

permanently to different states, half of those to different regions. One great migratory stream carried people from south to north. A second and larger stream flowed from east to west. As if the entire continent had been tilted westward, people spilled out of the South and the Great Plains into the Pacific coastal states, especially California. The populations of Washington, Oregon, and California mushroomed by more than one-third between 1941 and 1945. As the momentum of the wartime migration continued even after the war's end, California was home to 72 percent more people in 1950 than it had been in 1940. Endless rivers of workers poured into the great metropolitan centers of defense production—Detroit, Pittsburgh, Chicago, San Diego, Los Angeles, Oakland, Portland, and Seattle. In a harbinger of postwar social geography they settled disproportionately not in the central cities but in the newly burgeoning suburbs, which grew at nearly three times the rate of the traditional urban cores. By the end of the war decade, the long-depressed farmlands of the South and the Midwest held fewer souls than they had in 1940, while some eight million Americans had lifted their heels for the Pacific Coast. In the long history of the westward movement, this was its most dramatic chapter.²

Begin

NOT ALL OF THE MOVEMENT in this churning demographic cauldron was voluntary, especially in the case of Warrant Officer Fujita's kinsmen resident in the United States. Some two hundred thousand Japanese immigrants and Japanese-Americans lived in the Territory of Hawaii in 1941. Another 120,000 resided on the American mainland, mostly in the Pacific Coast states, California in particular. For them, geography was destiny.

Following the attack on Pearl Harbor, Hawaii passed under martial law, the writ of habeas corpus was suspended, and the military police took several hundred suspected spies and saboteurs of Japanese extraction into custody. But the very size of the Japanese community in Hawaii (nearly half the territory's population), and its vital importance to the islands' economy, foreclosed any thought of wholesale evacuation. The mainland community, however, was proportionately much smaller (in

2. Henry S. Shryock Jr. and Hope Tisdale Eldridge, "Internal Migration in Peace and War," *American Sociological Review* 12, no. 1 (February 1947): 27-39; Shryock, "Redistribution of Population," *Journal of the American Statistical Association* 46, no. 256 (December 1951), 417-37; Richard White, *It's Your Misfortune and None of My Own: A New History of the American West* (Norman: University of Oklahoma Press, 1991), 496-504.

California, barely 1 percent of the population), more economically marginal and socially isolated, and long buffeted by racist pressures. The mainland Japanese for the most part kept warily to themselves, many of them toiling with exemplary efficiency on their family fruit and vegetable farms. Insular and quiescent, they were also internally riven by age and legal status. Their elders, the forty thousand first-generation immigrant Japanese, or Issei, were generally over the age of fifty and debarred from citizenship by the Immigration Restriction Act of 1924, a statutory impediment that perversely exposed them to the accusation that as non-citizens they were poorly assimilated into American society. A majority of their children, the eighty thousand second-generation Nisei, were under the age of eighteen. Born in the United States, they were also citizens. Alien and citizen alike, the peculiarly vulnerable Pacific Coast Japanese community was about to feel the full wrath of war-fueled hysteria.

Curiously, no clamor for wholesale reprisals against the mainland Japanese arose in the immediate aftermath of the Pearl Harbor attack. The *Los Angeles Times* soberly editorialized on December 8 that most of the Japanese on the Coast were "good Americans, born and educated as such," and serenely foresaw that there would be "no riots, no mob law." General John L. DeWitt, chief of the army's Western Defense Command, at first dismissed loose talk of mass evacuations as "damned nonsense." He condemned any broadside assaults on the rights of the American-born Nisei. "An American citizen, after all, is an American citizen," he declared.³ Individual arrests were another matter. Government surveillance, ongoing since 1935, had identified some two thousand potentially subversive persons in the Japanese community. Along with fourteen thousand German and Italian security risks nationwide, they were quietly rounded up in the last days of 1941. But those individual detentions stopped well short of wholesale incarcerations. "I was determined," Attorney General Francis Biddle wrote, "to avoid mass internment, and the persecution of aliens that had characterized the First World War."⁴

