

FOREWORD TO AN INTERVIEW WITH FRED KOREMATSU

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One afternoon in the spring of 1942, Fred Korematsu was arrested for doing what would have been perfectly innocent and natural for millions of other American citizens, but was for him a criminal offense. He went for a stroll with his fiancée along a public street in San Leandro, California.¹ By order of General John L. DeWitt, Americans of Japanese ancestry had been directed to remain in their homes during daylight hours and to ready themselves for transport to “assembly centers,” where they would wait out the war.² Korematsu’s family had already reported to such a center near San Francisco, but he had stayed behind hoping he might still marry his Italian American girl friend and move to the Midwest where they could “live as normal people.”³ That naive plan was smashed by the national government’s shameful policies toward hundreds of thousands of its loyal citizens. Innocent men, women, and children were herded together in camps and held against their will on the baseless premise that they somehow threatened the nation’s security.

This country has much to answer for. Yet few episodes in our history can rival the sheer brutality of the treatment Fred Korematsu and other Japanese American citizens received during World War II: years of detention for merely being themselves. There was plenty of blame to go around. In hindsight, it has properly been laid where it belongs—not with General DeWitt alone, but also with military and civilian officials up the chain of command to President Roosevelt himself, with members of Congress, and with the great mass of other Americans who knew what was happening, but either applauded or kept their complaints to themselves. More’s the pity that the Supreme Court upheld the internment policy when ACLU lawyers representing Mr. Korematsu challenged its constitutionality. An infamous opinion by the Court’s greatest defender of civil liberties, Hugo Black, condemned by its own words the very action the Court purported to justify:

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

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¹ Peter Irons, *JUSTICE AT WAR* 93-94 (1983). See also Aviam Soifer, *Lawyers and Loyalty*, 12 *Reviews in American History* 575 (1984)(reviewing Mr. Irons’ book).

² Irons, *supra* note 1, at 70.

³ Memo, Special Agent G.E. Goodwin, San Francisco, July 11, 1942, File 146-42-7, Department of Justice, quoted in Irons, *supra* note 1, at 98.

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.⁴

We know better now. We *did* have ugly concentration camps, and people like Fred Korematsu *were* detained in those camps without the slightest inquiry into just cause. It scarcely confuses the issue to attribute what happened largely to racial prejudice. Race *was* the issue. The only “Military Area” Mr. Korematsu entered was the State of California—most of which was covered by DeWitt’s sweeping decrees. The Supreme Court’s failure to recognize as much only exacerbates the constitutional wrong done to the victims of bigotry—and testifies to the fragility of our principles and institutions under stress.

Recent scholarship has revealed that the internment policies of which the *Korematsu* case was a part were worse, and even more racist, than we previously understood. We now know that government lawyers failed fully to express their reservations about DeWitt’s claims that Japanese Americans posed a security threat and, in that way, capitalized on the Supreme Court’s willingness to rationalize the deprivation of human liberty as a matter of war time necessity.⁵ In light of this and other recently disclosed information, there is no longer any question but that the “broad historical causes which shaped these [internment] decisions were race prejudice, war hysteria, and a failure of political leadership.”⁶

We have done a few things to make amends. Fred Korematsu’s conviction has been vacated, and Congress has authorized modest compensatory payments to those who were detained as he was.⁷ Yet nothing we do or say today can possibly right the wrongs of the past. It is altogether fitting and proper, then, that the Journal takes this additional opportunity to remember what happened to an ordinary American citizen in San Leandro and to so many

⁴ *Korematsu v. United States*, 323 U.S. 214, 223 (1944).

⁵ *Korematsu v. United States*, 584 F. Supp. 1406, 1416 (N.D. Calif. 1984).

⁶ Report of the Commission on Wartime Relocation and Internment of Civilians (1982), *cited in*, *Korematsu v. U.S.*, 584 F. Supp. 1406, 1416 (N.D. Calif. 1984).

⁷ Pub. L. 100-383, 102 Stat. 903, 50 U.S.C. §1989.

others across the western states. We must probe this dreadful history for the hard lessons it has to teach us—about our country, our law, and ourselves.

