, D.C., they were able to help form a national strategy for the redress movement. Always controversial among some grass roots activists, they nonetheless were a force to be reckoned with.

NATIONAL COUNCIL FOR JAPANESE AMERICAN REDRESS (NCJAR)

One of three major national organizations that worked for some sort of redress for Japanese Americans incarcerated in government concentration camps during World War II. Although the NCJAR was formed in Seattle in May 1979, it formed in reaction to the National Committee for Redress—JAACL meeting in San Francisco on March 3–4, 1979. At that meeting, the Japanese American Citizens League (JAACL) opted against pursuing a direct payment redress bill and decided instead to lobby for the formation of a Congressional commission to study the concentration camps.

Angered by this strategy, a group from Chicago and Seattle led by William Hohri of Chicago formed the NCJAR in order to seek redress in the form of direct individual payments. Through their lobbying, Rep. Mike Lowry (D-WA) introduced the World War II Japanese American Human Rights Violation Redress Act (HR5977), a bill based on a proposal made by the Seattle chapter of the JAACL four years earlier that called for a direct payment of \$15,000 per victim plus \$15 for each day interned. This bill, which had no support from any of the Nikkei Congressmen, was killed in favor of the commission bill, which

established the Commission on Wartime Relocation and Internment of Civilians (CWRIC).

After this defeat, the NCJAR switched its redress efforts from the legislative branch to the judicial branch. On March 16, 1983, the NCJAR filed a class action suit against the government seeking \$24 billion in damages. Initially dismissed because too much time had elapsed since the camp episode, it was resurrected when an appeals court overturned the decision on January 21, 1986, thereby clearing the way for a trial. The government appealed to the U.S. Supreme Court in 1987, resulting in a ruling on June 1 that NCJAR's appeal had been heard in the wrong court. The case was sent to the U.S. Court of Appeals for the Federal Circuit for a ruling on the original dismissal.

In the meantime, the redress legislation in Congress was moving at an accelerated pace. Included in the bill was the “extinguishment of claims” clause, which said that any person who accepted redress payments through legislation could not bring suit against the government for the same claim. Though the clause did not mention the NCJAR by name, it was clear that the language referred to its lawsuit. The redress bill eventually passed both houses of Congress and was signed by the President on August 10, 1988.

Many observers feel that the presence of the NCJAR lawsuit in the courts, which had the potential for costing the government a huge amount of money, made Congress more amenable to passage of the legislation awarding the token sum of \$20,000 to camp survivors. The NCJAR lawsuit was disallowed by the U.S. Supreme Court on October 31, 1988, effectively ending the efforts of the group. The NCJAR disbanded shortly thereafter.

UNO, EDISON TOMIMARO (1929-1976): TEACHER, WRITER, ACTIVIST

Perhaps more than any other individual, Edison Uno was responsible for launching the redress movement within the Japanese American community. He was born in Los Angeles on October 19, 1929, the ninth of 10 children born to George and Riki Uno. He was 12 when the attack on Pearl Harbor dramatically changed his life.

In February 1942, two FBI men appeared at the Uno house and took the elder Uno away. As an enemy alien

whom someone had decided was dangerous, George Uno was shuttled to a succession of internment camps in inhospitable parts of the U.S.: Missoula, MT; Fort Lincoln, ND; Lordsburg, NM; and Santa Fe, NM. In the meantime, he was not allowed to contact his family for a year. They began their wartime odyssey at Santa Anita Racetrack before moving on to Granada, CO, and finally reuniting with their father at the family Justice Department-administered internment camp at Crystal City, TX.

When the war ended, the family was allowed to return to L.A., but Edison remained in camp with his father until October 31, 1946. Edison spent 1,647 days in American concentration camps.

After the war, Edison returned to L.A. and attended Marshall High, serving as senior class president. He also became president of the East Los Angeles chapter of the Japanese American Citizens League (JACL) at age 18, becoming the youngest chapter president ever. After marrying Rosalind Kido, he enrolled at Los Angeles State College and, after graduating from there, he attended Hastings College of Law in San Francisco.

While at Hastings, he suffered his first heart attack. On the advice of his doctors, he gave up his ambition to be a lawyer and became something of a professional activist for Japanese American concerns. Among the issues he worked on are the repeal of Title II in the early 70s, the presidential pardon of Iva Toguri D'Aquino, the writing of Michi Weglyn's landmark *Years of Infamy, The Untold Story of America's Concentration Camps*, and the NBC-produced documentary "Guilty by Reason of Race."

Uno also spoke out in favor of the striking San Francisco State students in 1969. One of his most important contributions was his nearly lone call for redress in the early 1970s. This was one struggle he would not live to see through to the end—on December 24, 1976, Edison Uno died at the age of 47 of a heart attack. The Japanese American Research Project at the University of California at Los Angeles currently holds his papers.