3. Peter Irons, *Justice at War: The Story of the Japanese Internment Cases* (Berkeley: University of California Press, 1983), 6, 30; Francis Biddle, *In Brief Authority* (Garden City, N.Y.: Doubleday, 1962), 215.
4. Biddle, *In Brief Authority*, 207. Biddle also took heed from the embarrassing example of Britain, where a panicky government in 1940 had briefly impounded some seventy-four thousand enemy aliens, only to realize that most of them were German and Austrian Jewish refugees, hardly fifth columnists for the *Reich*. In the United States

In fact, the immigrants whose loyalty had been questioned during World War I had then been freshly arrived and seemed to many observers unarguably alien. But by 1941 those older European groups were settled communities, well assimilated, their patriotism as well as their political loyalty actively cultivated by Roosevelt's New Deal. Though a surprising six hundred thousand Italians—more than 10 percent of the entire Italian-American community—remained Italian citizens and were automatically labeled “enemy aliens” after Mussolini's declaration of war, Roosevelt instructed Biddle to cancel that designation in a joyfully received announcement at Carnegie Hall, shrewdly delivered on Columbus Day 1942, just weeks before the congressional elections.

The Japanese were not so fortunate. As war rumors took wing in the weeks following Pearl Harbor, sobriety gave way to anxiety, then to a rising cry for draconian action against the Japanese on the West Coast. Inflammatory and invariably false reports of Japanese attacks on the American mainland flashed through coastal communities.⁵ Eleanor Roosevelt's airplane, en route to Los Angeles on the evening of the Pearl Harbor attack, was grounded in the Midwest while the first lady telephoned Washington to check a radio message that San Francisco was under bombardment. Painters at Stanford University blacked out the skylight of the library's main reading room so that it could not serve as a beacon to enemy pilots. Carpenters hammered up dummy aircraft plants in Los Angeles to decoy Japanese bombers away from the real factories. Athletic officials moved the traditional New Year's Day football classic from the Rose Bowl in Pasadena, California; the game was played instead in North Carolina, presumably safe from Japanese attack. Japan's astonishing string of victories in the Pacific further unsettled American public opinion. Hong Kong fell on December 2, Manila on January 2, Singapore on January 25.

The release at the end of January of a government investigation of

in World War II some five thousand Germans and Italians, both citizens and “enemy aliens,” were eventually interned, principally in camps at Bismarck, North Dakota, and Missoula, Montana. See Biddle, 204–11; and Rose Schierini, “Executive Order 9066 and Italian Americans: The San Francisco Story,” *California History* 70, no. 4 (Winter 1991–92): 367–77.

5. The only authenticated Japanese attacks on the American mainland, other than Fujita's two raids, were the shelling of an oil refinery near Santa Barbara on February 23, 1942, which damaged a pump-house, and of the Oregon coast near Fort Stevens on June 21, which damaged a baseball-diamond backstop. Both incidents involved ineffective fire from a submarine's deck gun, and both happened *after* the presidential evacuation order was signed on February 19.

the Pearl Harbor attack proved the decisive blow. The report, prepared by Supreme Court Justice Owen J. Roberts, alleged without documentation that Hawaii-based espionage agents, including Japanese-American citizens, had abetted Nagumo's strike force. Two days later, DeWitt reported "a tremendous volume of public opinion now developing against the Japanese of all classes, that is aliens and non-aliens." DeWitt himself, described by Biddle as having a "tendency to reflect the views of the last man to whom he talked," soon succumbed to Rumor's siren. He wildly declared to an incredulous Justice Department official that every ship sailing out of the Columbia had been attacked by submarines guided by clandestine radio operators near the river's mouth. When evidence of actual attacks failed to materialize, DeWitt invoked the tortured logic that the very absence of any sabotage activity on the West Coast proved the existence of an organized, disciplined conspiracy in the Japanese community, cunningly withholding its blow until it could be struck with lethal effect. In February the respected columnist Walter Lippmann alleged that military authorities had evidence of radio communications between "the enemy at sea and enemy agents on land" — a charge that FBI director J. Edgar Hoover had already advised Biddle was utterly without foundation. A radio technician from the Federal Communications Commission reviewed DeWitt's "evidence" of electronic signals and declared it hogwash. All 760 of DeWitt's suspicious radio transmissions could be accounted for, and not one involved espionage. "Frankly," the technician concluded, "I have never seen an organization [the U.S. Army's Western Defense Command] that was so hopeless to cope with radio intelligence requirements. The personnel is unskilled and untrained. Most are privates who can read only ten words a minute. . . . It's pathetic to say the least."