JAPANESE AMERICAN INTERNMENT: AN INTERVIEW WITH FRED KOREMATSU

PILJ: Mr. Korematsu, could you please tell us about your background?

KOREMATSU: My parents came from Fukuoka, Japan. My father came to America in 1906, at the time the earthquake happened in San Francisco. He lived in East Oakland, across the bay from San Francisco, where he started a nursery. I went to grammar school, junior high, and high school in East Oakland. During my free time, I helped my dad in the nursery. In school I learned about the Constitution and the concept of equal rights. But Asian immigrants weren't treated "equally," they were recognized as foreigners and couldn't own land or apply for citizenship.

PILJ: Can you describe the social climate when you were growing up? You mentioned that there was a lot of anti-Japanese sentiment, how did the Japanese community react to these feelings?

KOREMATSU: At that time, I had to be careful wherever I went. They refused to serve me whenever I went to a restaurant. I couldn't even get a haircut. In order to go to a place where I was welcome, I had to go to Chinatown. That's where I got my haircut.

PILJ: What did the Japanese American community do? Were there protests or any efforts to deal with this discrimination?

KOREMATSU: There was the Japanese American Citizens League ("JACL"). The JACL they called it at that time. They were mostly young people who were just out of college. The tension and the attitude toward Asians, especially Japanese at that time, was not very good because Japan was very aggressive in Asia. All of this brutality in the news media was more hate than anything else. The JCL had to be careful about what they said. They feared that harm would come to them. The news media was pretty rough against Japan. Japanese Americans had to be awfully careful about what they said.

PILJ: Were you involved with the Japanese American Citizens League?

KOREMATSU: No, I wasn't involved with the JACL. When WW II broke out, the JACL went along with what the military wanted, they didn't object to the internment; they cooperated. At that time, the Northern California American Civil Liberties Union believed that what the government was doing was unconstitutional, and they wanted the JACL to protest it, but they were too scared. They feared for their families, their parents, and they thought nothing good would come if they protested. When I refused to cooperate with the mili-

tary, the JACL did not like what I did. I had to go on my own.

PILJ: How did you proceed with the case?

KOREMATSU: When I was in jail, Mr. Ernest Besig from the Northern California ACLU volunteered to help me; that really was a lifesaver because no one wanted to stick their neck out to help me. I was classified as an enemy alien. Even when Mr. Besig decided to help me, the National ACLU wanted him to drop the case because the Executive Director was friendly with President Roosevelt.

PILJ: Can you tell us what happened when things started to heat up?

KOREMATSU: Many things happened. I got permission from my father to go into defense work before Pearl Harbor. I was a welder and worked in the shipyards. I was doing very well. Once after I dropped my girlfriend off at work, on the way to work, my car stalled and I had to get it towed. I had my car repaired and I got to work around 11 o'clock. This was before the War. I was called in right away by an officer, and to my surprise, it was the FBI. They wanted to know why I was late. I had to show them my receipts for the repair work and had to tell them which garage I went to, so they could check it out.

PILJ: Were you aware of anybody else who had been approached at work by an FBI agent?

KOREMATSU: No, I wasn't. At that time, I heard rumors, during lunch at the shipyard, of someone taking pictures and got caught. They were Caucasian; they weren't Asians. As soon as my employers discovered that I was Japanese, they told me I no longer had a job.

PILJ: How was the internment law communicated to the Japanese American community?

KOREMATSU: Right after Pearl Harbor, the government put notices on telephone poles at various locations where Japanese families lived and worked. That was the only notification we received.

PILJ: Wasn't there anything in the newspapers, on radio, or TV that explained the law?

KOREMATSU: At that time, we didn't actually buy the paper. After Pearl Harbor, they confiscated everything so we couldn't have radios but the radio was the only way to get information besides the paper. The government came in, the police came in, to every Asian home, took flashlights, cameras, radios and anything that looked suspicious — anything that might be used to sabo-

tage the country. They took everything. The only way we had notice of the new law was the notices on telephone poles. They made sure, because they practically nailed the notices right in front of your house.

