

Name _____

Date _____



Fred Korematsu

As the Allies fought to defeat fascism during World War II, the US government carried out its own human rights abuses back home, imprisoning more than 120,000 Japanese Americans based solely on their heritage. Among them was a 23-year-old man named Fred Korematsu, whose resistance to internment would change the course of history.

Fred Korematsu was born in Oakland, California, in 1919. His parents were Japanese immigrants who owned a local flower nursery. Korematsu and his three brothers grew up attending public schools, playing on sports teams, and working at the family business. Though Korematsu was no stranger to anti-Asian racism, his life would change dramatically in 1941, when the US entered World War II following the attack on Pearl Harbor by Imperial Japan. Korematsu was eager to assist the Allied war effort and tried to enlist in the military, but was turned away by discriminatory officers. When he eventually found work as a shipyard welder, he was abruptly fired due to his Japanese ancestry.

As anti-Japanese racism intensified, President Franklin D. Roosevelt signed Executive Order 9066 in February 1942, authorizing the military to remove Japanese Americans from their homes on the West Coast and force them into concentration camps. That May, when Korematsu was ordered to turn himself in for internment, he refused to comply. Instead, he went into hiding, having undergone plastic surgery in an effort to pass as White. Just weeks later, he was arrested and jailed.

Soon after his arrest, an attorney from the American Civil Liberties Union offered to represent Korematsu and build a case against Executive Order 9066. Korematsu agreed, as he believed his imprisonment went against the freedoms set out in the Constitution, including the right to a fair trial. In September 1942, Korematsu was tried and convicted in federal court for failing to obey military orders, and was sentenced to five years' probation. He was then sent to the Topaz War Relocation Center in Utah, where he and his family were forced to live in a horse stall.

During this time, Korematsu continued to appeal his conviction. His case made it all the way to the Supreme

Court, and in a landmark 1944 decision, Korematsu's conviction was upheld 6-3. The majority opinion called internment a "military necessity" and stated that the need to protect against espionage outweighed the constitutional rights of Japanese Americans. Not everyone agreed: In a scathing dissent, Justice Robert Jackson wrote that there was no evidence to justify internment, and that in issuing this decision, "the Court for all time has validated the principle of racial discrimination... The principle then lies about like a loaded weapon, ready for the hand of any authority that can bring forward a plausible claim of an urgent need."

Once World War II ended, Japanese Americans were released from internment. Korematsu tried to resume a normal life, but anti-Asian racism and his criminal conviction made finding work difficult. He eventually settled in the San Francisco Bay Area with his wife and two children.

Fast forward to 1980, when President Jimmy Carter created a special commission to reevaluate the internment of Japanese Americans. The group concluded that Executive Order 9066 was fueled by "race prejudice, war hysteria, and a failure of political leadership." Newly uncovered documents revealed that no government agency had ever suspected Japanese Americans of espionage, but these reports were intentionally suppressed during the 1944 Supreme Court proceedings. Later that year, Korematsu's conviction was finally overturned.

Korematsu remained a civil rights activist for the rest of his life, working with the National Coalition for Redress and Reparations to lobby the government for an apology as well as compensation for internment camp survivors. In 1988, President Ronald Reagan signed the proposed legislation into law. Ten years later, Korematsu was honored with the Presidential Medal of Freedom.

Though Korematsu's record had been cleared, the Supreme Court decision that upheld his conviction remained on the books—so he kept speaking out. After 9/11, he filed several amicus briefs with the Supreme Court on behalf of Muslim inmates detained without trial at Guantanamo Bay. He argued that these new national security measures were reminiscent of those that led to his internment, writing that "full vindication for the Japanese Americans will arrive only when we learn that, even in times of crisis, we must guard against prejudice and keep uppermost our commitment to law and justice."

Korematsu died in 2005 at the age of 86. Five years later, California officially recognized January 30th as Fred Korematsu Day, the first state holiday named for an Asian American. Korematsu's principled resistance

to racism and injustice has remained an inspiration to activists fighting to uphold the civil liberties to which we are all entitled.