But by this time facts were no protection against the building gale of fear and prejudice. "Nobody's constitutional rights," Lippmann magisterially intoned, "include the right to reside and do business on a battlefield." Lippmann's colleague Westbrook Pegler echoed him less elegantly a few days later: "The Japanese in California should be under armed guard to the last man and woman right now," Pegler wrote in his widely read column, "and to hell with habeas corpus until the danger is over." Unapologetically racist voices also joined the chorus. "We're charged with wanting to get rid of the Japs for selfish reasons," a leader of California's Grower-Shipper Vegetable Association declared. "We might as well be honest. We do. It's a question of whether the white man lives on the Pacific Coast or the brown man." Prodded by

such sentiments, in early February 1942 DeWitt officially requested authority to remove all Japanese from the West Coast. It was impossible, he claimed, to distinguish the loyal from the disloyal in the peculiarly alien and inscrutable Japanese community. The only remedy was wholesale evacuation. The same man who had said a month earlier, "An American citizen, after all, is an American citizen," now announced, "A Jap's a Jap. . . . It makes no difference whether he is an American citizen or not. . . . I don't want any of them."⁶

At the Justice Department several officials, including conspicuously Edward J. Ennis, director of the Alien Enemy Control Unit, as well as Biddle's assistant James H. Rowe, struggled to quell this irrationally mounting fury. Rowe denounced Lippmann and Pegler as "Armchair Strategists and Junior G-Men" whose reckless charges came "close to shouting FIRE! in the theater; and if race riots occur, these writers will bear a heavy responsibility." Attorney General Biddle informed Secretary of War Stimson "that the Department of Justice would not under any circumstances evacuate American citizens." But at a fateful meeting in the living room of the attorney general's Washington home on the evening of February 17, the gentle and scholarly Biddle buckled. Facing off against Assistant Secretary of War John J. McCloy and two army officers, Ennis and Rowe argued heatedly that DeWitt's request for evacuation orders should be denied. Unknown to his two subordinates, however, Biddle, new to the cabinet, unsure of his standing with Roosevelt, and overawed by the Olympian figure of Stimson, had told the secretary of war by telephone earlier in the day that he would not oppose DeWitt's recommendation. When this became clear, Rowe remembered, "I was so mad that I could not speak. . . . Ennis almost wept." Even Stimson had grave misgivings. "The second generation Japanese can only be evacuated," he wrote in his diary, "either as part of a total evacuation, giving access to the areas only by permits, or by frankly trying to put them out on the ground that their racial characteristics are such that we cannot understand or even trust the citizen Japanese. This latter is the fact but I am afraid it will make a tremendous hole in our constitutional system to apply it." Despite his own reservations and the sput-

6. Eleanor Roosevelt, *This I Remember* (New York: Harper and Brothers, 1949), 236; John Morton Blum, *V Was for Victory: Politics and American Culture during World War II* (New York: Harcourt Brace Jovanovich, 1976), 159; Biddle, *In Brief Authority*, 215; Irons, *Justice at War*, 39-40, 41, 60-61, 283.

tering opposition of the Justice Department officials, Stimson advised the president that DeWitt should be authorized to proceed. The cabinet devoted only a desultory discussion to the matter. On February 19 Roosevelt signed Executive Order 9066. It directed the War Department to "prescribe military areas . . . from which any and all persons may be excluded." No explicit reference to the Japanese was necessary. When Biddle feebly objected that the order was "ill-advised, unnecessary, and unnecessarily cruel," Roosevelt silenced him with the rejoinder: "[T]his must be a military decision."⁷

The original order neither prescribed what should happen to the evacuees nor precluded voluntary withdrawal. Some fifteen thousand Japanese took it upon themselves to leave the prohibited Pacific coastal zone in February and early March 1942, moving in with relatives or friends in the Midwest or East. (Japanese residing outside the Western Defense Command were never subject to detention.) To facilitate this kind of voluntary resettlement, Roosevelt created the War Relocation Authority and named Milton S. Eisenhower, brother of Dwight D. Eisenhower, its director. But many states in the nation's interior made it clear that Japanese migration eastward spelled trouble. "There would be Japs hanging from every pine tree," the governor of Wyoming predicted, if his state became their destination. "We want to keep this a white man's country," said the attorney general of Idaho, urging that "all Japanese should be put in concentration camps."⁸