PILJ: When they took these items from your house, did they justify their actions in any way? Did they show you a warrant or any legal documents?

KOREMATSU: No, they just came in and told us what they were going to do. In those days, when the police came in, you didn't ask questions. They told you and that was it; you didn't argue with them. Nowadays, you can talk back to the police and argue with them. But not in those days. They were the law and if you didn't agree with them, or disobeyed their orders, they would take you in and lock you up without questions.

PILJ: Can you describe your days as a fugitive?

KOREMATSU: I changed my name because my draft card was 4C, which meant enemy alien. I changed it to a Spanish name because I wanted to go back to work. At work, I couldn't drive anyway because you couldn't drive a car more than forty miles out of town. If you were Asian and drove a car, the police could spot you right away. So I sold my car. I gave it away and destroyed my driver's license so the only thing I had left was my draft card to identify myself. I got a job, as a welder in Berkeley, with a trailer mobile company which built huge trailers to move parts of ships around the shipyard. I was working there until I got caught. One Saturday, I went to San Leandro, a town where my girlfriend lived, and we were supposed to go shopping. I was standing on a corner waiting for her; she didn't show up so I went into a drugstore where I had gone many times before to get cigarettes. Someone recognized me and called the police. That's how I got caught.

PILJ: After you were arrested, did the police take you directly to the camp?

KOREMATSU: Eventually. I was in the San Leandro city jail, and after that, the police transferred me to the Alameda County jail. I stayed there for four days and then I was transferred to the federal jail in San Francisco. That's where Mr. Besig finally contacted me and told me he wanted to help. I was really surprised because I didn't think anyone would want to help me. The newspapers said, "A JAP SPY CAUGHT IN SAN LEANDRO." My friends were either in the military, or interned, so when Mr. Besig called, I was really surprised. He also got Wayne Collins of the Northern California ACLU to continue work on my case until it went to the Supreme Court in 1944. That's when I thought, hey, what the government did was unconstitutional. I thought there was a chance of winning the case when it went to the Supreme Court; I thought I would win, but I lost.

PILJ: Can you describe the conditions in the internment camp?

KOREMATSU: At first we went to the assembly center which was a race-track. We were forced to stay in horse stalls. In fact, it was worse than when I was in jail; jail was more comfortable. The stall had one big door to let the horse in and there was an opening of six to eight inches at the bottom where the wind was blowing right through. It was a dirt floor, with straw on top of a cot, and a light up above; that was it. That was your room.

PILJ: How did other internees receive you when you arrived?

KOREMATSU: They knew about me and they kept away from me. They figured I was a troublemaker. Because they were already interned, they feared for their lives. They were also concerned about their parents' safety. They were afraid of what harm would come to them. So they wanted to be good Americans by going along with the internment — with what the government wanted, with what America wanted. They didn't like what I was doing.

PILJ: Were there any others like you who sought to vindicate their constitutional rights?

KOREMATSU: There were two others. One was Min Yasui in Portland, Oregon, an attorney; he fought the curfew. He marched around the police station after nine o'clock p.m. asking to be arrested. That's how he was arrested. He was treated very roughly and was put into solitary confinement for nine months. Another person was Gordon Hirabayashi, a college student, in Seattle. He also violated the curfew and was arrested.

PILJ: Once you were released, how did other people in the community react to what was happening in the internment camps? Was there much debate, not only among Japanese-Americans, but among others?

KOREMATSU: Some were ashamed that this happened; they were sorry they couldn't do anything about it. Other people, well, they were either in the military or most of them had jobs so they didn't know exactly what was happening. They were surprised that the internment happened in California. And then there are those who were here and knew about it. They just wanted to forget it. Some were sorry that this happened, but they didn't want to bring it up again. Others thought that it was the right thing to do.

PILJ: Do you remember any particular group or organization that was in favor of the internment camps?