On March 27 DeWitt put a stop to voluntary withdrawal. He issued a "freeze order," prohibiting the remaining Japanese from leaving the Pacific Coast military zone without permission. Further orders soon followed to report to "assembly centers," makeshift facilities that included southern California's Santa Anita racetrack, where detainees were jammed into hastily converted horse stalls until they could be transferred to permanent "relocation centers." Yamato Ichihashi, a sixty-four-year-old Japanese-born Stanford professor of history swept up in the forced evacuation, described Santa Anita as "mentally and morally depressive," a place where "thousands are housed in stables which retain smells of animals. A stable which housed a horse now houses 5 to 6 humans. . . .

7. Irons, *Justice at War*, 61–62; Biddle, *In Brief Authority* 213, 218, 219; Stimson Diary, February 10, 1942; Kai Bird, *The Chairman: John J. McCloy and the Making of the American Establishment* (New York: Simon and Schuster, 1992), 153–54.

8. Irons, *Justice at War*, 72

There is no privacy of any kind. In short the general conditions are bad without any exaggeration; we are fast being converted into veritable Okies."⁹

Like the itinerant Okies, the Japanese were soon on the move again, headed for ten relocation camps, one in Arkansas and the others scattered through the arid western interior. Deeply troubled by this turn of events, Eisenhower resigned as director of the War Relocation Authority. He advised his successor, Dillon S. Meyer, to take the job only if his conscience would allow him to sleep at night. His own, Eisenhower explained, did not. Within weeks, more than a hundred thousand Japanese were uprooted from their homes and livelihoods. In the haste of departure, scant provision could be made for protecting houses, farms, businesses, and other assets. The evacuees' property losses alone would eventually total in the millions of dollars, to say nothing of spiritual stagnation and lost wages as they languished in the camps, odd oases of enforced idleness in the midst of the wartime boom.

The camp at Manzanar, on the barren flats of a dried-up lake bed in California's Inyo County, received the first evacuees in June 1942. Though an improvement on the transient assembly centers, Manzanar, like all the other camps, greeted the new arrivals with stark reminders of their predicament. Barbed wire fencing girdled the six-thousand-acre site. A second range of fence further enclosed the 560-acre residential area. Guard towers, searchlights, and machine-gun installations punctuated the compound's perimeter at regular intervals. The summer's heat made the twenty-by-twenty-foot uninsulated cabins virtually uninhabitable, and the winter's wind drove desert sand into everything. Still, as Ichihashi reported, the sanitary facilities were adequate and the food was good, at least compared with Santa Anita.

The camps soon became little cities, complete with the kinds of tensions endemic to real cities. A riot at Manzanar in late 1942, precipitated by anger over the government's use of "stool pigeons" to keep tabs on dissidents, left two internees dead and eight seriously wounded. "You can't imagine how close we came to machine-gunning the whole bunch of them," one official told a San Francisco reporter. "The only thing that stopped us, I guess, were the effects such a shooting would have had on the Japs holding our boys in Manila and China."¹⁰ But for the

9. Gordon Chang, ed., *Morning Glory, Evening Shadow: Yamato Ichihashi and His Internment Writings, 1942-1945* (Stanford: Stanford University Press, 1997), 104, 108.

10. Bird, *Chairman*, 683, n. 99.

most part, the residents tried to establish as normal a life as they could. They organized newspapers, markets, schools, and police and fire departments. Farmers daily passed through gates in the first fence to tend their plots. Inmates willing to submit to a humiliating process of interrogation to establish their loyalty to the United States could be furloughed for work beyond the second fence.

When Meyer in early 1943 made the loyalty-interrogation process compulsory for all internees, many of them bristled. Asked if they would forswear allegiance to the Japanese emperor and if they were willing to serve in the armed forces of the United States, several thousand camp inmates, offended at the implication that their presumptive loyalty was to Japan and suspicious that they were being recruited for suicide missions, answered no to both questions. The eighty-five hundred internees in this "No-No" group, mostly Nisei young men, were then labeled disloyal and dispatched to a camp at Tule Lake, California. Among those whose loyalty was confirmed, some three thousand were recruited into the 442nd Regimental Combat Team, an all-Japanese (segregated) unit that distinguished itself fighting in Italy. Slowly, other certifiably loyal internees began to be released. By mid-1944 as many as twenty-five thousand had departed the camps.¹¹

The policy of segregating the loyal from the allegedly disloyal Japanese detainees highlighted some of the most painful contradictions in the entire relocation scheme and exposed it to especially potent legal challenge. "When the segregation is effected," Ichihashi shrewdly queried a Stanford colleague in mid-1943, "how could the American government continue to justify the present policy of keeping the loyal citizens and aliens in the relocation centers? It conflicts with the fundamental reason given for the wholesale evacuation."¹²

Ichihashi's question already hung heavily over the minds of many in Washington. Biddle's unquiet conscience continued to trouble him, and he pressed for accelerated releases from the camps. Anything else, he told Roosevelt at the end of 1943, "is dangerous and repugnant to the principles of our government." Secretary of the Interior Harold Ickes advised the president in June 1944 that "the continued retention of these innocent people in the relocation centers would be a blot upon the

11. Jacobus tenBroeck et al., *Prejudice, War, and the Constitution* (Berkeley and Los Angeles: University of California Press, 1970), 150-51; U.S. Department of Interior, War Location Authority, *Impounded People: Japanese Americans in the Relocation Centers* (Washington: USGPO, 1946), 112-33.

12. Chang, *Morning Glory*, 244.

history of this country." Even Stimson favored "freeing those who had been screened and found loyal," but in a significant qualification Stimson added that he "doubted the wisdom of doing it . . . before the [1944 presidential] election." Roosevelt agreed. He feared the ruckus that the returning Japanese might stir up, especially in electorally weighty California. For the time being, releases would continue only at a deliberately controlled snail's pace.¹³

War Department officials watched anxiously as several lawsuits challenging the constitutionality of the relocation scheme made their way through the courts. On June 21, 1943, the Supreme Court ruled unanimously in the government's favor in the first two cases, though both turned on technicalities that allowed the Court to evade a decision on the central issues of coerced evacuation and compulsory internment. In one of those cases, *Hirabayashi v. United States*, Justice Frank Murphy's concurring opinion sounded an ominous warning. The relocation program, he admonished, ventured perilously close "to the very brink of constitutional power." For the first time in history, Murphy wrote, the Court had "sustained a substantial restriction of the personal liberty of citizens of the United States based upon the accident of race or ancestry." The government's policy, he darkly concluded, bore "a melancholy resemblance to the treatment accorded to members of the Jewish race in Germany and in other parts of Europe."¹⁴

Of the remaining suits, Fred Korematsu's held the greatest threat to the constitutionality of the relocation program. Korematsu was an unlikely paragon of his sorely abused people. A twenty-three-year-old American-born Nisei living in the San Francisco Bay area in the spring of 1942, he had a good welding job and an Italian-American fiancée, and no wish to leave either. When DeWitt issued his evacuation order, Korematsu forged his identity papers, underwent plastic surgery to change his facial appearance, and prepared to wait out the war as a "Spanish-Hawaiian" named "Clyde Sarah." The subterfuge came to an inglorious end on the afternoon of May 30, 1942, when police acting on a tip arrested Korematsu as he was strolling down a street with his girlfriend in San Leandro, California. An American Civil Liberties Union lawyer read of the arrest in the newspaper, visited Korematsu in jail, and asked if he would allow his case to be used as a test of the evacuation decree. Somewhat surprisingly, Korematsu agreed.

13. Irons, *Justice at War*, 271-73.

14. *Hirabayashi v. United States*, 320 U.S. 81 (1943), 62-63.