KOREMATSU: There were some. Native Sons and Daughters of the Golden West was one of them. They approved of the internment because they wanted our land. They even lobbied in Washington. Of course, General DeWitt was all for it. He was a racist. And even Earl Warren, during his political campaign for Attorney General supported the internment. In Los Angeles Japa-

nese Americans had a pretty good fishing fleet. They owned their boats and equipment, but those against them wanted to push them out even before they had a place to stay. It was really bad. So the Japanese Americans were left out on the street with no place to go. Anyone in authority turned their backs on the Japanese on the West Coast.

PILJ: Did you remain in contact with your attorneys during your time in the camp?

KOREMATSU: Yes. When I was in the assembly center camp in South San Francisco, at the racetrack, and we were going to be shipped to Topaz, Utah, they had a hearing right away in my case. The court didn't want to hear my case, so the judge kept postponing it. The attorneys finally did get permission to have a special hearing before everyone was moved to Utah. The judge said: "Fred, since you're only twenty-two years old and didn't know what you were doing, we're going to put you on probation under military authority." Mr. Besig said, "I think that's the best way to go because we can still fight this case as far as it can go. . . ." I said, "O.K." and I was put on five years probation. My attorneys kept in touch with me until my case went to the Supreme Court.

PILJ: How did you ultimately get out of the camps?

KOREMATSU: I was in the Topaz camp for about a year and a half. And then after that the government started getting more lenient. They let people go outside and work for companies who had jobs for them. An iron works company in Salt Lake City needed three welders. I applied, and got the job. Two other Topaz internees were also hired.

PILJ: Was the welding job in Salt Lake City considered defense work?

KOREMATSU: No, it wasn't. It was just repairing boilers and water heaters. Then we found out that we were being paid half wages, compared to the others, so we walked out after three months. The boss threatened to send us back to the camp, but he never did.

PILJ: After you were released, did you still encounter much discrimination?

KOREMATSU: Oh, yes, in Salt Lake City. I met a Japanese American fellow and his wife from Los Angeles. He was an accountant, but no one would hire him. The only job he found was work at a concrete company making pipes. These pipes were about ten feet in diameter and he had to move them around the yard. That was the only job he could find. He said he was just exhausted from work every day, with his hands all blistered. But they were the ones that told me, "I'm glad that you did what you did. And I wish there were more like you." That's the first time I ever heard that. Having suffered that

much in Salt Lake — the discrimination, I went to a noodle shop. I knew that there were two Japanese Americans who worked there and they got me a job. But one night, they were beaten up. Some soldiers came in and I guess they were looking for something to do. They didn't like them because they were Asian and just beat them up. When I saw them, the whole sides of their faces were swollen.

PILJ: Was your family with you in Salt Lake City?

KOREMATSU: My parents were interned in Topaz, Utah during the War. All the Japanese Americans from the Tan Foran racetrack were moved to Topaz, Utah.

PILJ: How did you achieve redress?

KOREMATSU: Well, that's a long story. You know, all these years I had been hoping to reopen my case because I thought that my conviction was unconstitutional. Finally Professor Peter Irons called me and offered to help me reopen my case. By the time we did reopen it, we had 50 attorneys and students researching the case. At a hearing in San Francisco District Court in 1983, I was finally vindicated.

PILJ: Could you describe some of your feelings looking back on your experience?

KOREMATSU: Well, I feel that I did the right thing. For educational purposes too. And I feel that this should never happen again. I keep speaking about this. Whenever I am asked to make an appearance I do because I feel that there are so many people who don't know what happened. I want them to know. There are a lot of Japanese Americans today, my age, who were afraid to speak about the internment. They thought what happened was wrong, but they felt ashamed, so they didn't want to speak about it. Now that it's out in the open, they're not afraid to speak.

PILJ: Are there any lessons to learn from what happened to you?

KOREMATSU: Well, I hope this could never happen again. But it could. There are many weird people in this country. Some still think that what the government did was right. They still don't understand what happened. They don't understand that we were American citizens imprisoned for no reason at all. There are still people like that. It's a constitutional issue. Even people in Congress have a definite attitude about what happened to Japanese Americans. We had to persuade Congress that it was wrong. Even though it was unconstitutional, you still have to tell them. You have to stay on your toes and be strong. That's what I want all of you kids to do. Be strong and do what you're doing, you're doing alright.