While Korematsu's case began its slow journey through the legal system, DeWitt's deputy Colonel Karl R. Bendetsen was drafting a document for DeWitt's signature entitled *Final Report, Japanese Evacuation from the West Coast, 1942*. Ten months in preparation, 618 pages long, it offered DeWitt's official explanation for what he had done: "military necessity." Justice Department lawyers first saw the report in January 1944, as they were preparing their briefs in the Korematsu case. What they read stunned them. The *Final Report* ignited an uproar that raged for eight months, a donnybrook between the Justice and War departments that ended with a pathetic but constitutionally fateful whimper in a last-ditch skirmish over a three-sentence footnote.

To buttress the argument that forced evacuation was a matter of military necessity, Bendetsen had laced the *Final Report* with hundreds of examples of subversive activities on the West Coast in the winter and spring of 1942. That evidence was the indispensable basis for the government's claim that its relocation program lay within constitutional bounds. But the Justice Department lawyers quickly saw that Bendetsen had cooked his facts. His statement that an FBI raid had turned up "more than 60,000 rounds of ammunition and many rifles, shotguns and maps," for example, failed to mention that those items had come from a sporting-goods store. Worse, when Biddle asked the FBI and the Federal Communications Commission (FCC) to review the report's charges, the responses were unequivocal. Hoover replied that "there is no information in the possession of this Bureau" that supported Bendetsen's claims about espionage. The FCC's response was even more damning. Citing its own 1942 study that had shown DeWitt's claims about supposedly illicit radio transmissions to be false, the FCC expressed its outrage that the allegations had resurfaced in the report. "There wasn't a single illicit station and DeWitt knew it," an FCC technician said.¹⁵

Armed with these findings, Justice Department attorneys determined to disavow the *Final Report* in their presentation of the *Korematsu* case. Excluding the evidence in the report—in legal language, instructing the Court to take no judicial notice of it—would fatally undermine the factual basis for the argument that military necessity justified the violation of Fred Korematsu's constitutional right to live where he pleased. To that end, the department's drafting team carefully tamped a high-explosive footnote into its brief:

15. Biddle, *In Brief Authority*, 221; Irons, *Justice at War*, 281, 284.

The Final Report of General DeWitt is relied on in this brief for statistics and other details concerning the actual evacuation and the events that took place subsequent thereto. The recital of the circumstances justifying the evacuation as a matter of military necessity, however, is in several respects, particularly with reference to the use of illegal radio transmitters and to shore-to-ship signaling by persons of Japanese ancestry, in conflict with information in the possession of the Department of Justice. In view of the contrariety of the reports on this matter we do not ask the Court to take judicial notice of the recital of those facts contained in the Report.

Privately, the lawyers used less measured language. The report's allegations of espionage, sabotage, and treason, they said, were "lies." Propagating these intentional falsehoods was "highly unfair to this racial minority." Left uncorrected, the report would mean that "the whole historical record of this matter will be as the military choose to state it."¹⁶

The footnote detonated in Assistant Secretary of War McCloy's hands when he read a draft of the Justice Department's brief on Saturday morning, September 30, 1944. McCloy reflexively understood that its effect would be to explode the shaky consensus the Court had patched together in the *Hirabayashi* case, and probably to induce a judgment that the entire relocation program was unconstitutional. He insisted that the damning footnote be amended. After two days of frantic argument, the top officials at the Justice Department once again buckled under McCloy's pressure and deleted the offending footnote. Ignorant of this dispute, the Supreme Court justices proceeded to deliberate on the *Korematsu* case deprived of a basis on which to challenge the factual assertions of the *Final Report*.

Even so, the Court was clearly queasy about the *Korematsu* case. Justice Hugo Black's majority opinion upheld Fred Korematsu's original conviction for violating the evacuation decree while carefully avoiding any pronouncement on the legality of his subsequent internment. "All legal restrictions which curtail the civil rights of a single racial group are immediately suspect," Black cautioned, and must be subjected to the strictest scrutiny. But military necessity, Black concluded, provided sufficient grounds to believe that the government's actions passed the strict scrutiny test in *Korematsu's* case. Justices Roberts, Murphy, and Jackson dissented. Jackson objected that the Court had "validated the

16. Irons, *Justice at War*, 286, 288.

principle of racial discrimination." If McCloy had not succeeded in expunging the footnote that called DeWitt's *Final Report* into question, a majority of the Court would quite possibly have found in Korematsu's favor. As it was, though no racially restrictive law has ever since passed the strict scrutiny test, the *Korematsu* precedent, in Jackson's phrase, "lies about like a loaded weapon ready for the hand of any authority that can bring forward a plausible claim to an urgent need."¹⁷

When the Court pronounced on the *Korematsu* case on December 18, 1944, safely after the November presidential election, the camps had already begun to empty. Just the day before the Court's decision was announced, the government had declared that the period of "military necessity" was ended. West Coast military authorities rescinded DeWitt's original evacuation order and restored to the remaining camp residents "their full rights to enter and remain in the military areas of the Western Defense Command."¹⁸

The sorry history of Korematsu's bowdlerized brief condemns the Court's ruling as a judicial travesty. For the Japanese internees, the entire episode had been a cruel torment. By one estimate they suffered some \$400 million in property losses as a result of evacuation. Congress in 1948 provided a paltry \$37 million in reparations. In another spasm of conscience forty years later, Congress awarded \$20,000 to each surviving detainee. President Bill Clinton rendered further atonement in 1998 when he bestowed the nation's highest civilian honor, the Presidential Medal of Freedom, on that implausible paladin, Fred Korematsu.¹⁹

Yet for the Nisei generation, the ordeal of the camps yielded at least some inadvertently compensatory fruit. The detention experience cracked the thick cake of custom that had encrusted the prewar Japanese community. It undermined the cultural authority of the elderly Issei, liberated their children from hidebound tradition and cultural isolation, and dramatically catalyzed the Nisei's assimilation into the larger society. However painful and unintentional the process, internment allowed younger Japanese-Americans to break out of their defensive ethnic enclaves during the war and rapidly ascend the ladder of social mobility thereafter. Within three decades of the war's end, the Nisei were among

17. *Korematsu v. United States*, 323 U.S. 214 (1944), 216, 245-46.

18. Irons, *Justice at War*, 276.

19. In 1984 a federal court voided Korematsu's 1944 conviction on a writ of *coram nobis*—a judicial ruling that the original verdict had been tainted by official misconduct. See *Korematsu v. U.S.*, 584 F. Supp. 1406 (N.D. Cal. 1984).

the best-educated Americans and enjoyed incomes more than a third above the national average (ranking second among American ethnic groups only to Jews). Their improbable destiny mirrored the experience of millions of other Americans whose lives were touched by the war.²⁰

End

THE JAPANESE INTERNMENT affronted American ideals of justice. Yet in a sense the harsh treatment of the Japanese may have been no less an anomaly than Fujita's two bombing raids, and the Nisei's eventual fate might be taken as more typical of the war's impact on many Americans. The chronic discomfort of government officials with their own policy, and the obvious caution and even distaste with which the Supreme Court handled the evacuation cases, bore witness to the singular awkwardness with which American culture tried to come to terms with the internment episode. What happened to the Japanese was especially disquieting in wartime America precisely because it so loudly mocked the nation's best image of itself as a tolerantly inclusive, fair-minded, "melting pot" society—an image long nurtured in national mythology, and one powerfully reinforced by the conspicuously racialized conflict that was World War II.

The deliberate burnishing of that image had begun well before Pearl Harbor. Citing the contrasting example of Hitler's campaign against the Jews, Franklin Roosevelt throughout the 1930s had purposely invoked religious toleration as a distinguishing American trait, one that spelled the difference between Americans and their adversaries and defined the very essence of the American character. He struck that note with special eloquence when he listed "the freedom of every person to worship God in his own way" as one of the "essential human freedoms" in his famous "Four Freedoms" address in January 1941. He expanded upon that theme time and again in the weeks after Pearl Harbor. "Remember the Nazi technique: 'Pit race against race, religion against religion, prejudice against prejudice. Divide and conquer!' We must not let that happen here," he declared in January 1942. In his State of the Union address in the same month he warned: "We must be particularly vigilant against racial discrimination in any of its ugly forms. Hitler will try again to breed mistrust and suspicion between one individual and another, one group and another, one race and another."²¹

Those sentiments were not simply the ritual incantations of a prag-

20. Thomas Sowell, *Ethnic America* (New York: Basic 1981), 5, 171-79.

21. *PPA* (1940), 672; (1942), 6, 39.

